

## Extraordinary Council Meeting

MINUTES OF MEETING NO. 17/11

**Meeting Date:** Tuesday 18 October 2011  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

**Councillors Present:** The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Perram, Petch, Pickering, Tagg and Yedelian OAM.

**Apologies:** Councillor Salvestro-Martin.

**Staff Present:** General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Acting Group Manager – Environment & Planning, Group Manager - Public Works, Manager – Strategy and Organisation Development, Manager – Urban Planning, Chief Financial Officer, Development Director – Civic Precinct Project, Project Manager – Ryde Town Centre, Team Leader – Strategic Planning, Media & Community Relations Officer and Manager – Governance.

### **DISCLOSURES OF INTEREST**

Councillor Tagg declared a less than significant non-pecuniary interest in Item 1 – PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – Ryde Civic Precinct.

### **PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Petch)

That Council allow all speakers to address Council.

### **Record of Voting**

For the Motion: Unanimous

The following persons addressed the Council regarding the following Items:

**ITEM 1 – PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION – Ryde Civic Precinct**

AND

**ITEM 2 – CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE**

No.	Name
1	Ms Mary Heffernan

No.	Name
2	Ms Suzanne Marks
3	Ms Denise Pendleton
4	Ms Edna Wilde OAM
5	Ms Helen Brown
6	Mr John Iosifidis
7	Mr Victor Gennusa
8	Dr Edward Watts
9	Ms Sheryl Barton
10	Mr Edmund Collingridge
11	Mr John Byrne
12	Mr Kevin Page
13	Mr Jerome Laxale
14	Mr Robert Slatter
15	Mr Keith Scott
16	Mr Wayne Simmons
17	Ms Diane Erickson
18	Mr Stefan Sojka
19	Ms Roslyn Lunsford
20	Mr John Fryer

### **MAYORAL MINUTES**

There were no Mayoral Minutes.

### **COUNCIL REPORTS**

#### **1 PLANNING PROPOSAL RESULTS OF COMMUNITY CONSULTATION - Ryde Civic Precinct**

Note: Councillor Tagg declared a less than significant non-pecuniary interest in this Item.

Note: The Ryde Civic Precinct Legal Opinion on the need to re-exhibit an amended Planning Proposal and Late Submissions were tabled and a copy is ON FILE.

**MOTION:** (Moved by Councillors Petch and Tagg)

That no further action be taken with regard to the Planning Proposal.

**AMENDMENT:** (Moved by Councillors O'Donnell and Campbell)

- (a) That the Planning Proposal with amended height controls (in accordance with the recommendation of the independent Planners report dated 18 October 2011) for the Ryde Civic Precinct be re-exhibited for 28 days.
- (b) That DCP 2010 – Part 4.4 Ryde Town Centre be amended to incorporate development controls for the Ryde Civic Precinct.

- (c) That the draft amendments to DCP 2010 - Part 4.4 Ryde Town Centre is reported to Council.
- (d) That the General Manager write to the Director General of the Department of Planning and Infrastructure requesting a variation to the timeframe condition of the Gateway Process to this Planning Proposal.

The Amendment was put and **CARRIED** with six (6) votes For and five (5) votes Against, thereby becoming the Motion.

### **Record of Voting**

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Amendment: Councillors Butterworth, Li, Perram, Petch, and Tagg

**MOTION:** (Moved by Councillors O'Donnell and Campbell)

- (a) That the Planning Proposal with amended height controls (in accordance with the recommendation of the independent Planners report dated 18 October 2011) for the Ryde Civic Precinct be re-exhibited for 28 days.
- (b) That DCP 2010 – Part 4.4 Ryde Town Centre be amended to incorporate development controls for the Ryde Civic Precinct.
- (c) That the draft amendments to DCP 2010 - Part 4.4 Ryde Town Centre is reported to Council.
- (d) That the General Manager write to the Director General of the Department of Planning and Infrastructure requesting a variation to the timeframe condition of the Gateway Process to this Planning Proposal.

**FURTHER AMENDMENT:** (Moved by Councillors Tagg and Petch)

That this matter be deferred to allow a referendum/poll to be conducted regarding this matter at the 2012 local government election.

The Further Amendment was put and **LOST** with five (5) votes For and six (6) votes Against.

### **Record of Voting**

For the Further Amendment: Councillors Butterworth, Li, Perram, Petch, and Tagg

Against the Further Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

The Motion was put and **CARRIED** with six (6) votes For and five (5) votes Against.

**RESOLUTION:** (Moved by Councillors O'Donnell and Campbell)

- (a) That the Planning Proposal with amended height controls (in accordance with the recommendation of the independent Planners report dated 18 October 2011) for the Ryde Civic Precinct be re-exhibited for 28 days.
- (b) That DCP 2010 – Part 4.4 Ryde Town Centre be amended to incorporate development controls for the Ryde Civic Precinct.
- (c) That the draft amendments to DCP 2010 - Part 4.4 Ryde Town Centre is reported to Council.
- (d) That the General Manager write to the Director General of the Department of Planning and Infrastructure requesting a variation to the timeframe condition of the Gateway Process to this Planning Proposal.

**Record of Voting**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

**2 CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE**

**MOTION:** (Moved by Councillors Campbell and Maggio)

1. That Council determine to progress to the end of stage 3 and delegate to the General Manager to undertake an EOI and tendering process in accordance with Option 1 as outlined in this report, and a further report recommending a preferred development partner be presented to Council by August 2012.
2. That the procurement process for tendering and selecting an appropriate development partner for a private public partnership with the City of Ryde be designed so that the selection criteria:-
  - Provides appropriate options for the provision of community, civic and administration facilities (as previously discussed with Council) located in Top Ryde.
  - Evaluates design excellence and sustainable practices (minimum 4 green star rating for the residential component and 5 green star rating for the commercial and civic elements) as a significant element of the evaluation process.
  - Evaluates overall site massing and urban design.
  - Evaluates quality of the design and the reputation of the design team nominated.
  - Evaluates demonstrated experience in building/developing multi million dollar mixed use developments.
  - Evaluates demonstrated financial integrity.

- Evaluates commercial offer to Council.
  - Evaluates the standard and quality of the facilities, finishes and fit out offered in exchange for land sale.
3. That Council delegates to the General Manager the authority to negotiate extensions of procurement arrangements and execute all relevant documentation with four Civic Precinct team external providers (as listed in the information separately provided), where the commitment will exceed \$150,000 over Stages 1, 2 and 3 of the project (exercising Council's ability to resolve not to go to open tender when extenuating circumstances exist as per section 55(3) of the *Local Government Act 1993*).
  4. That Council approve expenditure of \$2.6 million from the Civic Precinct Reserve to the Civic Precinct Project budget (with costs to be recouped from the project returns).
  5. That the General Manager prepare a report for Council within 8 weeks outlining the potential redevelopment of the Council owned site, the Argyle Centre, as an affordable housing project site if that site becomes available with the relocation of the Community Life staff as a consequence of the Civic Centre redevelopment project. This report to include an outline of the proposed business model, governance arrangements, key project stages with projected timeframes and proposed community consultation processes.

**AMENDMENT:** (Moved by Councillors Petch and Butterworth)

That Council determine to stop the Civic Precinct Project in accordance with option 3 as outlined in this report and bring a further report to Council on priorities of works, costs and sources of funds to ensure the Civic Precinct and Argyle Centre complies with BCA standards and an acceptable working environment for staff.

The Amendment was put and **CARRIED** with six (6) votes For and five (5) votes Against, thereby becoming the Motion.

### **Record of Voting**

For the Amendment: Councillors Butterworth, Li, Perram, Petch, Pickering and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell and Yedelian OAM

### **RECOMITTAL OF ITEM**

**RESOLUTION:** (Moved by Councillors Pickering and Campbell)

That Item 2 - CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE be recommitted.

### **Record of Voting**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch and Tagg

**AMENDMENT:** (Moved by Councillors Petch and Butterworth)

That Council determine to stop the Civic Precinct Project in accordance with option 3 as outlined in this report and bring a further report to Council on priorities of works, costs and sources of funds to ensure the Civic Precinct and Argyle Centre complies with BCA standards and an acceptable working environment for staff.

The Amendment was put and **LOST** with five (5) votes For and six (6) votes Against.

### **Record of Voting**

For the Amendment: Councillors Butterworth, Li, Perram, Petch and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

**MOTION:** (Moved by Councillors Campbell and Maggio)

1. That Council determine to progress to the end of stage 3 and delegate to the General Manager to undertake an EOI and tendering process in accordance with Option 1 as outlined in this report, and a further report recommending a preferred development partner be presented to Council by August 2012.
2. That the procurement process for tendering and selecting an appropriate development partner for a private public partnership with the City of Ryde be designed so that the selection criteria:-
  - Provides appropriate options for the provision of community, civic and administration facilities (as previously discussed with Council) located in Top Ryde.
  - Evaluates design excellence and sustainable practices (minimum 4 green star rating for the residential component and 5 green star rating for the commercial and civic elements) as a significant element of the evaluation process.
  - Evaluates overall site massing and urban design.
  - Evaluates quality of the design and the reputation of the design team nominated.
  - Evaluates demonstrated experience in building/developing multi million dollar mixed use developments.
  - Evaluates demonstrated financial integrity.
  - Evaluates commercial offer to Council.

- Evaluates the standard and quality of the facilities, finishes and fit out offered in exchange for land sale.
3. That Council delegates to the General Manager the authority to negotiate extensions of procurement arrangements and execute all relevant documentation with four Civic Precinct team external providers (as listed in the information separately provided), where the commitment will exceed \$150,000 over Stages 1, 2 and 3 of the project (exercising Council's ability to resolve not to go to open tender when extenuating circumstances exist as per section 55(3) of the *Local Government Act 1993*).
  4. That Council approve expenditure of \$2.6 million from the Civic Precinct Reserve to the Civic Precinct Project budget (with costs to be recouped from the project returns).
  5. That the General Manager prepare a report for Council within 8 weeks outlining the potential redevelopment of the Council owned site, the Argyle Centre, as an affordable housing project site if that site becomes available with the relocation of the Community Life staff as a consequence of the Civic Centre redevelopment project. This report to include an outline of the proposed business model, governance arrangements, key project stages with projected timeframes and proposed community consultation processes.

The Motion was put and **CARRIED** with six (6) votes For and five (5) votes Against.

### **Record of Voting**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

### **RECOMITTAL OF ITEM**

**RESOLUTION:** (Moved by Councillors Petch and Tagg)

That Item 2 - CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE be recommitted.

### **Record of Voting**

For the Motion: Councillors Li, Maggio, O'Donnell, Perram, Petch, Tagg and Yedelian OAM

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell and Pickering.

Motion to be considered in Seriatim

**RESOLUTION:** (Moved by Councillors Petch and Tagg)

That the Motion be dealt with in seriatim.

**Record of Voting**

For the Motion: Councillors Li, Maggio, O'Donnell, Perram, Petch, Pickering, Tagg and Yedelian OAM

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth and Campbell

The Motion was then dealt with in seriatim

**RESOLUTION:** (Moved by Councillors Campbell and Maggio)

1. That Council determine to progress to the end of stage 3 and delegate to the General Manager to undertake an EOI and tendering process in accordance with Option 1 as outlined in this report, and a further report recommending a preferred development partner be presented to Council by August 2012.

**Record of Voting**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

**RESOLUTION:** (Moved by Councillors Campbell and Maggio)

2. That the procurement process for tendering and selecting an appropriate development partner for a private public partnership with the City of Ryde be designed so that the selection criteria:-
  - Provides appropriate options for the provision of community, civic and administration facilities (as previously discussed with Council) located in Top Ryde.
  - Evaluates design excellence and sustainable practices (minimum 4 green star rating for the residential component and 5 green star rating for the commercial and civic elements) as a significant element of the evaluation process.
  - Evaluates overall site massing and urban design.
  - Evaluates quality of the design and the reputation of the design team nominated.
  - Evaluates demonstrated experience in building/developing multi million dollar mixed use developments.
  - Evaluates demonstrated financial integrity.
  - Evaluates commercial offer to Council.
  - Evaluates the standard and quality of the facilities, finishes and fit out offered in exchange for land sale.



### **Record of Voting**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

**RESOLUTION:** (Moved by Councillors Campbell and Maggio)

3. That Council delegates to the General Manager the authority to negotiate extensions of procurement arrangements and execute all relevant documentation with four Civic Precinct team external providers (as listed in the information separately provided), where the commitment will exceed \$150,000 over Stages 1, 2 and 3 of the project (exercising Council's ability to resolve not to go to open tender when extenuating circumstances exist as per section 55(3) of the *Local Government Act 1993*).

### **Record of Voting**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

**RESOLUTION:** (Moved by Councillors Campbell and Maggio)

4. That Council approve expenditure of \$2.6 million from the Civic Precinct Reserve to the Civic Precinct Project budget (with costs to be recouped from the project returns).

### **Record of Voting**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

**RESOLUTION:** (Moved by Councillors Campbell and Maggio)

5. That the General Manager prepare a report for Council within 8 weeks outlining the potential redevelopment of the Council owned site, the Argyle Centre, as an affordable housing project site if that site becomes available with the relocation of the Community Life staff as a consequence of the Civic Centre redevelopment project. This report to include an outline of the proposed business model, governance arrangements, key project stages with projected timeframes and proposed community consultation processes.

## Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, and Tagg

**RESOLUTION:** (Moved by Councillors Campbell and Maggio)

1. That Council determine to progress to the end of stage 3 and delegate to the General Manager to undertake an EOI and tendering process in accordance with Option 1 as outlined in this report, and a further report recommending a preferred development partner be presented to Council by August 2012.
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with the relocation of the Community Life staff as a consequence of the Civic Centre redevelopment project. This report to include an outline of the proposed business model, governance arrangements, key project stages with projected timeframes and proposed community consultation processes.

**NATIONAL ANTHEM**

The National Anthem was sung at the conclusion of the meeting.

The meeting closed at 10.47pm

CONFIRMED THIS 8TH DAY OF NOVEMBER 2011

Chairperson