

**Meeting Date:** Tuesday 26 November 2013  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 7.30pm

**Councillors Present:** The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Petch, Pickering, Simon and Yedelian OAM.

Note: Councillor Petch left the meeting at 9.50pm and did not return. He was not present for consideration of Mayoral Minute 33/13, Items 1, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, Precis of Correspondence 1, Precis of Correspondence 2, Notice of Motion 1 and Notice of Motion 2.

**Apologies:** Councillor Salvestro-Martin.

**Leave of Absence:** Councillor Perram.

**Staff Present:** Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Group Manager – Environment & Planning, Group Manager – Public Works, General Counsel, Chief Financial Officer, Manager – Urban Planning, Manager – The Environment, Section Manager – Properties, Section Manager – Traffic, Manager – Communications and Media, Coordinator – Digital Communications and Meeting Support Coordinator

### **PRAYER**

Reverend Nicholas Fried of the Eastwood Uniting Church was present and offered prayer prior to the commencement of the meeting.

### **DISCLOSURES OF INTEREST**

Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in Item 2(2) – 684 - 686 Victoria Road, Ryde. LOT 71 and 72 DP 633178 for the reason that an objector is known to her.

Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in Item 2(3) – 47 Gaza Road, West Ryde for the reason that he knows family that goes to St. Michael's Catholic School.

Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in Item 2(3) – 47 Gaza Road, West Ryde for the reason that his children attended St. Michaels School 12+ years ago.

Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in Item 17 – Coulter Street Car Park - RSL Proposal for the reason that he is an ordinary member of the Gladesville RSL Club.

Councillor Petch disclosed a Less than Significant Non-Pecuniary Interest in Item 17 – Coulter Street Car Park - RSL Proposal for the reason that he is a member of the Gladesville RSL Club.

The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in Item 17 – Coulter Street Car Park - RSL Proposal for the reason that he is a member of the Gladesville RSL Club.

### **TABLING OF PETITIONS**

Councillor Simon tabled a petition in relation to Item 3(3) – Neighbourhood Centres Renewal Program - Upgrade of Sager Place Shopping Centre - Concept Plan.

### **PRESENTATION – 150TH ANNIVERSARY OF PARRAMATTA**

Councillor Yedelian OAM presented three books titled “Shaping a City – 150 years of Parramatta City Council” to the Council, on behalf of the Lord Mayor of Parramatta Council, Councillor John Chedid, in celebration of the 150th Anniversary of Parramatta.

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

The following persons addressed the Council:

<b>Name</b>	<b>Topic</b>
Phillip Drew (on behalf of the Bunnings Group Pty Ltd)	Item 4 – 461-495 Victoria Road Planning Proposal - Traffic and Parking Study
Jennie Minifie	Item 14 – Property Investment Portfolio

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

That those speakers who submitted requests to address Council on Items 2 and 3, Reports of the Committee Meetings held on 19 November 2013, be allowed to address the meeting, the time being 7.41pm.

### **Record of Voting:**

For the Motion: Unanimous

The following person addressed the Council:

<b>Name</b>	<b>Topic</b>
Libby Lawson	Item 3(3) – Neighbourhood Centres Renewal Program - Upgrade of Sager Place Shopping Centre - Concept Plan
Amanda White	Item 2(3) – 47 Gaza Road, West Ryde - LDA2012/0352

**PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

**RESOLUTION:** (Moved by Councillors Etmekdjian and Laxale)

That those speakers who submitted late requests to address Council on Items not Listed on the Agenda be allowed to address the meeting, the time being 7.48pm.

**Record of Voting:**

For the Motion: Unanimous

The following persons addressed the Council:

<b>Name</b>	<b>Topic</b>
Russell Sajadi	General public issues and traffic and road works on Church Street
Vartkes Thomassian	Church Street matters

**MATTER OF URGENCY**

The Mayor, Councillor Maggio advised that he wished to raise a Matter of Urgency regarding Church Street parking, signage, disabled parking and loading zones.

**RESOLUTION:** (Moved by The Mayor, Councillor Maggio and Councillor Etmekdjian)

That Council consider a Matter of Urgency regarding Church Street parking, signage, disabled parking and loading zones.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY – CHURCH STREET, RYDE**

**RESOLUTION:** (Moved by The Mayor, Councillor Maggio and Councillor Yedelian OAM)

- (a) That Council officers facilitate a meeting with the shop owners of Church Street to discuss the impact of the upgrades including timing of parking, signage, disabled parking and loading zones to meet the requirements of the community.
- (b) That the meeting be facilitated within three working days of today with Mr Sajadi to be the contact person to allow him to inform the business owners of the date and time of the scheduled meeting.

**Record of Voting:**

For the Motion: Unanimous

**ORDER OF BUSINESS****RESOLUTION:** (Moved by Councillors Chung and Yedelian OAM)

That Council now consider the following Items, the time being 8.03pm:

- Item 2 - Report of the Planning and Environment Committee Meeting 17/13 held on 19 November 2013
- Item 3 - Report of the Works and Community Committee Meeting 17/13 held on 19 November 2013
- Item 4 - 461-495 Victoria Road Planning Proposal - Traffic And Parking Study
- Item 14 - Property Investment Portfolio

**Record of Voting:**For the Motion: Unanimous**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 17/13 held on 19 November 2013**

Note: Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in Item 3 – 47 Gaza Road, West Ryde for the reason that he knows family that goes to St. Michael's Catholic School.

Note: Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in Item 3 – 47 Gaza Road, West Ryde for the reason that his children attended St. Michaels School 12+ years ago.

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

That Council determine Item 2 of the Planning and Environment Committee report 17/13 held on 19 November 2013, noting that Items 1, 3 and 4 were dealt with by the Committee within its delegated powers.

**Record of Voting:**For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Laxale, Li, Petch, Pickering, Simon and Yedelian OAMAgainst the Motion: Councillor Pendleton**2 684 - 686 VICTORIA ROAD, RYDE. LOT 71 and 72 DP 633178. Local development application for the construction of a 3 storey residential flat building containing 18 apartments, basement parking for 22 vehicles and subdivision. LDA2013/0179.**

Note: Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that an objector is known to her.

**Note:** Amanda White addressed the meeting in relation to this Item.

**Note:** Councillor Etmekdjian tabled a document provided by Amanda White in relation to this Item and a copy is ON FILE.

**MOTION:** (Moved by Councillors Etmekdjian and Chung)

- (a) That Local Development Application No. 2013/0179 at 684 to 686 Victoria Road, Ryde being LOTS 71 and 72 DP633178 be approved with the following amendments to:
- Condition 1 – Deferred Commencement Condition deleted; and
  - Condition 16 – Construction of Boundary Fencing, the condition is to specify the necessary retaining wall is to be fully constructed within the boundary of the subject property, 684 to 686 Victoria Road, Ryde; and
- (b) That the persons who made submissions be advised of Council's decision.

**AMENDMENT** (Moved by Councillors Pendleton and Petch)

- (a) That Local Development Application No. 2013/0179 at 684 to 686 Victoria Road, Ryde being LOTS 71 and 72 DP633178 be deferred for mediation.
- (b) That a further report be provided to the Planning and Environment Committee.
- (c) That the persons who made submissions be advised of Council's decision.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and seven (7) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

**Record of Voting:**

For the Amendment: Councillors Li, Pendleton and Petch

Against the Amendment: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Laxale, Pickering, Simon and Yedelian OAM

**RESOLUTION:** (Moved by Councillors Etmekdjian and Chung)

- (a) That Local Development Application No. 2013/0179 at 684 to 686 Victoria Road, Ryde being LOTS 71 and 72 DP633178 be approved with the following amendments to:
- Condition 1 – Deferred Commencement Condition deleted; and

- Condition 16 – Construction of Boundary Fencing, the condition is to specify the necessary retaining wall is to be fully constructed within the boundary of the subject property, 684 to 686 Victoria Road, Ryde; and

(b) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 17/13 held on 19 November 2013**

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

That Council determine Items 3 and 4 of the Works and Community Committee report 17/13 held on 19 November 2013, noting that Items 1, 2, 5 and 6 were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**3 NEIGHBOURHOOD CENTRES RENEWAL PROGRAM - UPGRADE OF SAGER PLACE SHOPPING CENTRE - CONCEPT PLAN**

Note: A petition was tabled by Councillor Simon in relation to this Item and a copy is ON FILE.

Note: Libby Lawson addressed the meeting in relation to this Item.

**RESOLUTION:** (Moved by Councillors Pendleton and Simon)

That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan subject to further investigation with regard to the provision of a public toilet at the site.

**Record of Voting:**

For the Motion: Unanimous

**4 RESTORATION OF BEACH ACCESS FOR NON MOTORIZED CRAFT AT KISSING POINT PARK**

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

- (a) That Council consider funding in the 2014/15 to 2012/2018 Delivery Plan for the balance of the cost of a study as to suitable measures or works to restore and protect beach access at the beach at Kissing Point Park.

- (b) That Council assist the Concord & Ryde Sailing Club Inc. to extend their grant under the Sharing Sydney Harbour Access Program to enable it to contribute to the study.
- (c) That Council assist in the interim by providing sand to the location to restore the beach.
- (d) That Council seek a meeting with the Minister for Roads and Maritime Services to resolve:
  - (i) the restoration of beaches eroded by Rivercat ferries
  - (ii) the speed of vessels on the Parramatta River west of the Gladesville Bridge.

**Record of Voting:**

For the Motion: Unanimous

**4 461-495 VICTORIA ROAD PLANNING PROPOSAL - Traffic and Parking Study**

Note: Phillip Drew (on behalf of the Bunnings Group Pty Ltd) addressed the meeting in relation to this Item.

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

- (a) That the Acting General Manager enter into an agreement between Council and the Bunning's Group committing the Bunning's Group Ltd to fund a traffic and parking impact study - bounded by Morrison Rd, Pittwater Road, Higginbotham Road and Cressy Road.
- (b) That the Traffic and Parking Impact Study for 461-495 Victoria Road Gladesville, managed by Council, is presented to a community workshop in draft format as early as practicable in 2014. This community workshop is to be held in the same format as the community workshop of 29 August 2013.
- (c) That consideration of the Planning Proposal for 461-495 Victoria Road Gladesville be deferred until the Traffic and Parking Impact Study is complete.
- (d) That the NSW Department of Planning and Infrastructure be informed of Council's decision and an extension to the timeframe for consideration by Ryde Council of the Planning Proposal be requested.

**Record of Voting:**

For the Motion: Unanimous

## 14 PROPERTY INVESTMENT PORTFOLIO

Note: Jennie Minifie addressed the meeting in relation to this Item.

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

- (a) That Council endorse the following properties in the Property Investment Portfolio:
- 2 Dickson Avenue, West Ryde
  - 1A Station Road, West Ryde
  - 8 Chatham Road, West Ryde
  - 202 Rowe Street, Eastwood
  - 226 Victoria Road, Gladesville
  - 7 Anthony Road, West Ryde Car Park site, West Ryde
  - Herring Road Air Space Rights
  - 7 Coulter Street, Coulter St Car Park, Gladesville
  - 6-12 Glen Street, Glen Street Car Park, Eastwood
  - 2 Pittwater Road, John Wilson Car Park, Gladesville
  - 150 Coxs Road, Cox Rd Car Park, North Ryde
  - 33-35 Blaxland Road, Argyle Centre, Ryde
  - 19-21 Church Street and 16 Devlin Street, Ryde
  - 1 Constitution Road, Operations Centre, Ryde
  - 741-747 Victoria Road, Ryde
  - 53-71 Rowe Street, Eastwood
  - 6 Reserve Street, West Ryde
- (b) The properties listed in Part (a) above, be brought to account in Council's financial accounts as its Property Investment Portfolio.
- (c) That a further report be provided back to Council on the management framework and objectives for Council's Property Investment Portfolio including a draft Action Plan.
- (d) That Council confirms its commitment not to sell or redevelop any of the car park sites in (a) above without substantially increasing the number of available public car parking spaces, together with community benefit, and undertaking comprehensive community consultation.

### **Record of Voting:**

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pickering and Yedelian OAM

Against the Motion: Councillors Laxale, Pendleton, Petch and Simon



Note: Councillor Petch left the meeting at 9.50pm and did not return.

### **MAYORAL MINUTES**

#### **33/13 NIGHT FOOD MARKETS IN EASTWOOD - The Mayor, Councillor Roy Maggio**

Note: Councillor Petch was not present for consideration or voting on this Item.

**MOTION:** (Moved by The Mayor, Councillor Maggio and Councillor Laxale)

- (a) That Council in conjunction with Eastwood Events and Promotions Committee investigate the operation of Night Food Markets including development of objectives, operating parameters and terms and conditions for a potential Market.
- (b) That all funding options be explored as part of the investigation.
- (c) That at the completion of the investigation as outlined in parts (a) and (b), a report be presented to Council.
- (d) That Council further investigate the operation of Night Food Markets as outlined in parts (a) and (b) above in other town centres and that a report be presented to Council.

**AMENDMENT:** (Moved by Councillors Simon and Laxale)

- (a) That Council in conjunction with Eastwood Events and Promotions Committee investigate the operation of Night Food Markets including development of objectives, operating parameters and terms and conditions for a potential Market.
- (b) That all funding options be explored as part of the investigation.
- (c) That at the completion of the investigation as outlined in parts (a) and (b), a report be presented to Council.
- (d) That Council further investigate the operation of Night Food Markets as outlined in parts (a) and (b) above in Gladesville and that a report be presented to Council.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and six (6) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

#### **Record of Voting:**

For the Amendment: Councillors Li, Laxale and Simon

Against the Amendment: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Pendleton, Pickering and Yedelian OAM

**RESOLUTION:** (Moved by The Mayor, Councillor Maggio and Councillor Laxale)

- (a) That Council in conjunction with Eastwood Events and Promotions Committee investigate the operation of Night Food Markets including development of objectives, operating parameters and terms and conditions for a potential Market.
- (b) That all funding options be explored as part of the investigation.
- (c) That at the completion of the investigation as outlined in parts (a) and (b), a report be presented to Council.
- (d) That Council further investigate the operation of Night Food Markets as outlined in parts (a) and (b) above in other town centres and that a report be presented to Council.

**Record of Voting:**

For the Motion: Unanimous

## **COUNCIL REPORTS**

### **1 CONFIRMATION OF MINUTES - Council Meeting held on 12 November 2013**

Note: Councillor Petch was not present for consideration or voting on this Item.

**MOTION:** (Moved by Councillors Etmekdjian and Pendleton)

That the Minutes of the Council Meeting 23/13, held on 12 November 2013 be confirmed.

**AMENDMENT:** (Moved by Councillors Simon and Laxale)

That the Minutes of the Council Meeting 23/13, held on 12 November 2013 be confirmed with the following amendment to the Notice of Rescission:

- Part (a): The recommendations listed not be set out in full, but listed by number only as was the case during debate and displayed on screen at the meeting.

On being put to the Meeting, the voting on the Amendment was two (2) votes For and seven (7) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

**Record of Voting:**

For the Amendment: Councillors Laxale and Simon

Against the Amendment: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Pickering and Yedelian OAM

**RESOLUTION:** (Moved by Councillors Etmekdjian and Pendleton)

That the Minutes of the Council Meeting 23/13, held on 12 November 2013 be confirmed.

**Record of Voting:**

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Pickering, Simon and Yedelian OAM

Against the Motion: Councillor Laxale

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 17/13 held on 19 November 2013**

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 17/13 held on 19 November 2013**

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

**4 461-495 VICTORIA ROAD PLANNING PROPOSAL - Traffic and Parking Study**

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

**5 CODE OF CONDUCT ANNUAL REPORT**

Note: Councillor Petch was not present for consideration or voting on this Item.

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

(a) That Council receive this report, and note the **ATTACHED** table of Code of Conduct complaints for October 2012 to September 2013; and

- (b) That Council provide this report, including the **ATTACHMENT**, to the Division of Local Government.

**Record of Voting:**

For the Motion: Unanimous

**6 CODE OF MEETING PRACTICE**

Note: Councillor Petch was not present for consideration or voting on this Item.

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

- (a) That Council adopt the draft Code of Meeting Practice as **attached** to this report, for public exhibition for a period of not less than 28 days.
- (b) That a copy of the draft Code of Meeting Practice be provided to the Division of Local Government for comment.
- (c) That public submissions be invited on the draft Code of Meeting Practice from 4 December 2013 to 3 February 2014.
- (d) That a further report be provided to Council in late February 2014 to consider adoption of the draft Code of Meeting Practice.

**Record of Voting:**

For the Motion: Unanimous

**7 TOP RYDER COMMUNITY BUS SERVICE**

Note: Councillor Petch was not present for consideration or voting on this Item.

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

- (a) That a further report be provided to Council early in 2014 including investigation of similar models conducted by other Councils.
- (b) That an adjustment to the December review of the 2013/14 budget for the sum of \$100,000 from Working Capital be made to cover Council costs of running the Top Ryder Community Bus Service for the remainder of 2013/14.

**Record of Voting:**

For the Motion: Unanimous

## 8 KOTARA PARK TENNIS CENTRE - REPORT ON THE REQUEST FOR PROPOSALS

Note: Councillor Petch was not present for consideration or voting on this Item.

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

- (a) That Council enter into a five year lease agreement with Rod Fahey Tennis School Pty Ltd for the Kotara Park Tennis Centre, subject to no submissions being received by Council following the statutory advertising of the lease in accordance with Section 47 of the *Local Government Act, 1993* under the terms and conditions outlined in the Requests for Proposal.
- (b) That the Acting General Manager be delegated authority to execute all relevant documents for the Kotara Park Tennis Centre lease agreement.
- (c) That Council undertake a study for consideration to determine future capacity of the demand for and supply of tennis facilities in the City to determine future capacity and other opportunities when renewing the tender.

**Record of Voting:**

For the Motion: Unanimous

## 9 SEPTEMBER 2013 QUARTERLY REVIEW REPORT - DELIVERY PLAN 2013-2017 AND 2013/2014 OPERATION PLAN

Note: Councillor Petch was not present for consideration or voting on this Item.

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

- (a) That the report of the Chief Financial Officer, dated 11 November 2013 on September 2013 QUARTERLY REVIEW REPORT – 2013-2017 DELIVERY PLAN AND 2013/2014 OPERATIONAL PLAN be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net reduction of \$0.37 million in Council's Working Capital, to a projected balance as at 30 June 2014 of \$3.56 million, be endorsed and included in the 2013/2014 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Transfers to Reserves of \$1.29 million be endorsed.

- (d) That the Certificate of the Responsible Accounting Officer ATTACHED to the report of the Chief Financial Officer dated 11 November 2013 be endorsed.
- (e) That Council endorse the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as detailed in the Report.
- (f) That Council approve the creation of a new Internally Restricted Reserve for the restriction of unspent funds paid as part of the Macquarie University Voluntary Planning Agreement.

**Record of Voting:**

For the Motion: Unanimous

**10 INVESTMENT REPORT - October 2013**

Note: Councillor Petch was not present for consideration or voting on this Item.

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

That Council endorse the report of the Chief Financial Officer dated 11 November 2013 on Investment Report – October 2013.

**Record of Voting:**

For the Motion: Unanimous

**11 INDEPENDENT HEARING AND ASSESSMENT PANEL WORKSHOP**

Note: Councillor Petch was not present for consideration or voting on this Item.

**MOTION:** (Moved by Councillors Simon and Yedelian OAM)

That Council further investigate the establishment of an IHAP with a view to its introduction in the near future.

**AMENDMENT:** (Moved by Councillors Pickering and Chung)

That Council further investigate the establishment of an IHAP to consider rezoning matters only, at this time.

On being put to the Meeting, the voting on the Amendment was four (4) votes For and five (5) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

**Record of Voting:**

For the Amendment: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian and Pickering

Against the Amendment: Councillors Laxale, Li, Pendleton, Simon and Yedelian OAM

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

That Council further investigate the establishment of an IHAP with a view to its introduction in the near future.

**Record of Voting:**

For the Motion: The Mayor, Councillor Maggio and Councillors Etmekdjian, Laxale, Li and Simon

Against the Motion: Councillors Chung, Pendleton, Pickering and Yedelian OAM

**EXTENSION OF TIME**

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

That the meeting time be extended by half an hour to allow Council to continue considering Items on the Agenda, the time being 10.58pm.

**Record of Voting**

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Laxale, Pendleton, Pickering, Simon and Yedelian OAM

Against the Motion: Councillor Li

**12 UPDATE TO COUNCIL'S ETHICAL LOBBYING POLICY**

Note: Councillor Petch was not present for consideration or voting on this Item.

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

- (a) That a link to The Department of Premier and Cabinet's Register of Lobbyists be provided on Council's website.
- (b) That Council's Ethical Lobbying Policy be amended to establish and maintain a Lobbyist Contact Register listing meetings held for the purposes of lobbying Council officials.

**Record of Voting:**

For the Motion: Unanimous

**13 LOCAL INFRASTRUCTURE RENEWAL SCHEME - ROUND THREE**

Note: Councillor Petch was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Simon and Chung)

- (a) That Council make an application under the NSW Local Infrastructure Renewal Scheme – Round Three for Children’s Play areas and equipment, in accordance with the Children’s Play Implementation Plan, at an estimated cost of \$1.5 million.
- (b) That Council endorse a new loan of \$1.5 million to support Council’s application as detailed in part (a) and delegate to the Acting General Manager, the authority to commence the procurement of this loan.
- (c) That the Acting General Manager be requested to provide options to Councillors for the upcoming Budget workshops in 2013, outlining how Council will meet the debt servicing costs of this new loan.

**Record of Voting:**

For the Motion: Unanimous

**14 PROPERTY INVESTMENT PORTFOLIO**

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

**15 REPORTS DUE TO COUNCIL**

Note: Councillor Petch was not present for consideration or voting on this Item.

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

That the report on Outstanding Council Reports be endorsed.

**Record of Voting:**

For the Motion: Unanimous



**PRECIS OF CORRESPONDENCE FOR CONSIDERATION****1 PLANNING PROPOSAL FOR RYDE CIVIC PRECINCT TO AMEND RYDE LOCAL ENVIRONMENTAL PLAN (LEP) 2010**

Note: Councillor Petch was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Simon and Pendleton)

That the correspondence be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**2 LOCAL GOVERNMENT REVIEW PANEL - LETTER FROM LOCAL GOVERNMENT NSW**

Note: Councillor Petch was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Simon and Pendleton)

That the correspondence be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**EXTENSION OF TIME**

**RESOLUTION:** (Moved by Councillors Laxale and Chung)

That the meeting time be extended to allow Council to complete all Items of business on the Agenda, the time being 11.31pm.

**Record of Voting:**

For the Motion: Unanimous

**NOTICES OF MOTION****1 FEASIBILITY STUDY – 53-71 ROWE STREET, EASTWOOD CAR PARK - Councillor Craig Chung**

Note: Councillor Petch was not present for consideration or voting on this Item.

Note: Councillor Laxale left the meeting at 11.32pm and was not present for consideration or voting on this Item.

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

That the Acting General Manager prepare an initial feasibility study for the construction of a mixed use development on the 53-71 Rowe Street, Eastwood car park to be held in Councils investment property portfolio and report back to Council.

**Record of Voting:**

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Pickering and Yedelian OAM

Against the Motion: Councillor Simon

## 2 **FEASIBILITY STUDY - 6 RESERVE STREET, WEST RYDE - Councillor Craig Chung**

Note: Councillors Laxale and Petch were not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Chung and Etmekdjian)

That the Acting General Manager prepare an initial feasibility study for the construction of a development at 6 Reserve Street, West Ryde and report back to Council.

**Record of Voting:**

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Pickering and Yedelian OAM

Against the Motion: Councillor Simon

Note: Councillor Laxale returned to the meeting at 11.34pm.

## **QUESTIONS BY COUNCILLORS AS PER POLICY**

### 1 **QUESTIONS WITH NOTICE - Councillor George Simon**

Note: Councillor Petch was not present for consideration or voting on this Item.

Note: Councillor Chung left the meeting at 11.35pm and was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Simon and Laxale)

That the following Answers to Questions with Notice be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**Question:**

1. Since being elected Mayor, how much money has the Office of Mayor spent (including expenditure for events scheduled into the future) on the following:
  - (a) Hosting Mayoral events in the Mayoral suite
  - (b) Sponsoring local activities
  - (c) Mayoral clothing

Please provide the expenditure amount in an itemised format per the amount spent on each activity or item.

**Answer:**

- (a) Hosting Mayoral events in the Mayoral Suite

<b>Date</b>	<b>Item</b>	<b>Amount</b>
10/9/13	Finger food following Mayoral election (arranged based on previous practice without consultation with the current Mayor)	\$540.00
16/10/13	Tzu Chi Eastwood	\$28.00
23/10/13	Reception for representatives from local soccer and football clubs	\$191.00
28/10/13	Reception for ERNA State League team No. 1 and 14yrs State age champions	\$270.00
29/10/13	Ryde Youth Theatre reception	\$131.50
29/10/13	Korean Visiting Delegation (Flag Raising)	\$194.00
04/11/13	Club 6 reception - Presidents and CEOs	\$164.00
06/11/13	Meeting with residents	\$194.00
07/11/13	Ryde Business Forum Lunch	\$250.00
13/11/13	SES Reception (Flag Raising)	\$311.50
Various	Morning and afternoon teas for meetings with residents/small groups	\$117.47
<i>Future Events – no expenditure to date</i>		
28/11/13	North West Koalas	
29/11/13	Gladesville Hornsby Football Association Board and Committee	
09/12/13	Clergy Morning Tea	

(b) Sponsoring local activities

Staff are not aware of any expenditure associated with the sponsorship of local activities at this time.

(c) Mayoral clothing

To date there has been no expenditure on Mayoral clothing.

**CLOSED SESSION**

**ITEM 16 - NON-COMPLIANCE WITH COUNCIL ORDERS - 3 Brian Street, Ryde**

**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (a) personnel matters concerning particular individuals (other than councillors).

**ITEM 17 - COULTER STREET CAR PARK - RSL PROPOSAL**

**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**ITEM 18 - ADVICE ON COURT ACTIONS**

**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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

That the Council resolve into Closed Session to consider the above matters.

**Record of Voting:**

For the Motion: Unanimous

Note: The Council closed the meeting at 11.35pm. The public and media left the chamber.

Note: Councillor Chung returned to the meeting at 11.36pm.

## 16 NON-COMPLIANCE WITH COUNCIL ORDERS - 3 Brian Street, Ryde

Note: Councillor Petch was not present for consideration or voting on this Item.

**RECOMMENDATION:** (Moved by Councillors Pickering and Etmekdjian)

- (a) That Council seek an order from the Land and Environment Court authorising Council employees to enter the premises at 3 Brian Street, Ryde and give effect to the orders served on the owner of the premises under Section 124 of the Local Government Act 1993 on 18 February 2013.
- (b) That Council recover the costs of the enforcement action from the owner of the premises at 3 Brian Street, Ryde.

**Record of Voting:**

For the Motion: Unanimous

## 17 COULTER STREET CAR PARK - RSL PROPOSAL

Note: The Mayor, Councillor Maggio, and Councillors Petch and Pickering disclosed Less than Significant Non-Pecuniary Interests in this Item for the reason that they are members of the Gladesville RSL Club.

Note: Councillor Petch was not present for consideration or voting on this Item.

**RECOMMENDATION:** (Moved by Councillors Etmekdjian and Yedelian OAM)

- (a) That Council declines Gladesville RSL's final Development Proposal and advises that there will be a tender process in which they are welcome to participate.
- (b) That Council undertake a public tender process to seek further opportunities for the redevelopment of the Coulter St car park.
- (c) That tenders be invited on the basis that it does not place limitations on the land for which tenders may be submitted, nor the number of submissions any tenderer may lodge.

**Record of Voting:**

For the Motion: The Mayor, Councillor Maggio and Councillors Etmekdjian, Li, Pickering and Yedelian OAM

Against the Motion: Councillors Chung, Pendleton, Simon and Laxale

Note: Councillor Li left the meeting at 12.01am and did not return.

## **18 ADVICE ON COURT ACTIONS**

Note: Councillors Li and Petch were not present for consideration or voting on this Item.

**RECOMMENDATION:** (Moved by Councillors Pickering and Laxale)

That the report of the General Counsel be received.

**Record of Voting:**

For the Motion: Unanimous

## **OPEN SESSION**

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

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 12.15am.

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

That the recommendations of Items considered in Closed Session be received and adopted as resolutions of Council without any alteration or amendment thereto.

**Record of Voting:**

For the Motion: Unanimous

## **NATIONAL ANTHEM**

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

The meeting closed at 12.16am on 27 November 2013.

CONFIRMED THIS 10TH DAY OF DECEMBER 2013

Chairperson