

Meeting Date: Tuesday 27 May 2014

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, Pendleton, Perram, Petch, Pickering, Salvestro-Martin, Simon and Yedelian OAM.

Note: Councillor Petch left the meeting at 8.52pm and did not return. He was not present for voting on Confidential Item 13.

Apologies: Nil.

Leave of Absence: Councillor Li.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Chief Financial Officer, Manager – Library Services, Section Manager – Waste, Manager – Business Infrastructure, Manager – Communications and Media, Coordinator – Digital Communications and Meeting Support Coordinator.

PRAYER

Pastor Stephen Cooper of the Eastwood Baptist Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in Mayoral Minute 18/14 – School Facilities and Capital Work Programs in Local Schools for the reason that he is a parent of a local school and a member of the school community.

Councillor Petch disclosed a Significant Non-Pecuniary Interest in Item 13 - Advice on Court Actions for the reason that he knows one of the defendants.

TABLING OF PETITIONS

Councillor Perram requested to table a petition from 294 local residents opposing the proposed height increases in the Draft Eastwood Master Plan.

RESOLUTION: (Moved by Councillors Perram and Petch)

That a petition from 294 local residents opposing the proposed height increases in the Draft Eastwood Master Plan be tabled.

Record of Voting:

For the Motion: Unanimous

Note: A further petition was tabled by Councillor Chung regarding Eastwood CCTV later in the meeting as outlined in these Minutes.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Ally Eddy	Mayoral Minute 18/14 – School Facilities and Capital Work Programs in Local Schools

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Hugh Lee (on behalf of the Eastwood Chinese Senior Citizens Club)	To submit petitions received from local businesses/ residents to urge Council to issue a written submission before 12/6/2014 for the installation of CCTV in Eastwood as funded by the Federal Government up to \$200,000.
Jason Koh (on behalf of the Korean Chamber of Commerce in Eastwood, Ryde and Epping Inc.)	Support the Council to accept the funding for CCTV's installation in Eastwood Business Areas.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Salvestro-Martin and Chung)

That Standing Orders be Suspended to allow Councillor Salvestro-Martin to address the Council, the time being 7.44pm.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Salvestro-Martin then briefly addressed the meeting, by providing an apology to the meeting for comments he made at the last Council Meeting on 13 May 2014 in closed session.

MAYORAL MINUTES

18/14 SCHOOL FACILITIES AND CAPITAL WORK PROGRAMS IN LOCAL SCHOOLS - The Mayor, Councillor Roy Maggio

Note: Ally Eddy addressed the meeting in relation to this Item.

Note: The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a parent of a local school and a member of the school community.

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

- (a) That Council endorse the establishment of a working party comprising interested Councillors and members of local school communities including School Principals and P and C Presidents.
- (b) That the Acting General Manager in conjunction with the Mayor's Office arrange the first meeting of the working party to be held by July 2014.

AMENDMENT: (Moved by Councillors Chung and Pickering)

That Council write to the Local Member, Mr Dominello MP, requesting a meeting to discuss the Capital Grants Program funding, including Emergency major capital works funding for buildings at local schools.

On being put to the Meeting, the voting on the Amendment was four (4) 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 Chung, Etmekdjian, Pickering and Yedelian OAM

Against the Amendment: The Mayor, Councillor Maggio and Councillors Laxale, Pendleton, Perram, Petch, Salvestro-Martin and Simon

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

- (a) That Council endorse the establishment of a working party comprising interested Councillors and members of local school communities including School Principals and P and C Presidents.
- (b) That the Acting General Manager in conjunction with the Mayor's Office arrange the first meeting of the working party to be held by July 2014.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Laxale, Pendleton, Perram, Petch, Salvestro-Martin and Simon

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

19/14 FUNDING FOR LIBRARIES - The Mayor, Councillor Roy Maggio

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

- (a) That City of Ryde support the campaign mounted by the NSW Public Library Associations for increased State funding to local government for public libraries.
- (b) That this support is to take the following forms:
- representation to the local State Members in relation to the need for additional funding from the NSW State Government for the provision of public library services;
 - writing to the Hon Troy Grant MP - Minister for the Arts, calling upon the State Government to implement the recommendation of The Reforming Public Library Funding submission of the Library Council of NSW, presented to the government in 2012, for the reform of the funding system for NSW public libraries; and
 - approving the distribution of NSW Public Library Associations campaign information in City of Ryde Council libraries.

Record of Voting:

For the Motion: Unanimous

20/14 BARE FOOT BOWLS FUNDRAISER - FOR TOUCHED BY OLIVIA FOUNDATION - The Mayor, Councillor Roy Maggio

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

- (a) That a fundraising “barefoot bowls” day be held to support Touched by Olivia.
- (b) That the event be coordinated through the Mayor’s Office.
- (c) That the event be advertised through all normal media channels.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 13 May 2014

RESOLUTION: (Moved by Councillors Petch and Pendleton)

That the Minutes of the Council Meeting 7/14, held on 13 May 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 5/14 held on 20 May 2014

RESOLUTION: (Moved by Councillors Perram and Petch)

That Council determine Item 2 of the Works and Community Committee report 5/14 held on 20 May 2014, 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, Pendleton, Perram, Petch, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillor Pickering

2 REVIEW OF TREE MANAGEMENT APPLICATION (REV2014/0006) - 16 RIVER AVENUE, CHATSWOOD WEST

RESOLUTION: (Moved by Councillors Perram and Petch)

That Council approve the request for the removal of the *Eucalyptus pilularis* (Black Butt) located at the rear of 16 River Avenue, Chatswood West, subject to the replacement planting of a suitable species from the Sandstone Ridge Top Plant community.

Record of Voting:

For the Motion: Unanimous

3 HERITAGE ADVISORY COMMITTEE 12 FEBRUARY 2014

RESOLUTION: (Moved by Councillors Pendleton and Petch)

- (a) That Council celebrate the 50 year anniversary of the Civic Centre based on the range of celebration activities outlined in this report.
- (b) That Council receive and note correspondence from Rodney Jensen & Associates dated 15 April 2014 which states that a Heritage Inventory Sheet for the Civic Centre was not prepared as part of the 1988 Ryde Heritage Study.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Laxale, Pendleton, Perram, Petch, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillor Pickering

4 HERITAGE ADVISORY COMMITTEE - Minutes 16 April 2014

RESOLUTION: (Moved by Councillors Petch and Pendleton)

That Council staff prepare a report investigating:

- (a) the possible future locations for the insignia, small plaque and laurel wreath; and
- (b) the heritage listing the insignia, small plaque and laurel wreath that was removed from the decommissioned Ryde memorial cenotaph in Ryde Local Environment Plan.

Record of Voting:

For the Motion: Unanimous

5 CENTENARY OF ANZAC AND COMMEMORATION OF WW1 COMMITTEE FUNDING OPTIONS

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

- (a) That Council approve projects recommended by the Ryde Centenary of Anzac and Commemoration of World War I Committee as outlined in the report, and allocate funding as part of the Delivery Plans for 2014/15 and 2015/16.
- (b) That Council thank the Ryde District Historical Society for their great efforts to date in compiling information for the electronic Honour Board.

- (c) That Council acknowledge the valuable contribution of the Ryde Centenary of Anzac and Commemoration of World War I Committee; to development of the City of Ryde Program of Anzac Commemoration.

Record of Voting:

For the Motion: Unanimous

6 LIBRARIES FOR RYDE

RESOLUTION: (Moved by Councillors Chung and Petch)

That Council endorse the **ATTACHED** draft document, *Libraries for Ryde 2014-2024* as a plan for the development of library services for the City of Ryde.

Record of Voting:

For the Motion: Unanimous

7 MARCH 2014 QUARTERLY REVIEW REPORT - DELIVERY PLAN 2013 - 2017 AND 2013/2014 OPERATION PLAN

RESOLUTION: (Moved by Councillors Petch and Etmekdjian)

- (a) That the report of the Chief Financial Officer dated 30 April 2014 on the *Quarterly Review Report. Four Year Delivery Plan 2013-2017 and One Year Operational Plan 2013/2014, Quarter Three, January – March 2014* be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net increase of \$0.31 million in Council's Working Capital, to a projected balance as at 30 June 2014 of \$4.11 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 \$5.11 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer dated 30 April 2014 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.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

8 INVESTMENT REPORT - April 2014

Note: Councillor Simon left the meeting at 8.25pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pickering and Etmekdjian)

- (a) That Council endorse the report of the Chief Financial Officer dated 5 May 2014 on Investment Report – April 2014.
- (b) That the actions of the Acting General Manager in accepting the counter offer of Lehman Brothers Australia Limited (in Liquidation) be endorsed.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

Note: Councillor Simon returned to the meeting at 8.28pm.

9 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION - Councillors and Mayoral fees for 2014/15

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

That Council adopt the following increases to Councillor and Mayoral fees effective from 1 July 2014:

- (a) 2.5% increase to Councillor fees (total fee payment of \$22,800 per annum).
- (b) 2.5% increase to Mayoral fees (total fee payment of \$60,580 per annum).

Record of Voting:

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

Against the Motion: Councillors Salvestro-Martin and Yedelian OAM

10 REPORTS DUE TO COUNCIL

RESOLUTION: (Moved by Councillors Petch and Pendleton)

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

LATE ITEMS

14 PLANNING PROPOSAL - Relevant Planning Authority Question - 20 Waterview Street, Putney

RESOLUTION: (Moved by Councillors Etmekdjian and Simon)

- (a) That Council decline the offer to be the Relevant Planning Authority for the planning proposal for 20 Waterview Street, Putney, and the Department of Planning and Environment be advised of this decision.
- (b) That Council declines to be the Relevant Planning Authority for any planning proposal which is the subject of a Pre-Gateway Review determination that is not in accordance with Council's strategic planning position and/or resolutions.

Record of Voting:

For the Motion: Unanimous

CLOSED SESSION

ITEM 11 - NORTHERN SYDNEY REGIONAL WASTE PROJECT

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: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

ITEM 12 - COR-RFT-04/14 CONCRETE REPAIR AND ASSOCIATED WORKS - GLEN STREET CAR PARK, EASTWOOD

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 13 - 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.

Note: Councillor Salvestro-Martin left the meeting at 8.30pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Simon and Pendleton)

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

Record of Voting:

For the Motion: Unanimous

Note: Council closed the meeting at 8.30pm. The public and media left the chamber.

Note: Councillor Salvestro-Martin returned to the meeting at 8.32pm.

11 NORTHERN SYDNEY REGIONAL WASTE PROJECT

RECOMMENDATION: (Moved by Councillors Petch and Pickering)

- (a) That Council resolves to participate in the Northern Sydney Councils Waste Services Alliance with the other participating Councils (Hunter's Hill, Ku-ring-gai, Lane Cove, North Sydney and Willoughby), by entering into a Participation Agreement which sets out how the Councils will make decisions in relation to the procurement and management of a joint Municipal Solid Waste processing and disposal contract.
- (b) That Council agrees to be party to engaging Local Government Procurement Pty Ltd through the Northern Sydney Regional Organisation of Councils to conduct the procurement process, as allowed for under section 55 (3) (a) of the Local Government Act 1993 and Local Government (General) Regulation 2005 - Regulation 163 (1A).
- (c) That Council agrees to the evaluation criteria for determining the tender under the process set out in the Participation Agreement and in accordance with regional and environmental objectives as outlined in this report.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

12 COR-RFT-04/14 CONCRETE REPAIR AND ASSOCIATED WORKS - GLEN STREET CAR PARK, EASTWOOD

Note: Councillor Salvestro-Martin left the meeting at 8.43pm and was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Petch and Pickering)

- (a) That Council accept the tender from Metrocorp Technologies for the concrete repair works and to supply and install new guardrails/ wheel stops in the amount of \$188,871 (excludes provisional items) as recommended in the Tender Evaluation Report.
- (b) That Council advise all respondents of Council's decision.
- (c) That the Acting General Manager be delegated the authority to execute all relevant contract documents for the Concrete Repair and Associated Works for the Glen Street Car Park, Eastwood project.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Salvestro-Martin returned to the meeting at 8.47pm.

13 ADVICE ON COURT ACTIONS

Note: Councillor Salvestro-Martin left the meeting at 8.48pm and was not present for consideration or voting on this Item.

Note: Councillor Petch disclosed a Significant non-pecuniary interest in this Item for the reason that he knows one of the defendants. He left the meeting at 8.52pm during consideration of this matter and did not return. He was not present for voting on this Item.

RECOMMENDATION: (Moved by Councillors Simon and Pendleton)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Salvestro-Martin returned to the meeting at 9.02pm.

OPEN SESSION

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

RESOLUTION: (Moved by Councillors Simon and Pendleton)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 9.02pm.

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

RESOLUTION: (Moved by Councillors Pendleton and Yedelian OAM)

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

SUSPENSION OF STANDING ORDERS – TABLING OF PETITIONS

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

RESOLUTION: (Moved by Councillors Chung and Perram)

That Standing Orders be Suspended and that a petition from 159 local businesses and residents regarding Eastwood CCTV be tabled, the time being 9.03pm.

Record of Voting:

For the Motion: Unanimous

NATIONAL ANTHEM

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

The meeting closed at 9.05pm.

CONFIRMED THIS 10TH DAY OF JUNE 2014

Chairperson