

Council Meeting

MINUTES OF MEETING NO. 17/10

Meeting Date: Tuesday 9 November 2010
Location: Council Chambers, Level 6
Time: 7.32pm

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

Apologies: Nil

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Chief Financial Officer, Media & Community Relations Officer and Councillor Support Coordinator.

PRAYER

Reverend Tay of the Impact International Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Salvestro-Martin disclosed a pecuniary interest in Item 8 – CHRISTMAS NEW YEAR ARRANGEMENTS - NOTIFICATION PERIOD FOR DEVELOPMENT APPLICATIONS & DELEGATIONS TO THE MAYOR AND GENERAL MANAGER – of the Committee's Report No. 17/10, for the reason that he has planned a future development application possibly affected by the Christmas New Year arrangement. Councillor Salvestro-Martin was not present in the meeting for the consideration of this matter.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Maggio and Petch)

That Standing Orders be suspended, the time being 7.36pm, to allow Councillor Maggio to move a Matter of Urgency in respect of the safety evaluation of trees within the City of Ryde.

The Motion was put and **CARRIED** there being seven (7) votes for and five (5) votes against.

Record of Voting

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

Against the Motion: Councillors Butterworth, Campbell, O'Donnell, Perram and Salvestro-Martin.

MATTER OF URGENCY – SAFETY EVALUATION OF TREES WITHIN THE CITY OF RYDE

MOTION: (Moved by Councillors Maggio and Petch)

- (a) That any tree that is subject to a safety evaluation within the City of Ryde as a result of a complaint or an application be subject to a report to the Works Community Committee for determination. This includes but is not limited to trees which could be classified as at risk to human life and/or infrastructure.
- (b) That an urgent report be submitted to the next available Committee of the Whole meeting reviewing Council's existing policy and procedures to reduce "red tape" and to include a plan for consultation with residents and all key stakeholders on the proposed policy.

AMENDMENT: (Moved by Councillor Campbell and Salvestro-Martin)

That a report be submitted to the Committee of the Whole held on 7 December 2010 to review Council's existing policy and procedures to reduce "red tape" and to include a plan for consultation with residents and all key stakeholders on the proposed policy.

The Amendment was put a **LOST** there being five (5) votes for and seven (7) votes against.

Record of Voting

For the Amendment: Councillors Butterworth, Campbell, O'Donnell, Perram and Salvestro-Martin

Against the Amendment: The Mayor, Councillor Etmekdjian, Li, Maggio, Petch, Pickering, Tagg and Yedelian OAM

The Motion was then put and **CARRIED** there being seven (7) votes for and five (5) votes against.

Record of Voting

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

Against the Motion: Councillors Butterworth, Campbell, O'Donnell, Perram and Salvestro-Martin

RESOLUTION: (Moved by Councillors Maggio and Petch)

- (a) That any tree that is subject to a safety evaluation within the City of Ryde as a result of a complaint or an application be subject to a report to the Works Community Committee for determination. This includes but is not limited to trees which could be classified as at risk to human life and/or infrastructure.
- (b) That an urgent report be submitted to the next available Committee of the Whole meeting reviewing Council's existing policy and procedures to reduce "red tape" and to include a plan for consultation with residents and all key stakeholders on the proposed policy.

RESOLUTION: (Moved by Councillors Li and Petch)

That Standing Orders continue to be suspended, the time being 8.43pm, to allow Councillor Li to move a Matter of Urgency in respect of a tree matter at 4 Colvin Crescent, Denistone East.

The Motion was put and **CARRIED** there being ten (10) votes for and two (2) votes against.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Li, Maggio, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

Against the Motion: Councillors Campbell and O'Donnell

MATTER OF URGENCY - TREE AT 4 COLVIN CRESCENT, DENISTONE EAST

RESOLUTION: (Moved by Councillor Li and Petch)

That at the Works and Community Committee meeting held on 7 December 2010, Councillors and staff meet with residents of 4 Colvin Crescent, Denistone East on site to consider an appropriate outcome regarding their tree removal application.

Record of Voting:

For the Motion: Unanimous.

At its meeting on 23 November 2010, Council resolved that the resolution re Matter of Urgency – Tree at 4 Colvin Crescent, Denistone East, be corrected to read as follows:

MATTER OF URGENCY - TREE AT 4 COLVIN CRESCENT, DENISTONE EAST

RESOLUTION: (Moved by Councillor Li and Petch)

That at the Works and Community Committee meeting to be held on 7 December 2010, Councillors and staff meet with residents of 4 Colvin Crescent, Denistone East on site to consider an appropriate outcome regarding their tree removal application.

Record of Voting:

For the Motion: Unanimous.

RESUMPTION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Petch and Tagg)

That Standing Orders be resumed, the time being 8.52pm.

Record of Voting:

For the Motion: Unanimous.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No addresses were made to Council.

MAYORAL MINUTES

There were no Mayoral Minutes

MINUTES OF THE PLANNING AND ENVIRONMENT COMMITTEE NO. 08/10

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That Part A of the Planning and Environment Committee Report No. 08/10 be dealt with in seriatim and that Part B of the Planning and Environment Committee Report No. 08/10 be noted as dealt with under delegated authority.

Record of Voting:

For the Motion: Unanimous.

Note: 82 Culloden Road, Marsfield is the subject of Item 5 on this agenda.

PART A – ITEMS TO BE DETERMINED BY COUNCIL

82 CULLODEN ROAD, MARSFIELD. Lot 3 DP 1046402. - Local Development Application for internal alterations to existing dwelling and change of use of building to a boarding house containing five bedrooms. LDA2009/0722.

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That this matter be dealt with at Item 5 on the agenda.

Record of Voting:

For the Motion: Unanimous.

MINUTES OF THE WORKS & COMMUNITY COMMITTEE NO. 03/10

RESOLUTION: (Moved by Councillors Maggio and Petch)

That Part A of the Works & Community Committee Report No.10/10 be dealt with in seriatim and Part B be noted as dealt with under delegated authority.

Record of Voting:

For the Motion: Unanimous.

PART A – ITEMS TO BE DETERMINED BY COUNCIL**3 TRAFFIC ARRANGEMENTS AROUND RYDE EAST PRIMARY SCHOOL**

RESOLUTION: (Moved by Councillors Maggio and Perram)

- (a) That the proposed parking and traffic management arrangements around Ryde Public School contained in this report be referred to the Ryde Traffic Committee.
- (b) That the feasibility of a “Kiss and Ride” zone along Twin Road be referred to the Traffic Committee for consideration.
- (c) That Council’s Community and Road Safety officer promote a “Walk to School” program to all schools in Ryde including Ryde East Public School.
- (d) That Council’s Regulatory Services continue to patrol streets around Ryde East Public School during morning and afternoon on school days.
- (e) That Council approve driveway delineation lines on both sides of property driveways along Twin Road between Badajoz Road and John Miller Street and Badajoz Road between Twin Road and Nerang Street.
- (f) That a report be prepared for the works & community committee reviewing the section of Councils website dealing with parking across driveways.

- (g) That the matter of reinstatement of the No Stopping signs during school hours or the establishment of a “Kiss & Ride” zone outside 37 Badajoz Road be referred to the Traffic Committee for consideration.

Record of Voting:

For the Motion: Unanimous.

4 MEADOWBANK PARK TENNIS COURTS AND OLYMPIC PARK TENNIS COURTS - Court hire fee increase

RESOLUTION: (Moved by Councillors Maggio and O'Donnell)

- (a) That the restructuring of Tennis Court hiring fees at the Meadowbank Park and Ryde Olympic Park Tennis Complexes operated by the North-Western Suburbs Tennis Association Incorporated, as outlined in this report, be approved.
- (b) That the North-Western Suburbs Tennis Association Incorporated be informed of Council's decision.
- (c) That Council review the usage of the Tennis Courts and the Association be requested to present a review of the usage in twelve months.

Record of Voting:

For the Motion: Unanimous.

7 TRAFFIC COMMITTEE MINUTES

RESOLUTION: (Moved by Councillors Maggio and O'Donnell)

That recommendations No. 1, 3, 4, 5, 6, 7, 8, 9, 10 and 11, contained in the Minutes of the Ryde Traffic Committee Meeting held on 16 September 2010, be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous.

Item 1 PART 3A COCHLEAR DEVELOPMENT – WATERLOO ROAD & HERRING ROAD, MACQUARIE PARK – Revised Intersection Upgrade and further RTA advice.

RESOLUTION: (Moved by Councillors Maggio and O'Donnell)

- (a) That Committee raises no objection to the proposed upgrade of Herring Road and Waterloo Road intersection.
- (b) That prior to commencement of construction the construction traffic management plan is to be submitted to Council for approval.

- (c) To fully satisfy the proponents modified development consent Mod 08_0032MOD1 Condition 5 issued by the Director General 3 April 2009 and allow the Occupation Certificate to be issued a suitable bond for removal of the on-street parking on the eastern side of Herring Road, 150m south of Waterloo Road is to be lodged with Council pending further consideration, including community consultation and a final decision as to parking changes.
- (d) That Council and the RTA further consult to reach agreement on the parking issue to allow the RTA to finalise further modelling.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering and Yedelian OAM.

Against the Motion: Councillors Tagg and Salvestro-Martin

Item 3 SOBRAON ROAD, MARSFIELD – Request for Extension of Zone 10 Resident Parking Scheme

RESOLUTION: (Moved by Councillors Maggio and Petch)

That item 3 be deleted as it is encompassed in Item 2 which was resolved at Council Meeting of 12th October 2010.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin and Yedelian OAM.

Against the Motion: Councillor Tagg

Item 4 BLENHEIM ROAD, NORTH RYDE – Request for Loading Zone (Blenheim Road Shops)

RESOLUTION: (Moved by Councillors Maggio and Petch)

That Council not approve installation of a loading zone on the southern side of Cutler Parade immediately East of the common driveway entrance to the Blenheim Road shops.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

Against the Motion: Councillor O'Donnell

Item 5 COULTER STREET, GLADESVILLE – Extend Parking Time Limit in Council's Coulter Street Car Park

RESOLUTION: (Moved by Councillors Maggio and Petch)

That Council advises the Church that there is not sufficient support at present for the proposal considering the need for turnover of spaces for other users and consistency with other public car parks near retail and commercial areas, and that the matter may be reconsidered should evidence of greater support be provided

Record of Voting:

For the Motion: Unanimous.

Item 6 BLAIR STREET, GLADESVILLE – No Parking Restrictions on Garbage Pick-up Days

RESOLUTION: (Moved by Councillors Maggio and O'Donnell)

That Council educate residents on Blair Street on the need to avoid parking on both sides of the street on garbage collection days and that Council review the situation in 3 months time

Record of Voting:

For the Motion: Unanimous.

Item 7 PACEY AVENUE AND BADAJOZ ROAD, NORTH RYDE – Parking Restrictions

RESOLUTION: (Moved by Councillors Maggio and Tagg)

- (a) That ten (10) metres of unrestricted parking along the eastern side of Badajoz Road, north of Pacey Avenue be removed and replaced with “No Stopping”, subject to the concurrence of affected residents.
- (b) That Council consult with the adjacent property owners that would be affected by the parking restrictions to determine any further Council response.

Record of Voting:

For the Motion: Unanimous.

Item 8 POPE STREET, RYDE – Request for Loading Zone - Council's new Library and Business Centre Fit-Out.

RESOLUTION: (Moved by Councillors Maggio and Petch)

- (a) That the approval for the temporary Loading Zone at the western end of the Taxi Zone in Pope Street, Ryde for 17 metres in length for the period 1 November 2010 to 1 May 2011.
- (b) That the temporary Loading Zone operates between the hours of 7am to 7pm, Monday to Friday, and 7am to 1pm on Saturday.
- (c) That the RTA approved traffic controllers be employed at all times the zone is operating to control ingress / egress movements within the Loading Zone.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin and Yedelian OAM.

Against the Motion: Councillor Tagg

Item 9 SHAFTSBURY ROAD, EASTWOOD – Request for Disabled Parking.

RESOLUTION: (Moved by Councillors Maggio and Petch)

That Council approve two (2) parking spaces for disabled persons on Shaftsbury Road south of existing No Parking restrictions (Sunday Only).

Record of Voting:

For the Motion: Unanimous.

Item 10 CLIVE ROAD AND HILLVIEW ROAD, EASTWOOD – Request for a Pedestrian Marked Crossing – or Clive Road made one-way (westbound).

RESOLUTION: (Moved by Councillors Maggio and Petch)

That this matter be referred back to the Traffic Committee for further consideration after traffic staff investigate alternative pedestrian crossing options in Clive Road, at its junction with Hillview Road including consulting with potentially affected property owners.

Record of Voting:

For the Motion: Unanimous.

Item 11 NORTH ROAD AND DONOVAN STREET, DENISTONE – Removal of Traffic Domes.

RESOLUTION: (Moved by Councillors Maggio and Petch)

That Council use rumble bars and double barrier lines if required as replacement traffic control devices to any removed traffic domes. The details of any locations to be consulted with the RTA and NSW Police members of the Committee.

Record of Voting:

For the Motion: Unanimous.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Meeting held on 12 October 2010

RESOLUTION: (Moved by Councillors Petch and Tagg)

That the Minutes of Council Meeting 16/10, held on Tuesday 12 October 2010, be confirmed.

Record of Voting:

For the Motion: Unanimous.

2 MOTIONS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Pickering and Petch)

That all items be dealt with in seriatim.

Record of Voting

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

Against the Motion: Councillor Maggio

3 2009-2010 FINANCIAL STATEMENTS

Mr John Todd, Chief Financial Officer delivered a presentation to Council at 9.25pm on this matter.

Mr Brett Hanger and Mr Gary Mottau from Hill Rogers Spencer Steer, Council's external auditors, were present and gave a brief presentation to Council on the 2009/2010 Financial Statements.

RESOLUTION: (Moved by Councillors Salvestro-Martin and Yedelian OAM)

- (a) That in accordance with Section 419 of the Local Government Act, Council receive and note the Auditors Reports on the 2008/2009 Annual Financial Statements for the year ended 30 June 2010.
- (b) That any public submissions on the 2009/2010 Financial Reports be referred to Council's Auditors, Hill Rogers Spencer Steer, Chartered Accountants.
- (c) That Council suspend standing orders to allow a presentation by Council's staff and external auditor, Hill Rogers Spencer Steer, in respect of the 2009-2010 Financial Statements including the Auditor's Reports.
- (d) That the General Manager and his staff be thanked for this excellent result.

Record of Voting:

For the Motion: Unanimous.

4 INVESTMENT REPORT - September 2010

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) That the report of the Chief Financial Officer, dated 05/10/2010 on INVESTMENT REPORT – September 2010, be endorsed.
- (b) That the Investment Strategy from Oakvale Capital Limited be endorsed.

Record of Voting:

For the Motion: Unanimous.

5 82 CULLODEN ROAD, MARSFIELD. Lot 3 DP 1046402. - Local Development Application for internal alterations to existing dwelling and change of use of building to a boarding house containing five bedrooms. LDA2009/0722.

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That this application be refused for the following reasons:

- 1) Failure of the application to comply with disability access and the standards required for commercial premises.
- 2) The City of Ryde is currently considering legal covenants by which Council is looking to address boarding house developments in Ryde. This is part of the review currently under way and presented at the student accommodation forum where a report is yet to be received and would allow appropriate action to be taken.
- 3) It fails to address matters such as concentration in suburban streets, amenity for student boarders and parking.
- 4) That Council refuse to consider DA's for boarding houses that are operating illegally until they are fined and the premises restored to an unmodified state.

Record of Voting

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

Against the Motion: Councillors Butterworth, Campbell, O'Donnell, Salvestro-Martin and Tagg

6 GLEN RESERVE - CRIME PREVENTION ACTIONS

Note: A letter dated 9 November 2010 from Mr Peter Sullivan on behalf of the Eastwood Chamber of Commerce Inc was tabled at the meeting in relation to this matter and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Li and Tagg)

- (a) That Council allocate \$5,000 in the December Quarterly Review to improving Glen Reserve, Eastwood through the engagement of a lighting consultant and the relocation of picnic settings and that a further report will come back to Council on the costs and on-going costs resulting from the recommendations of the lighting consultant.
- (b) That Council staff write to the Eastwood Local Area Command to request increased patrols in Glen Reserve, during times when anti-social behaviour is common.
- (c) That a report to Council be prepared after the findings of the lighting consultant's report are available.
- (d) That the residents of Eastwood are notified of Council's decision in the City View, Mayor's Column and the local ethnic media.

Record of Voting:

For the Motion: Unanimous.

7 ALCOHOL FREE ZONE IN EASTWOOD

Note: A letter dated 9 November 2010 from Mr Peter Sullivan on behalf of the Eastwood Chamber of Commerce Inc was tabled at the meeting in relation to this matter and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Li and Tagg)

- (a) That Council accept the proposal for Alcohol Free Zones (ATTACHED).
- (b) That Council agree to public consultation on the matter, as stated in the Ministerial Guidelines.
- (c) That if no adverse public comments are received on the proposal, the Alcohol Free Zones as outlined in the report be adopted.

- (d) That Council receive a further report on the proposed Alcohol Free Zones if any adverse comment is received during the public consultation.
- (e) That \$5,000 be allocated to this project next financial year.

Record of Voting:

For the Motion: Unanimous.

8 CHRISTMAS NEW YEAR ARRANGEMENTS - NOTIFICATION PERIOD FOR DEVELOPMENT APPLICATIONS & DELEGATIONS TO THE MAYOR AND GENERAL MANAGER

Note: Councillor Salvestro-Martin having declared a pecuniary interest in this matter left the meeting at 10.29pm and was not present for the consideration of this item.

RESOLUTION: (Moved by Councillors Tagg and Yedelian OAM)

- (a) That the report of the Manager Assessment, dated 27 October 2010 on CHRISTMAS NEW YEAR ARRANGEMENTS - NOTIFICATION PERIOD FOR DEVELOPMENT APPLICATIONS & DELEGATIONS TO THE MAYOR AND GENERAL MANAGER, be endorsed.
- (b) That the increase in the notification periods for Development Applications during the Christmas/New Year (2010/11) period as outlined in the report be approved.
- (c) That the Group Manager Environment & Planning have discretion to hold any application received in late November or December that would be of significant public interest from advertising / notification until Ryde City View 5 January 2011 or first 2011 publication date.
- (d) That this approach be endorsed by Council for the term of the current Council.
- (e) That during the period 15 December 2010 to 01 February 2011, the Mayor and General Manager be delegated any functions of the Council that may lawfully be delegated under Section 377 of the Local Government Act provided the functions are exercised in compliance with the relevant Council policy and where no such policy exists, with all due caution.
- (f) That all decisions made by the Mayor, General Manager and Group Manager, Environment Planning under this resolution be communicated to all Councillors as soon as reasonably possible.

Record of Voting:

For the Motion: Unanimous.

Note: Councillor Salvestro-Martin returned to the meeting at 10.34pm

9 KNOWLEDGE CITIES WORLD SUMMIT - COUNCILLOR ATTENDANCE AT CONFERENCE

RESOLUTION: (Moved by Councillors Yedelian OAM and Li)

That Council endorse the attendance of Councillors Tagg and Pickering at the Melbourne 2010 Knowledge Cities World Summit being held in Melbourne from 16 to 19 November 2010.

Record of Voting:

For the Motion: Unanimous.

10 REPORT ON OUTSTANDING RESOLUTIONS

Note: Councillor Tagg left the meeting at 10.40pm during consideration of this item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Butterworth)

That the report on Outstanding Resolutions be endorsed.

Record of Voting:

For the Motion: Unanimous.

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There were no Precis of Correspondence for Consideration.

NOTICES OF MOTION**1 CHURCH STREET - Establishment of Market or Fair - Councillor Salvestro-Martin, The Mayor, Councillor Etmekdjian**

RESOLUTION: (Moved by Councillors Salvestro-Martin and The Mayor, Councillor Etmekdjian)

That the General Manager investigate and report to Council the feasibility of establishing a Market or Fair in Church Street as an opportunity to create a unique identity for Church Street. Participation and sponsorship is open to any Ryde based business.

Record of Voting:

For the Motion: Unanimous.

2 CINEMA IN THE PLAZA - Councillor Li

RESOLUTION: (Moved by Councillors Li and Petch)

That a report be prepared considering the expansion of the Cinema in the Park program to include regular outdoor screening of family friendly films at Council plaza areas on a weeknight in order to support small businesses and to provide activities for children and young people. Council is to consult with local businesses, schools, chamber of commerce and community groups to consider sponsorship and funding of the project.

Record of Voting:

For the Motion: Unanimous.

Note: Councillor Butterworth left the meeting at 11.05pm.

NOTICES OF RESCISSION

There were no Notices of Rescission.

QUESTIONS BY COUNCILLORS AS PER POLICY**1 QUESTIONS WITH NOTICE - Councillor Perram**

Question:

1. When will Councillors be requested to submit suggestions for consideration when Council is developing the capital works program for 2011/2012?
2. What will be the closing date for those submissions to be received?

The Group Manager, Corporate Services answered:

Councillors will be forwarded a spreadsheet on Monday, 15 November 2010 to nominate both capital and non capital projects and return back to the Councillor Helpdesk by Monday, 29 November 2010. This request will be seeking Councillors to nominate projects within each respective program for the 4 year period, 2011/12- 2014/15.

Each of the projects submitted will be then evaluated, costed and submitted to the respective workshops for consideration in early 2011 in developing Council's budgets as part of the 4 year Delivery Program.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

NATIONAL ANTHEM

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

The meeting closed at 11.07 pm.

CONFIRMED THIS 23RD DAY OF NOVEMBER 2010

Chairperson