

Council Meeting

MINUTES OF MEETING NO. 12/10

Meeting Date: Tuesday 10 August 2010
Location: Council Chambers, Level 6
Time: 7.30pm

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

Apologies: Councillors Petch and Salvestro-Martin.

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

PRAYER

Pastor Richard Quadrio of the Macquarie Chapel Presbyterian Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Maggio disclosed a less than significant non-pecuniary interest in Item 3 – COUNTRY COUNCIL PARTNERSHIP ADVISORY COMMITTEE – Minutes 9 July 2010 of the Council Meeting Agenda 12/10 for the reason that he is a member of the RHHCC and was not present for the consideration of this Item.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by The Mayor, Councillor Butterworth and Councillor Tagg)

That Council suspend Standing Orders, the time being 7.37pm, to allow Council's Sustainability Programs Co-Ordinator from the Environment Unit to present Council with the Overall Sustainable Council Award (Runner Up) by Keep Australia Beautiful New South Wales for "Working Towards a Sustainable City".

Record of Voting:

For the Motion: Unanimous.

Note: The Mayor accepted the Award on behalf of Council.

RESUMPTION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Tagg and Maggio)

That Standing Orders be resumed, the time being 7.39pm.

Record of Voting:

For the Motion: Unanimous.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following person addressed the Council:-

| Name | Address | Topic |
|---------------------|----------------|---|
| Ms Josephine Malley | Denistone East | Notice of Motion 4 – Tree Preservation Order DCP 2010 |

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Tagg and Maggio)

That Council suspend Standing Orders, the time being 7.41pm, to allow public participation on items not listed on the agenda.

Record of Voting:

For the Motion: Unanimous.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following person addressed the Council:-

| Name | Topic |
|---------------|--|
| Dragan Mistic | Proposal by Optus to build mobile phone tower near Truscott Street Public School and Blenheim Park |

RESUMPTION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Tagg and Maggio)

That Standing Orders be resumed, the time being 7.45pm.

Record of Voting:

For the Motion: Unanimous.

MAYORAL MINUTES

There were no Mayoral Minutes.

COUNCIL REPORTS**1 CONFIRMATION OF MINUTES – Meeting of 27 July 2010**

RESOLUTION: (Moved by Councillors Pickering and Perram)

That the Minutes of the Council Meeting No. 11/10 held on 27 July 2010, be confirmed.

Record of Voting:

For the Motion: Unanimous.

2 MOTIONS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Tagg and Campbell)

That the items be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous.

3 COUNTRY COUNCIL PARTNERSHIP ADVISORY COMMITTEE - Minutes 9 July 2010

Note: Councillor Maggio left the Chamber at 7.47pm and was not present for the consideration of this item.

MOTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Council endorse Councillor Maggio's visit to Central Darling for up to three nights accommodation and to meet his costs of travel and meals as set out in the Provision of Expenses and Facilities to Councillors policy.
- (b) That Council write to the Ryde Hunters Hill Cricket Club inviting them to nominate up to four (4) young representatives to accompany Councillor Maggio from their Club with Council meeting the costs of up to three (3) nights accommodation and reasonable expenses relating to meals and travel.
- (c) That Council endorse the General Manager nominating a staff member to visit and assist Central Darling in the assessment of heritage assets as detailed in the report.

- (d) That Council write to the Ryde Hunters Hill Cricket Club requesting that their cricket event coincide with Council's Harmony Day on 20 March 2011 and offering use of Ryde Park and inclusion in Council's promotional material for the event, at no cost to the Club as detailed in the report.
- (e) That as part of the September Quarterly Budget Review that Council consider allocating \$10,000 towards the maintenance and development of the Country Council Partnership to meet the costs of the initiatives detailed in this report in addition to any other initiatives taken.

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

- (a) That Council endorse the General Manager nominating a staff member to visit and assist Central Darling in the assessment of heritage assets as detailed in the report.
- (b) That Council write to the Ryde Hunters Hill Cricket Club requesting that their cricket event coincide with Council's Harmony Day on 20 March 2011 and offering use of Ryde Park and inclusion in Council's promotional material for the event, at no cost to the Club as detailed in the report.
- (c) That as part of the September Quarterly Budget Review, Council consider allocating \$10,000 towards the maintenance and development of the Country Council Partnership to meet the costs of the initiatives detailed in this report in addition to any other initiatives taken.
- (d) That a further report be presented to Council detailing the program and its outcomes, cost and legal liability exposure to Council.

The AMENDMENT was put and **CARRIED** there being five (5) votes for and four (4) votes against. The Amendment then became the Motion.

Record of Voting

For the Amendment: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Perram and Tagg.

Against the Amendment: Councillors Etmekdjian, Li, Pickering and Yedelian OAM.

The MOTION was put and **CARRIED** with the votes being six (6) for and three (3) against.

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

- (a) That Council endorse the General Manager nominating a staff member to visit and assist Central Darling in the assessment of heritage assets as detailed in the report.

- (b) That Council write to the Ryde Hunters Hill Cricket Club requesting that their cricket event coincide with Council's Harmony Day on 20 March 2011 and offering use of Ryde Park and inclusion in Council's promotional material for the event, at no cost to the Club as detailed in the report.
- (c) That as part of the September Quarterly Budget Review, Council consider allocating \$10,000 towards the maintenance and development of the Country Council Partnership to meet the costs of the initiatives detailed in this report in addition to any other initiatives taken.
- (d) That a further report be presented to Council detailing the program and its outcomes, cost and legal liability exposure to Council.

Record of Voting

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, O'Donnell, Perram and Tagg.

Against the Motion: Councillors Li, Pickering and Yedelian OAM.

4 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillor Etmekdjian and Perram)

That consideration of this matter be dealt with in Closed Session at the end of the meeting.

Record of Voting:

For the Motion: Unanimous.

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There were no Precises of Correspondence for Consideration.

Note: Councillor Maggio returned to the Chamber prior to discussion on the Notices of Motion, the time being 8.14pm.

NOTICES OF MOTION**1 VEHICLE ENTRY TO CAR PARK – Dunbar Park – Councillor Perram**

RESOLUTION: (Moved by Councillors Perram and Yedelian OAM)

That Council remove the chains preventing vehicle entry to the car park at Dunbar Park, except when needed in conjunction with a booking of the park.

Record of Voting:

For the Motion: Unanimous.

2 PARKING – Sobraon Road, Marsfield – Councillor Perram**RESOLUTION:** (Moved by Councillors Perram and O'Donnell)

That Council discuss with Macquarie University issues associated with parking by construction workers in the Sobraon Road area and explore with the University provision of parking for the University's construction workforce within the University grounds.

Record of Voting:

For the Motion: Unanimous.

3 RYDE COUNCIL AS A BREASTFEEDING FRIENDLY WORKPLACE – Councillor Campbell**RESOLUTION:** (Moved by Councillors Campbell and O'Donnell)

That, as a legacy initiative of the Year of Women in Local Government, the General Manager initiates processes to ensure that Ryde Council becomes a breastfeeding friendly workplace with appropriate facilities provided for expressing and storing breast milk and implementation of lactation breaks for women employees to express their milk.

Record of Voting:

For the Motion: Unanimous.

4 TREE PRESERVATION ORDER – Councillor Terry Perram**RESOLUTION:** (Moved by Councillors Perram and Tagg)

- (a) That for the purposes of administering the Tree Preservation Order contained in section 9.6 of City of Ryde DCP 2010, Council declares that despite anything shown on the urban bushland map referred to that section, urban bushland does not exist within three metres of any approved detached building and any associated building.
- (b) That Council Officers investigate and advise those applicants of similar requests in the past 12 months.

Record of Voting:

For the Motion: Unanimous.

NOTICES OF RESCISSION

There were no Notices of Rescission.

QUESTIONS BY COUNCILLORS AS PER POLICY

There were no Questions by Councillors as per Policy.

CLOSED SESSION**ITEM 4 – 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.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

RESOLUTION: (Moved by Councillors Tagg and Perram)

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 8.42pm. The public and media left the chamber.

4 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Pickering and Tagg)

That the report of the General Counsel on ADVICE ON COURT ACTIONS be endorsed.

Record of Voting:

For the Motion: Unanimous.

OPEN SESSION

RESOLUTION: (Moved by Councillors Tagg and Etmekdjian)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous.

Note: Open Council resumed at 8.45pm.

RESOLUTION: (Moved by Councillors Tagg and Etmekdjian)

That the business transacted in Closed Session be received and adopted as a resolution 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 8.47 pm.

CONFIRMED THIS 24TH DAY OF AUGUST 2010

Chairperson