

Council Meeting

MINUTES OF MEETING NO. 18/10

Meeting Date: Tuesday 23 November 2010

Location: Council Chambers, Level 6

Time: 7.30pm

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

Note: Councillor Yedelian OAM left the meeting, the time being 9:20pm and was not present for consideration of items 10 and 11.

Apologies: Councillor Li

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Chief Financial Officer, Manager Risk & Audit, Project Manager Ryde Town Centre, Media & Community Relations Officer and Senior Administration Co-ordinator.

PRAYER

Professor Khachigian on behalf of the Armenian Evangelical Brotherhood Holy Trinity Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No addresses were made to Council.

MAYORAL MINUTES

1 DELEGATION - The Mayor, Artin Etmekdjian

MOTION: (Moved by The Mayor, Councillor Etmekdjian and Councillor Yedelian OAM)

- a) That Council, in accordance with Section 377 of the Local Government Act, delegate to the position of Mayor, to determine donations to local City of Ryde community groups up to a maximum of \$400 for any one donation.
- b) That Council allocate a total amount of \$5,000 in the Mayor's budget and that this adjustment be incorporated in the September Quarterly Review result as detailed in Item 4.

On being put to the Meeting the MOTION was declared **LOST** with four (4) votes for and seven (7) against.

Record of Voting:

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

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

2 VISIT BY FEDERAL SHADOW CABINET - The Mayor, Artin Etmekdjian

The Mayor gave a verbal report advising that members of the Federal Shadow Cabinet will be visiting City of Ryde Council on Wednesday, 1st December 2010, with no cost to be incurred by Council.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting 17/10 held on 09 November 2010

RESOLUTION: (Moved by Councillors Butterworth and Maggio)

That the Minutes of the Council Meeting 17/10, held on Tuesday 09 November 2010, be confirmed.

Record of Voting:

For the Motion: Unanimous.

2 CONFIRMATION OF MINUTES - Meeting of Works & Community Committee 11/10 held on 16 November 2010

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

That all items on the Works & Community Committee Meeting, held on Tuesday 16 November 2010, be noted as dealt with under delegated authority.

Record of Voting:

For the Motion: Unanimous.

RECOMMITTAL OF ITEM

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

That Item 1 of the Council Meeting 18/10 – CONFIRMATION OF MINUTES - Council Meeting 17/10 held on 09 November 2010 be recommitted

Record of Voting:

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

Against the Motion: Councillors Maggio and Pickering

1 CONFIRMATION OF MINUTES - Council Meeting 17/10 held on 09 November 2010

RESOLUTION: (Moved by Councillors Petch and Tagg)

That the Minutes of the Council Meeting 17/10, held on Tuesday 09 November 2010, be confirmed subject to resolution for MATTER OF URGENCY - TREE AT 4 COLVIN CRESCENT, DENISTONE EAST being amended to read as follows:

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.

3 MOTIONS PUT WITHOUT DEBATE

In accordance with Council's Code of Meeting Practice, Council can determine those matters on the agenda that can be adopted without the need for any discussion.

RESOLUTION: (Moved by Councillors Campbell and Petch)

That the recommendations in respect of items 4 to 11 inclusive, as submitted to Council Meeting 18/10, be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous.

**4 SEPTEMBER 2010 QUARTERLY REVIEW REPORT 2010-2014
MANAGEMENT PLAN**

RESOLUTION: (Moved by Councillors Pickering and Maggio)

- (a) That the report of the Chief Financial Officer, dated 7 November 2010 on SEPTEMBER 2010 QUARTERLY REVIEW REPORT 2010-2014 MANAGEMENT PLAN, be received and endorsed.
- (b) That the proposed budget adjustments included in this report totalling \$0.077 million be endorsed and included in the 2010/2011 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net reduction in Reserves of \$2.214 million be adopted.
- (d) That the Certificate of the Responsible Accounting Officer attached to the report of the Chief Financial Officer dated 7 November 2010 be endorsed.

Record of Voting:

For the Motion: Unanimous.

5 CHARTER OF RESPECT - Update on Actions

RESOLUTION: (Moved by Councillors Butterworth and Petch)

That a workshop for all Councillors and the Executive Team, facilitated by Mr Errol Chadwick from Chadwick and Associates, be conducted in February/March 2011 workshop to monitor the progress and implementation of the Charter of Respect.

Record of Voting:

For the Motion: Unanimous.

6 INVESTMENT REPORT - October 2010

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

That the report of the Chief Financial Officer, dated 09/11/2010 on INVESTMENT REPORT – October 2010, be endorsed.

Record of Voting:

For the Motion: Unanimous.

7 SPORTS FLOODLIGHTING

RESOLUTION: (Moved by Councillors Maggio and Petch)

- (a) That Council endorse the installation of sports lighting at Pidding Park as part of the 2010/2011 Playing Field Lighting Program subject to a 60/40 funding split between Council and sporting groups to an approximate total cost to Council of \$51,000.
- (b) That Council endorse the upgrading of sports lighting at Magdala Park in accordance with the approved DA and subject to a 60/40 funding split between Council and sporting groups and that funding (once determined) is allocated as necessary within the 2010/2011 Playing Field Lighting Program and/or from the Asset Replacement Reserve.
- (c) That Council prioritise playing field lighting for training purposes and accordingly not pursue the upgrade of the training compliant sports lighting at Marsfield Park to competition standard at this time.
- (d) That Council lodge a development application for the sports lighting project at Waterloo Park in consultation with the relevant sporting groups.
- (e) That finalisation of a priority for sports lighting at Bill Mitchell, Bremner or Morrison Bay Parks be determined with further consultation with user groups and that a subsequent report come to council.
- (f) That Council is provided an update on progress on all sports lighting projects within 3 months of the date of this report.
- (g) That council officers provide a report on existing playing fields where lighting is provided and where lux levels meet requirements.

Record of Voting:

For the Motion: Unanimous.

8 REQUESTS FOR WAIVER OF FEES FOR EVENTS IN PARKS

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

- (a) That the request by Macquarie Anglican Churches for the use of Yamble Reserve for a "Carols in the Park" event on 19 December 2010 be approved and that the hire fees amounting to \$335.00 be waived on this occasion, including the provision of four (4) additional garbage bins.
- (b) That the request by North Ryde Christian Church for the use of Pindari Park on 21 December 2010 for a "Community Christmas Carol Singing" event be approved and that the hire fees amounting to \$220.00 be waived on this occasion.
- (c) That all refundable bonds are levied as recommended within this report.
- (d) That groups be encouraged to apply through for community events Council's Community Grants Program.
- (e) That a policy report be brought back to Council on waiver of fees.

Record of Voting:

For the Motion: Unanimous.

9 CITY OF RYDE CENTRE - FIT-OUT - Status Update and Fit-Out Contract

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

- (a) That the tender from for Quatram Building Services Pty Ltd with Glasgowhart Pty Ltd at \$1,317,422 for the provision of the fit-out of the City of Ryde Centre be accepted.
- (b) That the quotation from Raeco at \$446,253 for the provision of the specialised Library shelving be accepted.
- (c) That Council delegates authority to the General Manager the authority to appoint the tenderer and finalise the development and fitout of the City of Ryde Centre.

Record of Voting:

For the Motion: Unanimous.

10 ANNUAL REPORT TO COUNCIL ON THE OPERATIONS OF THE AUDIT COMMITTEE

RESOLUTION: (Moved by Councillors Petch and Pickering)

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

Record of Voting:

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

Against the Motion: Councillors Maggio and Yedelian OAM

11 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Petch and Pickering)

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

Record of Voting:

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

Against the Motion: Councillors Maggio and Yedelian OAM

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There are no Precis of Correspondence for Consideration

NOTICES OF MOTION**WALKING AS A MEANS OF TRANSPORT AND EXERCISE - Councillor O'Donnell**

Motion: (Moved by Councillors O'Donnell and Yedelian OAM)

That Ryde City Council recognises that walking is an important means of transport and exercise. Council promotes walking as a means of transport and exercise and asks the General Manager to report back to Council on the following recommendations.

1. Two way pedestrian traffic requires an unobstructed width of at least 1.5 m. rather than 1.2 m. and any new footpaths be built to this requirement.
2. RCC introduce an education program to ensure that the footpath outside properties is clear i.e. reduce the problem of vegetation encroachment at its source.

3. Residents are requested not to park their cars on the footpath and in particular where the footpath crosses the driveway.
4. Residents are asked to keep the area of the driveway exit clear so that they are not reversing blindly across the driveway.
5. Increase Councils official footpath height clearance of 2.1 to 3.0.
6. Garbage bins are kept off the footpath. Where the nature strip is too narrow or non existent advise residents to put their bins in the gutter where the road is wide enough
7. RCC treat vegetation such as hedges the same as walls or fences i.e. classify them as an illegal construction if they grow too large that they interfere with pedestrian traffic.
8. In the case of footpath closures for maintenance council staff ensures a safe alternative route is available for all types of pedestrians.

Record of Voting:

For the Motion: Unanimous.

NOTICES OF RESCISSION

There are no Notices of Rescission

QUESTIONS BY COUNCILLORS AS PER POLICY

There are no Questions by Councillors as per Policy

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

CLOSED SESSION**ITEM 10 - ANNUAL REPORT TO COUNCIL ON THE OPERATIONS OF THE AUDIT COMMITTEE****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: (f) details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

ITEM 11 - 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 Petch 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 9.00pm. The public and media left the chamber.

10 ANNUAL REPORT TO COUNCIL ON THE OPERATIONS OF THE AUDIT COMMITTEE

Note: Councillor Yedelian OAM left the meeting during discussion of this item, the time being 9:20pm, and took no further part in debate or voting on items 10 and 11.

RESOLUTION: (Moved by Councillors Butterworth and Yedelian OAM)

- (a) That Council suspend standing orders to allow for a presentation by the chairperson of Council's Audit Committee, Mr John Gordon in respect of the operations of the Audit Committee for the period from 29/6/2009 to 18/10/2010.
- (b) That the Chairperson of the Audit Committee be thanked for his presentation to Council.

Record of Voting:

For the Motion: Unanimous.

11 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Petch and Tagg)

That the report of the Group Manager – Corporate Services be received.

Record of Voting:

For the Motion: Unanimous.

OPEN SESSION

RESOLUTION: (Moved by Councillors Petch and Tagg)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous.

Note: Open Council resumed at 9.45pm.

RESOLUTION: (Moved by Councillors Petch and Tagg)

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 9.47pm.

CONFIRMED THIS 14th DAY OF DECEMBER 2010

Chairperson