

Meeting Date: Tuesday 11 December 2012
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

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

Councillor Yedelian OAM left the meeting at 12.23am on Wednesday, 12 December and did not return. He was not present for consideration of Notice of Motion 1, Notice of Motion 2, Questions with Notice 1, Questions with Notice 2, Mayoral Minute 22/12, Item 27 and Item 28.

Apologies: Nil.

Leave of Absence: Councillor Salvestro-Martin.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Chief Information Officer, Service Unit Manager – Urban Planning, Service Unit Manager – Governance, Manager – Communications and Media, Service Unit Manager – Environmental Health and Building, Service Unit Manager – Rangers and Parking Services, Section Manager – Open Space Planning and Assets, Community Project Officer and Acting Section Manager – Governance.

PRAYER

Reverend Mal York of the West Ryde Anglican Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

The Mayor, Councillor Petch disclosed a less than significant non-pecuniary interest in Item 10 – Gladesville RSL Development Proposal, for the reason that he is a member of the Gladesville RSL Club.

Councillor Pickering disclosed a less than significant non-pecuniary interest in Item 10 – Gladesville RSL Development Proposal, for the reason that he is a member of the Gladesville RSL Club.

Councillor Maggio disclosed a less than significant non-pecuniary interest in Item 10 – Gladesville RSL Development Proposal, for the reason that he is a member of the Gladesville RSL Club.

Councillor Pendleton disclosed a less than significant non-pecuniary interest in Item 21 – Request for Tender – Council Telephony Services, for the reason that she has a small parcel of Telstra shares.

PRESENTATION OF CHEQUE TO THE ROTARY CLUB TREE OF JOY APPEAL

The Mayor, Councillor Petch and Tony Burnette (Telstra Top Ryde Manager) presented Rob Mitchell (Rotary Club of Ryde) with a cheque for the total of \$1,281.40 for the Rotary Club Tree of Joy Appeal. The funds were raised from donations collected at the Community Christmas Celebration held on Sunday, 2 December 2012.

PRESENTATION OF CHEQUE TO ERIN'S PLACE

The Mayor, Councillor Petch presented Gabby Prowse, Manager, Erin's Place with a cheque for \$1,000.00. Erin's Place is a crisis refuge for women and children escaping domestic violence.

PRESENTATION OF SYDNEY GREENSPACE AWARD FROM THE AUSTRALIAN INSTITUTE OF LANDSCAPE ARCHITECTS

Council's Section Manager – Open Space Planning and Assets, Ms Fiona Morrison presented The Mayor, Councillor Petch with the Sydney Greenspace Award from the Australian Institute of Landscape Architects. The Award was won for the City of Ryde Integrated Open Space Plan (prepared in partnership with Clouston Associates and Oneighty Sport and Leisure Solutions) and recognises local authorities who have pursued excellence in planning, managing and providing for better and more accessible quality open space.

PRESENTATION OF CERTIFICATES FOR PARTICIPATION IN THE RYDE YOUTH THEATRE PRODUCTION

The Mayor, Councillor Petch presented certificates to the following persons for their participation in the Ryde Youth Theatre Production titled *Gravity*:-

- Diana Morgan
- Christina Buda
- Audrey Blyde
- Rebecca Shell
- Gian Vigando
- Carla Hedley
- Damian Zanatta
- Bokkie Robertson
- Alaric Powe
- Louis Regan
- Eden Me-tal
- Annastasia Gryzabowski

LEAVE OF ABSENCE

Councillor Simon requested a Leave of Absence from Saturday, 2 February 2013 to Saturday, 9 March 2013.

Councillor Perram requested a Leave of Absence from Friday, 8 February 2013 to Sunday, 17 February 2013.

RESOLUTION: (Moved by Pickering and Maggio)

- (a) That Councillor Simon's Leave of Absence for the period from Saturday, 2 February 2013 to Saturday, 9 March 2013 be approved.
- (b) That Councillor Perram's Leave of Absence for the period Friday, 8 February 2013 to Sunday, 17 February 2013 be approved.

Record of Voting

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Tim Flett (representing Pirasta Pty Ltd)	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Gordana Vasic	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Kevin Bevitt	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Gerry Manderson	Item 24 – Ryde River Walk – Public Exhibition of Design and Statement of Environmental Effects
Errol Penrose	Item 24 – Ryde River Walk – Public Exhibition of Design and Statement of Environmental Effects
Tod Anderson (representing himself and Taleen Tashjian)	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Bradley Browne (representing Ryde Ex Services Club)	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
John Stevens (representing Max Potential) and Bradley Browne (representing Club 6)	Mayoral Minute 19/12 – Club 6 Sponsorship 2013

Arthur Zougliis (representing Adam Kaplan / Hunter Holden (Victoria Road Ryde)	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Lindsey Cox	Item 24 – Ryde River Walk – Public Exhibition of Design and Statement of Environmental Effects
Judith Partland (representing Gladesville Public School)	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Dr Jeremy Quek	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Patricia Bloomfield	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Aaron Lynch	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Rocky Tassone	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Graeme Cordiner	Item 10 – Gladesville RSL Development Proposal
Jennie Minifie (representing Ryde Environment Group)	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
Noel Plumb (representing Ryde Community Alliance and Ryde Environment Group)	Item 8 – Code of Meeting Practice and Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters

Note: Shayne Millard and Peter Zaknic were called to address Council, however were not present in the Chamber.

RESOLUTION: (Moved by Councillors Etmekdjian and Simon)

That the late request to address Council on Items Listed on the Agenda and also members of the public who had requested to address Council on Items Not Listed on the Agenda be allowed to address the meeting at this time.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following person addressed the Council:-

Name	Topic
Leanne Dean (representing Ryde Community Alliance)	Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Julie Worsley (representing Allengrove Against Inappropriate Development)	A response and a future direction for proposed Allengrove Crescent Development Appeal
Tim Nightingale	Proposed Development at Whiteside Street

Note: Chris Bullock, Terry Palapanis and Alex Medakovic were called to address Council, however were not present in the Chamber.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Simon and Pickering)

That Council now consider the following Items, the time being 9.05pm:-

- Mayoral Minute 19/12 – Club 6 Sponsorship 2013
- Item 8 – Code of Meeting Practice
- Item 10 – Gladesville RSL Development Proposal
- Item 12 – Draft Ryde LEP 2011 – Submissions and Related Matters
- Item 24 – Ryde River Walk – Public Exhibition of Design and Statement of Environmental Effects

Record of Voting:

For the Motion: Unanimous

MAYORAL MINUTES

MM19/12 CLUB 6 SPONSORSHIP 2013

Note: John Stevens (representing Max Potential) and Bradley Browne (representing Club 6) addressed the meeting in relation to this Item.

Note: A document was tabled by John Stevens in relation to this Item and a copy is ON FILE.

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

That:

- (a) Council provide the opportunity for two City of Ryde Service Unit Mangers to become coaches in the 2013 Max Potential Program.
- (b) Council endorse an additional allocation of funding of \$3,600 from the existing 2012 – 2013 staff training budget to fund the coach participation fee.
- (c) The additional funding be included as part of the next quarterly review.
- (d) The General Manger write to Tatjana Domazet, Angela Jones-Blayney and Janice Nicholson thanking them for the contribution in the program last year.

Record of Voting:

For the Motion: Unanimous

8 CODE OF MEETING PRACTICE

Note: Noel Plumb (representing Ryde Community Alliance and Ryde Environment Group) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Pickering and Etmekdjian)

- (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 with the following amendments:-
 - (i) That the enactment of resolutions commence no earlier than midday the following day of the meeting unless otherwise resolved by Council.
 - (ii) That where Questions with Notice are received prior to the Agenda being printed, they be included in the Agenda.
- (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 19 December 2012 to 18 February 2013.
- (d) That a further report be provided to Council in March 2013 to consider adoption of the draft Code of Meeting Practice.
- (e) That Council note the inclusion of the General Purpose Committee as detailed in this report and in the draft Code of Meeting Practice.

- (f) That Council confirm the webcasting trial will be undertaken for both Council meetings and the General Purpose Committee (when held) from February 2013.

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

10 GLADESVILLE RSL DEVELOPMENT PROPOSAL

Note: The Mayor, Councillor Petch disclosed a less than significant non-pecuniary interest in this Item for the reason that he is a member of the Gladesville RSL Club.

Note: Councillor Pickering disclosed a less than significant non-pecuniary interest in this Item for the reason that he is a member of the Gladesville RSL Club.

Note: Councillor Maggio disclosed a less than significant non-pecuniary interest in this Item for the reason that he is a member of the Gladesville RSL Club.

Note: Graeme Cordiner addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Pickering and Simon)

That Council informs the Gladesville RSL and Community Club Ltd (RSL) that it is willing to consider its development vision (option 3) for the joint redevelopment of the Coulter Street carpark site and:

- (a) That the RSL (at its cost) undertakes preliminary community consultation, to seek community opinions of the proposal which are considered in shaping the final development vision to be considered by Council.
- (b) Following the community consultation, including key stakeholders, that a further report be provided to Council by the Gladesville RSL Club including details of the following:
- (i) Indicative built form and uses;
 - (ii) Parking management (particularly during the construction phase); and
 - (iii) Results of the community consultation process.

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

12 DRAFT RYDE LEP 2011 - SUBMISSIONS AND RELATED MATTERS

Note: Tim Flett (representing Pirasta Pty Ltd), Gordana Vasic, Kevin Bevitt, Tod Anderson (representing himself and Taleen Tashjian), Bradley Browne (representing Ryde Ex Services Club), Arthur Zouglis (representing Adam Kaplan / Hunter Holden – Victoria Road Ryde), Judith Partland (representing Gladesville Public School), Dr Jeremy Quek, Patricia Bloomfield, Aaron Lynch, Rocky Tassone, Jennie Minifie (representing Ryde Environment Group), Noel Plumb (representing Ryde Community Alliance and Ryde Environment Group) and Leanne Dean (representing Ryde Community Alliance) addressed the meeting in relation to this Item.

Note: A Memorandum from the Group Manager – Environment and Planning dated 11 December 2012 was tabled in relation to this Item and a copy is ON FILE.

Note: A document was tabled by Kevin Bevitt in relation to this Item and a copy is ON FILE.

Note: A map was tabled by Tod Anderson in relation to this Item and a copy is ON FILE.

Note: A map was tabled by Dr Jeremy Quek in relation to this Item and a copy is ON FILE.

Note: A document dated 11 December 2012 was tabled by Patricia Bloomfield in relation to this Item and a copy is ON FILE.

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

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

That this matter be deferred for an open community workshop to be held in February 2013. The workshop is to address issues raised by speakers at the Council Meeting on 11 December 2012, in particular relating to allotment sizes, torrens title, etc and including comparisons of other Councils practices and resolution of the flooding issue affecting 100-104 Rowe Street, Eastwood, that includes the engineering assessment report.

Record of Voting:

For the Motion: Unanimous

24 RYDE RIVER WALK - PUBLIC EXHIBITION OF DESIGN AND STATEMENT OF ENVIRONMENTAL EFFECTS

Note: Gerry Manderson, Errol Penrose, Lindsey Cox addressed the meeting in relation to this Item.

Note: A document dated 11 December 2012 was tabled by Gerry Manderson in relation to this Item and a copy is ON FILE.

Note: A document dated 11 December 2012 was tabled by Errol Penrose in relation to this Item and a copy is ON FILE.

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

That this matter be deferred for consultation with the affected owners.

AMENDMENT: (Moved by Councillor Simon and Pickering)

- (a) That Council place on Public Exhibition the detailed design and Statements of Environmental Effects for a period of three (3) months.
- (b) That a further report be submitted to Council following the Public Exhibition period.
- (c) That Council officers contact immediately affected residents and obtain their direct input and understand their main concerns.

On being put to the Meeting, the voting on the Amendment was ten (10) votes For and one (1) vote Against. The Amendment was CARRIED. The Amendment then became the Motion.

Record of Voting:

For the Amendment: Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Perram, Pickering, Simon and Yedelian OAM

Against the Amendment: The Mayor, Councillor Petch

RESOLUTION: (Moved by Councillor Simon and Pickering)

- (a) That Council place on Public Exhibition the detailed design and Statements of Environmental Effects for a period of three (3) months.

- (b) That a further report be submitted to Council following the Public Exhibition period.
- (c) That Council officers contact immediately affected residents and obtain their direct input and understand their main concerns.

Record of Voting:

For the Motion: Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Perram, Pickering, Simon and Yedelian OAM

Against the Motion: The Mayor, Councillor Petch

MAYORAL MINUTES

MM20/12 RYDE HUNTERS HILL SYMPHONY ORCHESTRA

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

That Council:

- (a) Congratulate the RHHSO Board for its efforts with the development of the Orchestra and that Council officially support the Orchestra through its endorsement and permitting use of Council's logo.
- (b) Contribute to the operating costs of the RHHSO by payment of its Public Liability Insurance with the cost to be incorporated in the December quarterly review.
- (c) Support the permanent use of the Coxs Road Community Hall as the orchestra's rehearsal venue and that the fee for use of this facility be waived.
- (d) In principle agree to provide logistical and administrative support to the orchestra and further that the General Manager meet with the Chair of the Board to determine the scope of services requested. A further report to then be provided to Council nominating the budget and resourcing implications for inclusion in the budget. The scope is expected to include the advertising of upcoming concerts and events, provision of space in the Mayoral Column, Cityview and on Council's website to encourage community sponsorship and assistance with seeking the orchestra to apply for appropriate grant funding.
- (e) That the Mayor write to the Mayor of Hunters Hill Council seeking a contribution in support of the orchestra.

Record of Voting:

For the Motion: Unanimous

MM21/12 REVIEW OF ORGANISATIONAL STRUCTURE OF COUNCIL

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

- (a) That a workshop be held in February 2013 to discuss the merits of Council's current structure and to discuss future restructuring.
- (b) That no further senior staff appointment be effected by the General Manager until after the above workshop is held.

Record of Voting:

For the Motion: Unanimous

MM22/12 RYDE CITY BOWLING CLUB

RESOLUTION: (Moved by Councillors Etmekdjian and Maggio)

That consideration of this matter be deferred to Confidential Session.

Record of Voting:

For the Motion: Unanimous

MM23/12 PRINCES STREET - PARKING

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

That Council approve the installation of 150m of "no stopping" signs along the side frontage (Princes Street) of the Royal Ryde Rehabilitation Centre, commencing at the Morrison Road intersection to improve accessibility and safety for vehicles entering and existing the premises.

Record of Voting:

For the Motion: Unanimous

MM24/12 RESIGNATION OF GROUP MANAGER – PUBLIC WORKS – TERRY DODDS

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

- (a) That Council recognise and thank Mr Dodds for his contribution to Council.
- (b) That Council convey its best wishes to Mr Dodds in his new position with Isaac Regional Council.

Record of Voting:

For the Motion: Unanimous

MM25/12 FORMER RYDE HIGH SCHOOL – SMALLS ROAD RYDE

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

- (a) That Council acknowledge the sizeable Armenian community in the City of Ryde.
- (b) That Council support any application supported by the local community and made by the Armenian community for the establishment of an educational institution within the City of Ryde and in particular the former Ryde High School facility in Smalls Road Ryde.
- (c) That Council call upon the State Government to support any application supported by the local community and made by the Armenian community for the purpose of establishing an educational institution within the City of Ryde and in particular the former Ryde High School facility in Smalls Road.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – WHITESIDE DEVELOPMENT AND ALLENGROVE

Councillor Simon raised a Matter of Urgency regarding the Whiteside Development and Allengrove.

The Mayor, Councillor Petch accepted this as a Matter of Urgency.

RESOLUTION: (Moved by Councillors Simon and Maggio)

That Council consider a Matter of Urgency regarding the Whiteside Development and Allengrove, the time being 10.32pm.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – WHITSIDE DEVELOPMENT AND ALLENGROVE

RESOLUTION: (Moved by Councillors Simon and Maggio)

- (a) That Council request the General Manager to write to the Department of Planning, Ryde MP The Honourable Victor Dominello and the Planning Minister, Mr Brad Hazzard, requesting a meeting with the Mayor and any other Councillor who wishes to attend. The purpose of the meeting will be to discuss the Whiteside Development currently before the Planning Commission and to request the support of the State Government in opposing the development.
- (b) That subject to written confirmation of the Environmental Defenders Office (EDO) acceptance of defending this matter, Council agree in principle to contribute to the appeal of the Allengrove matter to a maximum of \$10,000 and that the EDO be requested to provide Council with a cost plan for their defence of the matter together with a tax invoice.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 27 November 2012

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

That the Minutes of the Council Meeting 22/12, held on 27 November 2012 be confirmed.

Record of Voting:

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

Against the Motion: Councillor Maggio

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 14/12 held on 4 December 2012

RESOLUTION: (Moved by Councillors Simon and Chung)

That Council note that all Items of the Planning and Environment Committee meeting 14/12 held on 4 December 2012 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 15/12 held on 4 December 2012

RESOLUTION: (Moved by Councillors Perram and Laxale)

That Council determine Item 3 of the Works and Community Committee report, noting that Items 1, 2, 4, 5 and 6 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 DELANGE ROAD - Provision of Bus Shelter

RESOLUTION: (Moved by Councillors Perram and Simon)

That Council take no further action as a shelter already exists 80 metres distant that is not in front of a private residence.

Record of Voting:

For the Motion: Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Perram, Pickering, Simon and Yedelian OAM

Against the Motion: The Mayor, Councillor Petch

COMPLETION OF BUSINESS – EXTENSION OF TIME

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

That the meeting time be extended to allow Council to complete all Items of business on the Agenda, the time being 11.00pm.

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

4 2012/2013 CHRISTMAS NEW YEAR ARRANGEMENTS - DELEGATIONS TO THE MAYOR AND GENERAL MANAGER

RESOLUTION: (Moved by Councillors Li and Etmekdjian)

- (a) That during the period 12 December 2012 to 5 February 2013, 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.
- (b) That all decisions made by the Mayor and General Manager under this resolution, be communicated to all Councillors as soon as reasonably possible.

Record of Voting:

For the Motion: Unanimous

5 COUNCIL WORKSHOPS AND INDUCTION SESSIONS

MOTION: (Moved by Councillors Etmekdjian and Pickering)

- (a) That Council endorse the Workshop schedule as set out in this report with the following amendments:
 - (i) That the LEP workshop be held on 5 February 2013:
 - (ii) That a workshop on the review of the Council Structure be held in February 2013 and:
 - (iii) That the workshop on the General Managers performance objectives be scheduled.
- (b) That Council endorse the conduct of a weekend Workshop to be held on 2 and 9 February 2013:
- (c) That Council resolve to conduct the site visits on 2 and 16 March 2013.
- (d) That Council confirm that where seven Councillors agree to attend a workshop, that the workshop be held.

AMENDMENT: (Moved by Councillors Pendleton and Laxale)

- (a) That Council endorse the Workshop schedule as set out in this report with the following amendments:
 - (i) That the LEP workshop be held on 5 February 2013:

- (ii) That a workshop on the review of the Council Structure be held in February 2013 and:
- (iii) That the workshop on the General Managers performance objectives be scheduled.
- (b) That Council endorse the conduct of a weekend Workshop to be held on 2 and 9 February 2013:
- (c) That Council resolve to conduct the site visits on 2 and 16 March 2013.
- (d) That Council confirm that where four Councillors agree to attend a workshop, that the workshop be held.

On being put to the Meeting, the voting on the Amendment was eight (8) votes For and three (3) votes Against. The Amendment was CARRIED. The Amendment then became the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Petch and Councillors Chung, Laxale, Li, Maggio, Pendleton, Simon and Yedelian OAM

Against the Amendment: Councillors Etmekdjian, Perram and Pickering

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

- (a) That Council endorse the Workshop schedule as set out in this report with the following amendments:
 - (i) That the LEP workshop be held on 5 February 2013:
 - (ii) That a workshop on the review of the Council Structure be held in February 2013 and:
 - (iii) That the workshop on the General Managers performance objectives be scheduled.
- (b) That Council endorse the conduct of a weekend Workshop to be held on 2 and 9 February 2013:
- (c) That Council resolve to conduct the site visits on 2 and 16 March 2013.
- (d) That Council confirm that where four Councillors agree to attend a workshop, that the workshop be held.

Record of Voting:

For the Motion: Unanimous

6 SUMMARY OF EXPENSES RELATING TO THE GENERAL MANAGER AND SENIOR STAFF

RESOLUTION: (Moved by Councillors Pickering and Simon)

That Council note the summary of expenses claimed by the General Manager and Senior Staff for the period between May 2012 and October 2012.

Record of Voting:

For the Motion: Unanimous

7 2012 LOCAL GOVERNMENT ELECTION PROCESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That the report be received and noted.

Record of Voting:

For the Motion: Unanimous

8 CODE OF MEETING PRACTICE

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

9 COMMUNITY COUNCIL MEETINGS

RESOLUTION: (Moved by Councillors Chung and Laxale)

1. That Council conduct three Community Council Meetings in 2013 at the venues as detailed in the report as follows with dates to be confirmed by staff:
 - (a) East Ward in March or April 2013;
 - (b) Central Ward in June or July 2013;
 - (c) West Ward in October or November 2013.
2. The format for the meetings shall be a General Purpose Committee to be known as Community Council Meetings.

Record of Voting:

For the Motion: Unanimous

10 GLADESVILLE RSL DEVELOPMENT PROPOSAL

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

11 SUBMISSION TO POSITION PAPER - IMPROVING THE IMPLEMENTATION OF THE STANDARD INSTRUMENT LEP PROGRAM

RESOLUTION: (Moved by Councillors Simon and Maggio)

That Council submits the attached submission to the Department of Planning and Infrastructure on the Position Paper – Improving the implementation of the Standard Instrument Local Environmental program.

Record of Voting:

For the Motion: Unanimous

12 DRAFT RYDE LEP 2011 – SUBMISSIONS AND RELATED MATTERS

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

13 BOARDING HOUSES POLICY - Draft Enforcement Policy and Draft Development Control Plan

MOTION: (Moved by Councillors Li and Maggio)

- (a) That Council authorise public exhibition of the Draft Enforcement Policy - Boarding Houses and the City of Ryde Draft Amending Development Control Plan - Boarding Houses to be carried out in accordance with the Environmental Planning and Assessment Act 1979 for a minimum period of 28 days.
- (b) That Council authorise consultation on the Draft Enforcement Policy - Boarding Houses and City of Ryde Draft Amending Development Control Plan - Boarding Houses for key stakeholders including local education providers, relevant student groups, landlords, housing providers, developers, designers, resident action groups, and landowners and residents up to 100 metres of the Macquarie University.
- (c) That Council receive a further report on the outcomes of the exhibition of draft Boarding Houses Policy comprising:
 - 1. Draft Enforcement Policy: Boarding Houses
 - 2. City of Ryde Draft Amending Development Control Plan - Boarding Houses.

AMENDMENT: (Moved by Councillors Simon and Laxale)

- (a) That Council authorise public exhibition of the Draft Enforcement Policy - Boarding Houses and the City of Ryde Draft Amending Development Control Plan - Boarding Houses to be carried out in accordance with the Environmental Planning and Assessment Act 1979 for a minimum period of 28 days.
- (b) That Council authorise consultation on the Draft Enforcement Policy - Boarding Houses and City of Ryde Draft Amending Development Control Plan - Boarding Houses for key stakeholders including local education providers, relevant student groups, landlords, housing providers, developers, designers, resident action groups, and landowners and residents up to 100 metres of the Macquarie University.
- (c) That Council receive a further report on the outcomes of the exhibition of draft Boarding Houses Policy comprising:
 - 1. Draft Enforcement Policy: Boarding Houses
 - 2. City of Ryde Draft Amending Development Control Plan - Boarding Houses.
- (d) That the requirement to return an illegal boarding house to its original condition prior to assessment of an application for a boarding house be removed.

On being put to the Meeting, the voting on the Amendment was two (2) votes For and nine (9) 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 Petch and Councillors Chung, Etmekdjian, Li, Maggio, Pendleton, Perram, Pickering and Yedelian OAM

RESOLUTION: (Moved by Councillors Li and Maggio)

- (a) That Council authorise public exhibition of the Draft Enforcement Policy - Boarding Houses and the City of Ryde Draft Amending Development Control Plan - Boarding Houses to be carried out in accordance with the Environmental Planning and Assessment Act 1979 for a minimum period of 28 days.
- (b) That Council authorise consultation on the Draft Enforcement Policy - Boarding Houses and City of Ryde Draft Amending Development Control Plan - Boarding Houses for key stakeholders including local education providers, relevant student groups, landlords, housing providers,

developers, designers, resident action groups, and landowners and residents up to 100 metres of the Macquarie University.

- (c) That Council receive a further report on the outcomes of the exhibition of draft Boarding Houses Policy comprising:
1. Draft Enforcement Policy: Boarding Houses
 2. City of Ryde Draft Amending Development Control Plan - Boarding Houses.

Record of Voting:

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

Against the Motion: Councillors Laxale and Simon

14 NORTH RYDE URBAN ACTIVATION PRECINCT

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

- (a) That Council nominate The Mayor, Councillor Petch and Councillor Yedelian OAM to be represented on the North Ryde Steering Committee.
- (b) That Council endorse the nomination of staff: Group Manager, Environment and Planning and Group Manager, Public Works, with the Group Manager Community Life as the alternate, to be represented on the North Ryde Steering Committee.

Record of Voting:

For the Motion: Unanimous

15 ESTABLISHMENT OF A MOBILE PLAYGROUP SERVICE IN THE CITY OF RYDE

RESOLUTION: (Moved by Councillors Simon and Li)

That Council notes the report into mobile playgroups and acknowledges the positive benefits that mobile playgroups can have. In principle support is given to the mobile playgroups, subject to appropriate funding arrangements. To this end, Council requests the General Manager to:

- (a) Apply to both State and Federal Governments for grant options and seek other funding options as detailed in the report to fund a mobile playgroup in the Ryde LGA; and
- (b) Write to Anthony Roberts and Victor Dominello seeking their support for a funding application.

Record of Voting:

For the Motion: Unanimous

16 CHANGES TO FEES & CHARGES - TREES AND PLAQUES

RESOLUTION: (Moved by Councillors Perram and Pendleton)

- (a) That Council place on public exhibition the following fees and charges for the period of not less than 56 days, due to Christmas holidays.
- (b) That a further report be presented to Council for consideration after the public exhibition period addressing any submissions made.

Record of Voting:

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

Against the Motion: Councillors Maggio and Yedelian OAM

17 MEADOWBANK / GLADESVILLE TRAFFIC STUDY

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That subject to confirmation in writing from the RMS of the \$100,000 contribution, Council approve expenditure of up to \$250,000 (including the funding provided by the Roads and Maritime Services (RMS) of \$100,000) and that the expenditure of this amount be approved.
- (b) That the budget adjustment be included in the next Quarterly Review for information.

Record of Voting:

For the Motion: Unanimous

18 ANNUAL TENDERS - Tender for Hire of Plant

RESOLUTION: (Moved by Councillors Perram and Pickering)

- (a) That the tenders for hiring of plant until 31 December 2013 from the following tenderers be accepted on an "as required " basis for the indicated category of plant:

Tenderer	Category of Plant
A & A Hire Services	2, 4, 5
A & C Plant Hire Pty Ltd	2, 3, 4, 5, 6

Acclaimed Excavations Pty Ltd	1, 2, 3, 4, 5, 6
Active Tipper Hire Pty Ltd	2, 4, 5, 6
Allards Plant Hire Pty Ltd	1, 2, 3, 4, 6
Australian Grader Hire Pty Ltd	1
Barren Transport Pty Ltd	4, 5, 6
Coates Hire Operations Pty Ltd	8, 10
Complete Hire	8, 10
Conplant Pty Ltd	8
DXCore Pty Ltd	2, 4, 6
E & B Tipper Hire Pty Ltd	2, 4, 5, 6
G & R D Chong Pty Ltd	7
Haines Bros Earthmoving & Drainage	1, 2, 3, 4, 6
Kennards Hire Pty Ltd	10
Onsite Rental Group Operations Pty Ltd	10
Porter Plant	1, 2, 3, 4, 6, 8
R & K Johnson Excavations	2
Raygal Pty Ltd	1, 3, 4, 5, 6
Sherrin Rentals Pty Ltd	8, 10
Supreme Earthmoving Pty Ltd	2, 4
Universal Mobile Tower Hire	9

- (b) That the preferred contractors be advised that the work will be allocated to them on an “as required” basis, following consideration at the time of the following factors: type of work, price, availability, previous workmanship, relevant expertise, previous service provided to the residents and previous compliance to safety requirements.
- (c) That the non-complying tenderers be advised of the Council’s decision.

Record of Voting:

For the Motion: Unanimous

19 REQUEST FOR TENDER - COR-RFT-20/12 - Construction Services for the Installation of Sportsfield Lighting in Magdala Park, North Ryde.

RESOLUTION: (Moved by Councillors Etmekdjian and Maggio)

- (a) That Council accepts the tender from Smada Electrical Services Pty. Ltd. for Construction Services for the Installation of Sportsfield Lighting at Magdala Park, North Ryde as recommended in the Tender Evaluation Report for the lump sum of \$192,570 (GST excl).
- (b) That Council advise all the respondents of Council’s decision.

Record of Voting:

For the Motion: Unanimous

20 REQUEST FOR TENDER - COR-RFT-04/12 - Implement Updated Handheld Technology to Assist Parking

MOTION: (Moved by Councillors Pickering and Perram)

- (a) That Council accepts the tender from Reino International Pty Ltd for the provision of Hand Held Devices for the sum of \$132,400 (excluding GST) which is for the initial first three (3) year period and \$16,800 (excluding GST) is required for the next two by one (1) year options.
(The \$132,400 is to supply and install software and provide maintenance and support services and to host the software for 20 handheld devices for a three year period. The \$16,800 is for the next two by one year options to maintain, support and host software).
- (b) That Council delegate the General Manager the authority to enter into a contract with Reino International Pty Ltd on the terms contained within the tender.
- (c) That Council advise all the respondents of Council's decision.

AMENDMENT: (Moved by Councillors Yedelian OAM and Li)

That no tenders be accepted and no further action be taken.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and eight (8) votes Against. The Amendment was LOST. The Motion was then put and CARRIED.

Record of Voting:

For the Amendment: Councillors Li, Maggio and Yedelian OAM

Against the Amendment: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Pendleton, Perram, Pickering and Simon

RESOLUTION: (Moved by Councillors Pickering and Perram)

- (a) That Council accepts the tender from Reino International Pty Ltd for the provision of Hand Held Devices for the sum of \$132,400 (excluding GST) which is for the initial first three (3) year period and \$16,800 (excluding GST) is required for the next two by one (1) year options.
(The \$132,400 is to supply and install software and provide maintenance and support services and to host the software for 20 handheld devices for a three year period. The \$16,800 is for the next two by one year options to maintain, support and host software).

- (b) That Council delegate the General Manager the authority to enter into a contract with Reino International Pty Ltd on the terms contained within the tender.
- (c) That Council advise all the respondents of Council's decision.

Record of Voting:

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

Against the Motion: Councillors Li, Maggio and Yedelian OAM

21 REQUEST FOR TENDER - COUNCIL TELEPHONY SERVICES

Note: Councillor Pendleton disclosed a less than significant non-pecuniary interest in this Item for the reason that she has a small parcel of Telstra shares.

RESOLUTION: (Moved by Councillors Li and Etmekdjian)

- (a) That Optus Networks Pty Ltd be accepted as Council's preferred vendor in relation to the tender for the Provision of Telephony Services for the City of Ryde, subject to successful negotiations for the entering into a formal contract agreement as detailed in this report.
- (b) That the General Manager be delegated authority to enter into negotiations with Optus Networks Pty Ltd with a view to the execution of a formal contract agreement.
- (c) That the General Manager be delegated the authority to amend the contract on matters which are not material and which are in the best interests of Council.
- (d) That the General Manager be delegated the authority to sign the Contract Agreement on behalf of Council.
- (e) The Council endorse the budget allocations as detailed in this report.
- (f) That all companies who lodged a tender submission for the Provision of Telephony Services for the City of Ryde be advised of Council's decision.

Record of Voting:

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

Against the Motion: Councillor Maggio

22 MEADOWBANK NETBALL COURTS - DELEGATION TO AWARD CONTRACT

RESOLUTION: (Moved by Councillors Maggio and Etmekdjian)

- (a) That due to the urgency for Council to complete the works at Meadowbank Netball Courts prior to the commencement of the 2013 netball season, Council hold an Extraordinary Council meeting at 7.30pm on Tuesday, 22 January 2013 to consider the tender relating to the Meadowbank Netball Courts.
- (b) That Council accepts the offer from the Eastwood Ryde Netball Association to contribute to the project and increase the project budget by \$67,190 (GST exclusive), representing capital contribution by Eastwood Ryde Netball Association.
- (c) That the Association be notified of the Extraordinary Council meeting, process and timeframe for the project.

Record of Voting:

For the Motion: Unanimous

23 CITY OF RYDE TENNIS COURTS

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

- (a) That Council extend the licence agreement for Kings Park Tennis Centre to Denistone East Community Tennis Courts Committee Inc for additional 5 years, under the same terms and conditions.
- (b) That the General Manager be given delegated authority to execute all relevant documents for Kings Park Tennis Centre licence agreement.
- (c) That Council advertise an Expression of Interest/Requests for Proposals, seeking submissions from suitable not-for-profit organisations for the management and operation of Abuklea and Olympic Park Tennis centres.
- (d) That Council advise the organisations currently managing the facilities of the process and encourage them to apply.
- (e) That Council extend the existing agreement on a month-by-month arrangement under the same terms and conditions of the original agreement, until such time the outcome of the Expression of Interest/Request for proposal has been reported back to Council.
- (f) That a further report be submitted to Council following an Expression of Interest/Requests for Proposals process.

Record of Voting:

For the Motion: Unanimous

24 RYDE RIVER WALK – PUBLIC EXHIBITION OF DESIGN AND STATEMENT OF ENVIRONMENTAL EFFECTS

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

LATE ITEMS

25 REQUEST FOR TENDER - COR-RFT-14/12 - Playground Equipment Maintenance Services for the City of Ryde

RESOLUTION: (Moved by Councillors Li and Etmekdjian)

- (a) That Council accepts the tender from Kico Inspection & Testing Services Pty Ltd for the Playground Equipment Maintenance Services for the amount of \$32,010.00 for year 1 (plus parts), \$33,610.50 for year 2 (plus parts) and \$35,289.57 for year 3, with an option to extend for additional two (2) years by mutual agreement.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Kico Inspection & Testing Services Pty Ltd on the terms contained within the tender and the contract documents
- (c) That Council advise all the respondents of Council's decision.

Record of Voting:

For the Motion: Unanimous

26 REQUEST FOR TENDER - COR-RFT - 15/12 - Playground Equipment Condition Audit Services for City of Ryde

RESOLUTION: (Moved by Councillors Etmekdjian and Pendleton)

- (a) That Council accepts the tender from Playfix Pty Ltd for the Playground Equipment Condition Audit Services for the amount of \$13,095 for year 1, \$13,618.00 for year 2, and \$14,162.00 for year 3 with an option to extend for a further two (2) years, as mutually agreed.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Playfix Pty Ltd on the terms contained within the Tender.
- (c) That Council advise all the respondents of Council's decision.

Record of Voting:

For the Motion: Unanimous

27 ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AND MACQUARIE PARK FORUM – APPOINTMENT OF REPRESENTATIVES

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

That consideration of this matter be deferred to Confidential Session.

Record of Voting:

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

Against the Motion: Councillor Li

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There were no Precis of Correspondence for Consideration.

Note: Councillor Yedelian OAM left the meeting at 12.23am on Wednesday, 12 December and did not return to the meeting.

NOTICES OF MOTION

1 EASTWOOD RYDE NETBALL ASSOCIATION - Councillor Roy Maggio

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

RESOLUTION: (Moved by Councillors Maggio and Etmekdjian)

- (a) That in recognition of her contribution to the Eastwood Ryde Netball Association and netball at all levels that the Courts situated at Meadowbank Park be named the Norma Woods Netball Courts.
- (b) That Council install a plaque in the surrounding area to mark the great contribution of Norma Woods with the naming ceremony and presentation to be held at the first game of the new netball season.
- (c) That this recommendation be submitted to the Association's Executive Committee for ratification and their formal advice be brought back to Council.

Record of Voting:

For the Motion: Unanimous

2 VOLUNTARY PLANNING AGREEMENTS - Councillor Terry Perram

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

RESOLUTION: (Moved by Councillors Perram and Etmekdjian)

That the General Manager provide options for Council to consider when further dealing with the VPAs for proposed developments at 3-5 Trelawney Street and 7-9 Rutledge Street Eastwood to fully allocate the funds from the VPAs, if accepted, to legacy projects for the community at Eastwood in close proximity to the developments that are capable of being undertaken in conjunction with or in the same time frame as the developments. Options to include:

- Completion of electricity undergrounding along the remaining section of Trelawney Street between Rutledge and Rowe Streets;
- Provision of safe and legal bicycle access to the two developments across Rutledge Street from Trelawney Street the southern side and bicycle access along the frontage of both developments and beyond to the gate of Eastwood Public School for the safety and benefit of school children.
- Combination of the above.

Record of Voting:

For the Motion: Unanimous

NOTICES OF RESCISSION

There were no Notices of Rescission.

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Roy Maggio

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

RESOLUTION: (Moved by Councillors Etmekdjian and Maggio)

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

Record of Voting:

For the Motion: Unanimous

The following Questions with Notice and Answers were provided to Council.

Question 1: How many people, if any, have been fined in the last 12 months for illegally parking cars, trailers or boats in the City of Ryde?

Answer 1:

The following information is taken from Council's Infringement Management System (Pinforce Manager):-

In the last 12 months to date (1st November 2011 and 30th October 2012) the total number of vehicles issues Parking Infringements in the City of Ryde totalled 23,322.

The offences were broken up between the following offence locations;

Council Free Car Parks Offences	=	3,282
On Street Offences	=	20,040

Question 2: In the last 12 months to present, how much money, if any, was expended on obtaining either verbal or written legal advice from General Counsel?

Answer 2:

A meaningful response to this question cannot be given as the General Counsel is an employee of Council.

Question 3: In the past 12 months how much money has been spent on external legal consultation and advice?

Answer 3:

For the 2011/2012 financial year, a total of \$492,898 has been expended on all matters across Council's operations, excluding projects.

Question 4: How does that compare to the previous 12 months?

Answer 4:

The expenditure for the 2010/2011 year was \$283,107.

Question 5: What is the ratio of cost of "in-house" legal costs to external legal cost as a percentage?

Answer 5:

For reasons previously stated, this is difficult to calculate, however it is estimated at approximately 60% internal / 40% external.

Question 6: **What was the total value of the matters dealt with by the “in-house” legal advice?**

Answer 6:

As the General Counsel is an employee of Council this is difficult to assess, however it is estimated that the value of in-house legal advice exceeds the costs of employing the General Counsel.

Question 7: **What other Councils employ their own in-house Legal Counsel?**

Answer 7:

Unfortunately there is no local government database available, however many Councils employ their own in-house Legal Counsel with additional support staff. As an example Sydney, Leichhardt, Marrickville, Sutherland, Blacktown, Penrith, Blue Mountains, The Hills, Parramatta, Manly and Hornsby are a sample of Councils who employ their own General Counsel.

2 QUESTIONS WITH NOTICE - Councillor Roy Maggio

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

RESOLUTION: (Moved by Councillors Etmekdjian and Maggio)

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

Record of Voting:

For the Motion: Unanimous

Question 1: **Does Golden Goal have the right to remove and/or dismantle fittings and equipment (4 kit soccer fields) installed under an approved development application endorsed by the Minister?**

Answer 1:

Refer to answer 4 below.

Question 2: **What is the total cost of Security Guards at the Ryde City Bowling Club?**

Answer 2:

\$23,286.80

Question 3: **What assets were the Security Guards protecting?**

Answer 3:

Cash, alcohol, computers, furniture, kitchen equipment and food, business records and books of account.

Question 4: **Who do the assets belong to at the Ryde City Bowling Club?**

Answer 4:

According to Clause 10.04 of the Lease Deed, the Lessor has the right to remove or otherwise deal with all goods, fittings, fixtures and effects found on the Premises (e)(v) of any of its assets in circumstances where a receiver or manager has been appointed.

According to Clause 7.05 of the Lease Deed (a) the Lessor will determine at its sole discretion at the end of the lease those fixtures or alterations which have become or form part of the premises to remain and become part of the Lessor's property.

Question 5: **Does a letter exist from the Minister approving the change of use?**

Answer 5:

Yes, it will be provided at tonight's meeting.

Question 6: **Why is there an inconsistent view for both Bowling Clubs (Denistone and Ryde) regarding the receivers managing the assets?**

Answer 6:

Denistone was wound up at the Board's direction. All assets were sold off and surplus funds distributed to members. The building has reverted to Council ownership. Council owned the land.

In respect of Ryde, a Liquidator has been appointed by the Court on application by an unsecured creditor, and a Receiver and Manager appointed by the only secured creditor, Mr Palapanos. The ultimate determination in this matter rests with the Crown as owner of most of the land in question.

Question 7: **Does any lease or license that is less than 5 years need to go to tender?**

Answer 7:

Yes, except in exceptional temporary circumstances approved by the Crown. Council is only Trustee and Manager of most of the subject land. The remainder of the land is community land owned by Council.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

Julie Worsley (representing Allengrove Against Inappropriate Development) and Tim Nightingale addressed the meeting in relation to Items not Listed on the Agenda earlier in the Meeting as detailed in these Minutes.

CLOSED SESSION

MM22/12 RYDE CITY BOWLING CLUB

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.

**ITEM 27 – ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AND
MACQUARIE PARK FORUM – APPOINTMENT OF REPRESENTATIVES**

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 28 – UPDATE RYDE BOWLING CLUB – IMPLEMENTATION OF COUNCIL
RESOLUTION, PROGRESS REPORT**

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; AND (d) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council; AND (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 12.30am. The public and media left the chamber.

MM22/12 RYDE CITY BOWLING CLUB

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

Note: A letter from Crown Lands dated 11 December 2012 was tabled in relation to this Item and a copy is ON FILE – CONFIDENTIAL.

RECOMMENDATION: (Moved by The Mayor, Councillor Petch and Perram)

- (a) That Council receive and note the correspondence from the RydeX Club.
- (b) That Council request the General Manager to prepare an expression of interest/tender (EOI) document and seek submissions from the community with regard to the future use of the Ryde Bowling Club site for Council's consideration and that this EOI be issued as soon as legally practicable given the current receivership.
- (c) That Councillors input be sought, at a future workshop session, on the proposed assessment criteria to be used in evaluating the submissions prior to the close of the EOI/tender period.
- (d) That Council invite the directors of the RydeX Club and other parties who make a submission to the above process, to a future Council workshop to address Council with regard to their proposal for the Ryde Bowling Club.

Record of Voting:

For the Motion: Unanimous

27 ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AND MACQUARIE PARK FORUM – APPOINTMENT OF REPRESENTATIVES

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

RECOMMENDATION: (Moved by Councillors Etmekdjian and Pickering)

- (a) That Council amend the Terms of Reference to make the membership of the Economic Development Advisory Committee to include all local Chambers of Commerce and the individuals as identified in the report.
- (b) That Council accept the nominations to the Economic Development Advisory Committee and Macquarie Park Forum **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL**, subject to part (c) below.
- (c) That Council call for further Expressions of Interest for the Macquarie Park Forum from 20 December 2012 to 31 January 2013 with a report to be provided to Council at its meeting on 12 February 2013.
- (d) That following an election, Council confirm Councillor Salvestro-Martin as Chairperson and Councillor Etmekdjian as Deputy Chairperson of the Economic Development Advisory Committee, in accordance with the 2010 Terms of Reference.
- (e) That Council confirm Councillor Pickering as Chairperson of the Macquarie Park Forum, in accordance with the 2010 Terms of Reference.
- (f) That Bike North be requested to nominate their alternate representative to the Bicycle Advisory Committee.

Record of Voting:

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

Against the Motion: Councillor Maggio

28 UPDATE RYDE BOWLING CLUB – IMPLEMENTATION OF COUNCIL RESOLUTION, PROGRESS REPORT

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

Note: A letter from Crown Lands dated 11 December 2012 was tabled in relation to this Item and a copy is ON FILE – CONFIDENTIAL.

RECOMMENDATION: (Moved by Councillors Etmekdjian and Laxale)

- (a) That the Council request the General Manager to continue discussions with the Crown, seeking their advice on entering a temporary license agreement under Clause 102 of the Crown's Land Act and Clause 31 of the Crown's Land Regulation for a period of six months, as allowed for in the legislation, with the receivers and managers of the Camperdown Bowling Club (Golden Goal consenting) to occupy the current 'soccer' courts (excluding the club premises).
- (b) That Council endorse that proceeding with such a license is subject to agreement of commercial terms between the parties, as verified by an independent valuer, and the reimbursement to Council of its costs of entry of the premises, as well as an acknowledgement by the Receivers and Managers of Camperdown Bowling Club and Golden Goal that Council has not converted, or attempted to convert the interests of either the club or Golden Goal.
- (c) That subject to achievement of agreement of both of the above resolutions Council authorise the General Manager and the Mayor to execute all documents as necessary to give effect to this license agreement.
- (d) That pending agreement the current arrangements continue.
- (e) That the General Manager report back to Council with an update at the first Council meeting in 2013 on the implementation of this resolution and provide advice to Council on the potential utilisation of the site to maximum community benefit.
- (f) That Council request the General Manager to prepare an expression of interest/tender (EOI) document and seek submissions from the community with regard to the future use of the Futsal Courts for Council's consideration and that this EOI be issued and completed during the term of the six month temporary licence.

Record of Voting:

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

Against the Motion: Councillor Maggio

OPEN SESSION

RESOLUTION: (Moved by Councillors Pickering and Simon)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 1.17am.

RESOLUTION: (Moved by Councillors Pickering and Simon)

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 1.20am on 12 December 2012.

CONFIRMED THIS 12TH DAY OF FEBRUARY 2013

Chairperson