

Meeting Date: Tuesday 24 April 2012

Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde

Time: 7.30pm

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

Note: Councillor Butterworth left the meeting at 10.45pm and did not return. He was not present for consideration of Notices of Motion 2, 3, and 4 and Item 12.

Apologies: Councillor Salvestro-Martin.

Leave of Absence: Councillor Yedelian OAM.

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

PRAYER

Reverend Nicholas Fried of Eastwood Uniting Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Petch disclosed a less than significant non-pecuniary interest in Item 6 – Cox's Road Masterplan as the applicant is known to him.

Councillor Tagg disclosed a less than significant non-pecuniary interest in Item 6 – Cox's Road Masterplan as the applicant is known to him.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

No.	Name	Topic
1	Mr David Furlong (representing the Catholic Archdiocese of Sydney / Holy Spirit Parish, North Ryde)	Item 6 - Cox's Road Masterplan
2	Mr Norm Cerreto (representing the landowners of Cox's Road)	Item 6 - Cox's Road Masterplan

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

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

That Council allow those people listed under Public Participation on the Agenda to address the meeting at the beginning of the meeting.

Record of Voting:

For the Motion: Unanimous

The following persons addressed the Council:-

Name	Topic
Ms Jackie Slaviero	Flooding at 11 First Avenue, Eastwood

MATTER OF URGENCY – FLOODING AT FIRST AVENUE, EASTWOOD

RESOLUTION: (Moved by Councillors Perram and Petch)

That Council consider a Matter of Urgency regarding flooding at First Avenue, Eastwood.

Record of Voting:

For the Motion: Unanimous

Note: Ms Slaviero addressed Council and provided a submission to Councillors in relation to this matter and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Perram and Petch)

That the General Manager investigate the issue of flooding on the southern side of First Avenue, Eastwood and provide a report to Council within three months outlining options for consideration.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – ARGYLE CENTRE – BUILDING CONDITION AND PROPOSED ACTIONS

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

That Council consider a Matter of Urgency regarding Argyle Centre – Building Condition and Proposed Actions.

Record of Voting:

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

Against the Motion: Councillor Tagg

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

That Council reconfirm its decision in respect of this matter at its meeting of 10 April 2012 subject to the following addendum:

That Council's delegation to the General Manager to determine the most effective option for the staff location include external leased accommodation.

Record of Voting:

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

Against the Motion: Councillors Li and Tagg

MAYORAL MINUTES

There were no Mayoral Minutes.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 10 April 2012

RESOLUTION: (Moved by Councillors Maggio and Petch)

That the Minutes of the Council Meeting 5/12, held on 10 April 2012 be confirmed.

Record of Voting:

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

Against the Motion: Councillor Tagg

2 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 5/12 held on 17 April 2012

RESOLUTION: (Moved by Councillors Perram and Petch)

That Council note that all Items of the Works and Community Committee meeting 5/12 held on 17 April 2012 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 DRAFT FOUR YEAR DELIVERY PLAN 2012/2016 INCLUDING ONE YEAR OPERATIONAL PLAN 2012/2013

RESOLUTION: (Moved by Councillors Campbell and Pickering)

- (a) That this matter be deferred to allow the detailed information to be included into the draft Four Year Delivery Plan for public exhibition as requested by Council to be provided.
- (b) That Councillors be invited to provide any relevant feedback to the Councillor HelpDesk.

Record of Voting:

For the Motion: Unanimous

4 INVESTMENT REPORT - March 2012

RESOLUTION: (Moved by Councillors Pickering and Campbell)

That Council endorse the report of the Chief Financial Officer dated 10 April 2012 on Investment Report – March 2012.

Record of Voting:

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

Against the Motion: Councillor Tagg

5 PLAN MAKING PROCESS - SUBMISSION ON THE DRAFT POLICY STATEMENT OF MORE LOCAL, MORE ACCOUNTABLE PLAN MAKING

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

That Council endorse that the issues outlined in this report form the basis of the City of Ryde submission to the Department of Planning and Infrastructure on the draft State Policy document – More local, more accountable plan making.

Record of Voting:

For the Motion: Unanimous

6 COX'S ROAD MASTERPLAN

Note: Councillor Petch disclosed a less than significant non-pecuniary interest in this Item for the reason that the applicant is known to him.

Note: Councillor Tagg disclosed a less than significant non-pecuniary interest in this Item for the reason that the applicant is known to him.

Note: Mr David Furlong (representing the Catholic Archdiocese of Sydney / Holy Spirit Parish, North Ryde) addressed the meeting in relation to this Item.

Note: Mr Norm Cerreto (representing the landowners of Cox's Road) addressed the meeting in relation to this Item and provided a submission, a copy of which is ON FILE.

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

- (a) That the draft Cox's Road Masterplan prepared by Council be publicly exhibited for a period of six weeks from 9 May 2012 to 20 June 2012.
- (b) That Council not accept the landowners draft Masterplan for Cox's Road.
- (c) That Council delegate to the General Manager the task of identifying ways of optimising community benefit including how Council land and land holdings should be integrated in discussion with land owners.
- (d) That negotiations be commenced with key landowners regarding a Voluntary Planning Agreement to ensure an appropriate public benefit is achieved from the uplift in zoning.
- (e) That a further report be prepared for Council's consideration following the targeted consultation of the draft Cox's Road Masterplan.

AMENDMENT: (Moved by Councillors Maggio and Tagg)

- (a) That Council receives and notes the Cox's report.

- (b) That Council accepts the Landowner's draft Masterplan dated 6 December 2011 for Cox's Road to be publicly exhibited by Council for a period of six weeks from 9 May 2012 to 20 June 2012.
- (c) That Council Officers prepare a report on the outcomes of the public exhibition process to Council at a Council meeting in July 2012; and
- (d) That negotiations be commenced with all relevant Cox's Road Landowners on the development of appropriate voluntary planning agreements.

The Amendment was put and **LOST** there being four (4) votes For and six (6) votes Against.

Record of Voting:

For the Amendment: Councillors Maggio, Pickering, Petch, and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio and Perram

FURTHER AMENDMENT: (Councillors Tagg and Petch)

- (a) That Council accepts the Landowner's draft Masterplan dated 6 December 2011 for Cox's Road and the draft Cox's Road Masterplan prepared by Council to be publicly exhibited by Council for a period of six weeks from 9 May 2012 to 20 June 2012.
- (b) That a further report be provided to Council following the public exhibition period.

The Further Amendment was put and **CARRIED** there being seven (7) votes For and three (3) votes Against. The Further Amendment thereby became the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Li, Maggio, Pickering, Petch and Tagg

Against the Amendment: Councillors Campbell, O'Donnell and Perram

RESOLUTION: (Councillors Tagg and Petch)

- (a) That Council accepts the Landowner's draft Masterplan dated 6 December 2011 for Cox's Road and the draft Cox's Road Masterplan prepared by Council to be publicly exhibited by Council for a period of six weeks from 9 May 2012 to 20 June 2012.

- (b) That a further report be provided to Council following the public exhibition period.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Li, Maggio, Pickering, Petch and Tagg

Against the Motion: Councillors Campbell, O'Donnell and Perram

7 MACQUARIE PARK CORRIDOR - WORKING GROUP

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

- (a) That Council endorses the Terms of Reference for the Macquarie Park Corridor Working Group.
- (b) That Council nominate staff as listed in the Terms of Reference for membership on the working group.
- (c) That should the Minister decide to launch the new group that Council participate in the launch.

Record of Voting

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

Against the Motion: Councillors Butterworth and Tagg

8 WIFI FOR LIBRARIES PROJECT

RESOLUTION: (Moved by Councillors Li and Petch)

- (a) That Council endorse an acceleration of the public WiFi for Libraries project. Noting that completion of the rollout to all library branches will be December 2012, replacing the previous timeframe of June 2015.
- (b) That Council approve an increase to the library operational budget by \$15,000 indexed annually to fund ongoing line costs and maintenance from the financial year 2012/13.

Record of Voting:

For the Motion: Unanimous

9 FLOOD MODELLING FEES & CHARGES

RESOLUTION: (Moved by Councillors Petch and Pickering)

- (a) That the fee for the purchase of Council's DRAINS model in the amount of \$2,200 be adopted.
- (b) That the fee for the purchase of Council's TUFlow model in the amount of \$4,950 be adopted.

Record of Voting:

For the Motion: Unanimous

10 LEGAL SERVICES TENDER - COR-EOI-03/11

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

- (a) That the firms Storey and Gough, Sparke Helmore, Planning Law Solutions, PCR Law and Associates, Marsdens Law Group, Maddocks, Kells the Lawyers, and Heard McEwan Legal be appointed as members of the panel of legal providers to the City of Ryde to 30 June 2013 with an option of a further year at Councils discretion. It is intended that this will be effective immediately.
- (b) That notwithstanding (a) above, should any specialist legal advice or services be required that cannot be adequately provided by the appointed panel, the General Manager be delegated the power to appoint specialist legal services as required from other providers.
- (c) That Council acknowledges the possibility of the statutory threshold of \$150,000 expenditure being lawfully exceeded on any individual member of Council's panel or individual member of a State Government agency panel.

Record of Voting:

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

Against the Motion: Councillor Butterworth

11 REPORTS DUE TO COUNCIL

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

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 ACKNOWLEDGEMENT OF COUNCILLOR O'DONNELL BY AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA)

RESOLUTION: (Moved by Councillors Petch and Maggio)

That the correspondence be received.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 PEDESTRIAN SAFETY AT WEST RYDE COMMUNITY CENTRE - Councillor Jeff Salvestro-Martin, Councillor Michael Butterworth

RESOLUTION: (Moved by Councillors Butterworth and Maggio)

That the General Manager urgently investigate the matter of pedestrian safety at the new West Ryde Community Centre and report those findings to the Ryde Traffic Committee for urgent action to improve resident safety at the new West Ryde Community Centre.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Butterworth left the meeting at 10.45pm and did not return. He was not present for consideration of Notices of Motion 2, 3, and 4 and Item 12.

2 MAINTENANCE OF COUNTY ROAD RESERVE - Councillor Justin Li

RESOLUTION: (Moved by Councillors Li and Petch)

(a) That Council approach the Roads & Maritime Services (formerly the RTA) and make them aware that:

- residents living near the County Road Reserve have complained about increased vermin as a result of lack of maintenance;
- grassland under their management requires regular mowing and maintenance; and

- they have obligations under the Public Health (General) Regulation 2002 to take reasonable measures to keep their land free of vermin.
- (b) That Council Environmental Health Officers take the necessary action to encourage the Roads & Maritime Services to act on this matter.

Record of Voting:

For the Motion: Unanimous

3 PUBLIC DOMAIN AREAS - WEST RYDE - Councillor Terry Perram

RESOLUTION: (Moved by Councillors Perram and Petch)

That the General Manager report to the Works and Community Committee on the intended usability and presentation of the public domain areas on and around the new West Ryde (Coles) development site at the following stages of the project:

- (a) following opening of the Council underground carpark;
- (b) following opening the retail (Coles) development; and
- (c) for the duration of the construction of the residential units.

For the purposes of this report, the public domain includes the market place, footpaths, roads, traffic facilities, lighting, public art, furniture, street trees, signage and any other feature intended to be installed on public land as part of the complete development.

Record of Voting:

For the Motion: Unanimous

4 PROPOSED SITE FOR HOUSING COUNCIL STAFF AND MOVEMENT OF STAFF TO NEW PREMISES - Councillor Victor Tagg

RESOLUTION: (Moved by Councillors Tagg and Petch)

That the General Manager report back to the Councillors on the proposed site (Civic Centre) for Council staff to be housed and Council meetings conducted. When the sale goes through and the expected turn around time from the winning tenders announced and the expected movement of staff to new premises.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Li, Maggio, O'Donnell, Petch, Pickering and Tagg.

Against the Motion: Councillors Campbell and Perram

NOTICES OF RESCISSION

There were no Notices of Rescission.

QUESTIONS BY COUNCILLORS AS PER POLICY

There were no Questions by Councillors as per Policy.

12 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Petch and Tagg)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

NATIONAL ANTHEM

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

The meeting closed at 10.59pm.

CONFIRMED THIS 8TH DAY OF MAY 2012

Chairperson