

Meeting Date: Tuesday 27 March 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, Salvestro-Martin, Tagg and Yedelian OAM.

Councillor Salvestro-Martin arrived at the meeting at 7.34pm following the offering of the prayer.

Councillor Butterworth arrived at the meeting at 7.35pm following the offering of the prayer.

Apologies: Nil.

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Chief Financial Officer, Service Unit Manager – Open Space, Service Unit Manager – Community and Culture, Open Space Planner, Media & Community Relations Officer and Meeting Support Coordinator.

PRAYER

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

Note: Councillor Salvestro-Martin arrived at 7.34pm following the offering of the prayer.

Note: Councillor Butterworth arrived at 7.35pm following the offering of the prayer.

DISCLOSURES OF INTEREST

Councillor Maggio disclosed a less than significant non-pecuniary interest in Item 8 of Council Meeting 4/12 – Community Grants Program – Allocation of Funding 2011-2012, for the reason that he is involved in and also and a supporter of some of these organisations receiving grants.

Councillor Yedelian OAM disclosed a less than significant non-pecuniary interest in Item 8 of Council Meeting 4/12 – Community Grants Program – Allocation of Funding 2011-2012, for the reason that he is a member of the State Emergency Service and Ryde Multicultural Centre Inc.

Councillor Tagg disclosed a significant non-pecuniary interest in Item 7 of Council Meeting 4/12 – Max Potential – Mentoring Program for Young People, for the reason that he is a Director of Rydex.

Councillor Campbell disclosed a less than significant non-pecuniary interest in Mayoral Minute 1/12 of Council Meeting 4/12 – ALGWA Request for Financial Support to Flood Affected Areas, for the reason that she is a member of the ALGWA Executive Committee.

Councillor O'Donnell disclosed a less than significant non-pecuniary interest in Mayoral Minute 1/12 of Council Meeting 4/12 – ALGWA Request for Financial Support to Flood Affected Areas, for the reason that she is a member of NSW ALGWA.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

That Council suspend standing orders to enable a petition opposing the rezoning or sale of the playing fields at 3A Smalls Road, Ryde to be tabled, the time being 7.36pm.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – IVANHOE ESTATE

Councillor Yedelian OAM declared his intention to move a Matter of Urgency for Council to consider regarding Ivanhoe Estate.

The Chairperson ruled that the matters raised in the Motion were not of great urgency and therefore would not be considered at this meeting, however speakers who had registered to address Council in relation to this matter would be permitted to address the meeting.

Councillor Yedelian OAM declared his intention to lodge a Notice of Motion for the next Council Meeting to be held on 10 April 2012.

PUBLIC PARTICIPATION

RESOLUTION: (Moved by Councillors Yedelian OAM and Petch)

That all speakers registered for Public Participation on Items Listed on the Agenda and Public Participation on Items Not Listed on the Agenda be allowed to address the meeting, the time being 7.37pm.

Record of Voting:

For the Motion: Unanimous

RESUMPTION ON STANDING ORDERS

RESOLUTION: (Moved by Councillors Yedelian and Pickering)

That Standing Orders be resumed, the time being 7.38pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

No.	Name	Topic
1	Mr Tony Abboud	NOTICE OF RESCISSION 2 – Draft Ryde Development Control Plan 2010 – Part 4.4 Ryde Town Centre – Submissions
2	Mr John Stevens (representing Future Achievement Australia Foundation)	ITEM 7 – Max Potential – Mentoring Program for Young People
3	Mr Bradley Browne (representing Club Rydex)	ITEM 7 – Max Potential – Mentoring Program for Young People
4	Mr Barry Barton	ITEM 4 – Integrated Open Space Plan
5	Mr Michael Pont	NOTICE OF RESCISSION 2 – Draft Ryde Development Control Plan 2010 – Part 4.4 Ryde Town Centre – Submissions

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Ms Victoria Newstead (representing Ivanhoe Estate)	Taskforce representation on Ivanhoe Estate
Ms Camile Livingstone-Newstead	Ivanhoe Estate from a youths perspective

PUBLIC PARTICIPATION – ADDITIONAL SPEAKERS

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

That additional speakers be allowed to address the meeting, the time being 8.08pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

No.	Name	Topic
6	Ms Judy Watt (representing Eastwood Ryde Netball Association)	NOTICE OF RESCISSION 1 – Best Value Review – Sportsground Allocation and Management

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Mr Nicholas Laletin (representing the Ivanhoe Estate Tenant Group)	Ivanhoe Estate

MAYORAL MINUTES

MM1/12 ALGWA REQUEST FOR FINANCIAL SUPPORT TO FLOOD AFFECTED AREAS

Note: Councillor Campbell disclosed a less than significant non-pecuniary interest in this Mayoral Minute for the reason that she is a member of the ALGWA Executive Committee.

Note: Councillor O'Donnell disclosed a less than significant non-pecuniary interest in this Mayoral Minute for the reason that she is a member of NSW ALGWA.

Note: Councillor Salvestro-Martin left the meeting at 8.27pm and was not present for voting on this Item.

RESOLUTION: (Moved by The Mayor, Councillor Etmekdjian and Councillor O'Donnell)

- (a) That Council approve that a donation be made to ALGWA's flood appeal.
- (b) That the amount to be determined by Council will be raised through the Mayor undertaking an appropriate fundraising event.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Salvestro-Martin returned to the meeting at 8.30pm.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 13 March 2012

RESOLUTION: (Moved by Councillors Petch and Campbell)

That the Minutes of the Council Meeting 3/12, held on 13 March 2012 be confirmed subject to an explanation in the Minutes as detailed below, that explains the procedural ruling of the Chairperson relating to the second Motion of Dissent in determining if a matter was of great urgency.

Additional inclusion in Minutes, to read as follows:

MOTION OF DISSENT

MOTION: (Moved by Councillors Petch and Tagg)

That Council dissent from the Chairperson's ruling.

The Chairperson ruled the Motion out of order for the reason that the Chairperson had not ruled on a Point of Order, but had exercised her legitimate right to determine whether the matter was of great urgency. This determination cannot be challenged by a Motion of Dissent.

Record of Voting:

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

Against the Motion: Councillors Salvestro-Martin and Tagg

2 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/12 held on 20 March 2012

RESOLUTION: (Moved by Councillors Maggio and Li)

That Council determine Items 3, 6 and 7 (m) of the Works and Community Committee report, noting that Items 1, 2, 4, 5 and 7 (a) to (l) were dealt with by the Committee within its delegated powers.

Record of Voting:

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

Against the Motion: Councillor O'Donnell

RECOMMITTAL OF ITEM

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

That the Report of the Works and Community Committee Meeting 3/12 held on 20 March 2012 recommitted.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Maggio and Li)

That Council determine Items 3, 6 and 7 (m) of the Works and Community Committee report, noting that Items 1, 2, 4, 5 and 7 (a) to (l) were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 UPDATE ON THE ESTABLISHMENT OF MARKET/FAIR IN RYDE BY CHAMBER OF COMMERCE

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council endorse the proposal from Ryde Chamber of Commerce/Ryde Rotary Club to work with Council to conduct a market as part of the 2012 Community Christmas Celebration and the 2013 All the Colours of Ryde Festival. In determining the market stalls, Church Street retailers and organisations are encouraged to have a presence at the markets.
- (b) That Council provide Ryde Lower Oval at no charge to the Ryde Chamber of Commerce/Ryde Rotary Club for the conduct of a market as part of the 2012 Community Christmas Celebration and the 2013 All the Colours of Ryde Festival.

Record of Voting:

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

Against the Motion: Councillors Butterworth, Salvestro-Martin and Tagg

6 DEEBLE STREET - Submissions on Public Notification of Proposed Lease

RESOLUTION: (Moved by Councillors Maggio and Petch)

That this matter be deferred for one month to allow staff to liaise with the legal representative of the property owners and for a further report for the Committee's consideration.

Record of Voting:

For the Motion: Unanimous

7 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 2 February 2012

RESOLUTION: (Moved by Councillors Maggio and Petch)

(m) That the Group Manager – Public Works conduct an audit of parking on Buffalo Road (between Cressy Road and Monash Road) and that this be reported to the next Ryde Local Traffic Committee and the Works and Community Committee.

Record of Voting:

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

Against the Motion: Councillor Tagg

3 RYDE CIVIC PRECINCT REDEVELOPMENT TENDER DOCUMENTS

Note: Advice from The Honourable Barry O'Keefe AM QC was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Pickering and Campbell)

That part (b) of Council's resolution on Item 2 at the Council Meeting of 28 February 2012 be amended as follows:

That the Request For Tender documents be made available to Councillors and the public (subject to the ruling by the General Manager on any confidential matters which relate to Commercial in Confidence information being removed) on the day following the close of tenders on 10 April 2012 in accordance with advice from The Honourable Barry O'Keefe AM QC.

Record of Voting:

For the Motion: Unanimous

4 INTEGRATED OPEN SPACE PLAN

Note: Mr Barry Barton addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That Council endorse the public exhibition of the draft Integrated Open Space Plan for a period of eight weeks.
- (b) Following the public exhibition process, a further report be submitted to Council on the feedback received during the process and any proposed changes to the Integrated Open Space Plan.
- (c) That Council acknowledge the commitment and contribution of the Integrated Open Space Plan Project Reference Group.
- (d) That action to remove safe and functioning playground equipment from parks without immediate replacement in the same park be suspended until the matter has been reported to the Works and Community Committee for consideration.

Record of Voting:

For the Motion: Unanimous

5 PROPOSED VOLUNTARY PLANNING AGREEMENT FOR A COMMERCIAL DEVELOPMENT AT LOT 12 DP 711380 - 22 Giffnock Avenue, Macquarie Park. LDA2011/644/002

RESOLUTION: (Moved by Councillors Petch and Pickering)

- (a) That Council enter into the Voluntary Planning Offer made by Goodman Property Services (Aust) Pty. Ltd. as part of the Development Application LDA2011/644 at 22 Giffnock Avenue , Macquarie Park for the demolition of an existing warehouse and timber shed and the construction of a seven storey commercial building with two level basement car park.
- (b) That the above be communicated to the Joint Regional Planning Panel at the time of determination of the application.

Record of Voting:

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

Against the Motion: Councillors Butterworth and Salvestro-Martin

6 NORTHERN SIDE OF WATERLOO ROAD, MACQUARIE PARK - Request for Quotation RFQ-05/12 - Waterloo Road Shared Path Project

Note: Councillor Butterworth left the meeting at 9.51pm and did not vote on this Item.

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

- (a) That Council endorse the Tender Assessment Panel's recommendation as circulated for the Respondents – Waterloo Road Shared Path Project.
- (b) That the accepted Respondent provide details of the required insurance (i.e. Public Liability and Workers Compensation), and other conforming documents for approval within fourteen (14) days from the date of the acceptance of the Tender.
- (c) That all Respondents be advised of the Council decision.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

7 MAX POTENTIAL - MENTORING PROGRAM FOR YOUNG PEOPLE

Note: Councillor Tagg disclosed a significant non-pecuniary interest in this Item for the reason that he is a Director of Rydex.

Note: Mr Bradley Browne (representing Club Rydex) and Mr John Stevens (representing Future Achievement Australia Foundation) addressed the meeting in relation to this Item.

Note: A letter regarding Club 6 Max Potential Program was tabled by Mr Bradley Browne in relation to this Item and a copy is ON FILE.

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

Note: Councillor Tagg left the meeting at 9.52pm and did not vote on this Item.

RESOLUTION: (Moved by Councillors Petch and Maggio)

- (a) That Council provide the opportunity for two Service Unit Managers to become mentors in the 2012 Max Potential Program

- (b) That Council endorse allocation of \$3,600 from the existing 2011-2012 staff training budget to fund the mentor participation fee.
- (c) That the Max Potential Mentoring Program be presented to the Ryde Youth Council

Record of Voting:

For the Motion: Unanimous

Note: Councillor Tagg returned to the meeting at 9.54pm.

Note: Councillor Butterworth returned to the meeting at 9.55pm.

8 COMMUNITY GRANTS PROGRAM- Allocation of Funding 2011-2012

Note: Councillor Maggio disclosed a less than significant non-pecuniary interest in this Item for the reason that he is involved in and also and a supporter of some of these organisations receiving grants.

Note: Councillor Yedelian OAM disclosed a less than significant non-pecuniary interest in this Item for the reason that he is a member of the State Emergency Service and Ryde Multicultural Centre Inc.

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

1. That Council endorse the allocation of the 2011-2012 City of Ryde Sport Grant Category as follows:

Organisation and Project	Funding
Eastwood Croquet Club - Celebration of Seniors Week	\$3,500
Eastwood Ryde Netball Association- <i>Net Set Go</i>	\$3,500
Ryde Hunters Hill Cricket Club - Saying Yes to our Youth, our Volunteers & Diversity	\$3,500
Ryde Water Polo Inc- Coach Course & Officiating (referee) training & education	\$ 400
YMCA of Sydney- Ryde Community Sports Centre: Table Tennis Skill	\$3,500

2. That Council endorse the allocation of the 2011-2012 City of Ryde Cultural Grant Category as follows:

Organisation and Project	Funding
Eastwood Chinese Senior Citizens Club - Ryde Lunar Moon Festival Celebration	\$ 500
Giant Steps Sydney - The Giant Steps Family and Friends Festival and Art Show	\$ 500
Ryde Eastwood District Music Club - Young Musicmakers Concert	\$ 500
Sydney Korean Women's Association- Keep Korean Culture	\$ 500

Armenian Relief Society ARAZ Chapter - School holiday activities for children	\$1,000
Chinese Leisure Learning Centre- Christian Community Aid- Out of Our Circle - reaching out to other cultural groups	\$1,000
Sydney Korean Culture & Language School - Singing From the Heart	\$1,000
Joubert Singers- In Harmony Festival 2013 -Telling Local Stories	\$3,000
Over The Back Fence - community storytelling	\$3,250
Putney & District Progress Association - A Pictorial History of Putney in E-Book Format	\$3,250
Autism Spectrum Australia (Aspect) - Ryde "Expressions" Art Works	\$3,500
Cornucopia Art Group -The Art Shed at Cornucopia'	\$3,500
Ryde Family Support Services - Art Course for None English Speaking Background Clients	\$3,500

3. That Council endorse the allocation of the 2011-12 City of Ryde Community Grant Category as follows:

Organisation and Project	Funding
Eastwood Chinese Seniors Citizens Club - Ryde Seniors Week Chinese Opera Singing Concert	\$ 500
Italian Women's Group Marsfield - Health Promotion Initiatives	\$ 500
Ryde Multicultural Centre Inc - Marque for outdoor activities	\$ 500
State Emergency Services NSW – Ryde Community Education	\$ 500
Side by Side Advocacy - Celebrating International Day for People with Disability Cocktail Party 2012	\$ 750
Reach Community Initiatives - Resourceful Adolescent Program (RAP)	\$1,280
Italian Leisure Group	\$1,500
St George Preschool - Refurbishment of Multicultural Learning Space	\$1,500
Alzheimer's Australia NSW - The Mobile Community Resource Unit (The Memory Van)	\$2,000
Australia Confucius Learning Centre - Study Confucius and Live in Harmony	\$2,000
Italo - Australian Senior Citizens Group	\$2,000
Mums@Ryde - Mums@Ryde Library	\$2,000
No 47 Community Home - Salvation Army Ryde - Youth Diversion Therapy	\$2,000
Sydney Korean Culture & Language School - Good Foundations	\$2,000
The Senior Agenda Inc - "Healthy Life Choices for Seniors" Seminars	\$1,000
North Ryde Rotary Inc - Gardening for Health & Happiness	\$2,500
Reach Community Initiatives - From One Woman to Another	\$2,675
Lifestart Cooperative- Early Childhood Intervention Program - Soccerjoeys	\$2,700
Ivanhoe Estate Tenant Group - Ivanhoe Estate Tenant Group Garden project	\$3,000

Ryde Community Hub (Good Beginnings Australia) - Bi Lingual Family Library	\$1,000
St. Andrews SocioReligious Justice, Harmony of FITA Inc Keeping RYDE Community in Harmony and Clean and Green - through "Clean Up Together"	\$3,000
State Emergency Services NSW - Ryde Lifelong Learning Project	\$3,000
Ryde City & Districts sub-branch Vietnam Veterans of Australia - Ryde Veteran Community Centre	\$3,250
Australian Korean Welfare Association - Experiencing Different Food Cultures	\$3,270
Armenian Senior Citizens Group - Armenian Senior Citizens Celebrations	\$3,500
Armenian Relief Society ARAZ Chapter - Senior's Pamper Day	\$3,500
Australia Han In Sae Myung Line Inc - Getting It Right Korean Lifeline	\$3,500
Australian Korean Welfare Association - Cooking up a multicultural storm	\$3,500
Giant Steps Sydney - Cycling Program for young people with autism.	\$3,500
Heart Foundation of Aust Inc - Go Red for Women (of Chinese origin) in Ryde	\$3,500
MARS Inc (Macquarie Area Rehabilitation Specialties) - "Lets Get Physical"	\$3,500
Meadowbank Chinese Neighbourhood Centre - Building and managing core group of volunteers	\$3,500
No 47 Community Home - Salvation Army Ryde- Café 47	\$3,500
No 47 Community Home - Salvation Army Ryde- Sports Outreach	\$3,500
Ryde Hunters Hill Community Transport - Servicing CALD Clients	\$3,500
Ryde Multicultural Centre Inc - Ryde Multicultural Seniors in Action	\$3,500
Side by Side Advocacy - Citizen Advocacy information project for major Asian CALD groups in City of Ryde	\$3,500
Sydney Korean Women's Association - Help Hands'	\$3,500
Young Life Australia - Ryde Office - Cultural Youth Engagement Festival	\$3,500

4. That the successful and unsuccessful grant applicants be informed in writing of the outcome of their applications.

Record of Voting:

For the Motion: Unanimous

9 REVIEW OF TOP RYDER COMMUNITY BUS SERVICE

RESOLUTION: (Moved by Councillors Yedelian OAM and Petch)

- (a) That any extension or expansion of the Top Ryder Community Bus Service to include a Sunday timetable and or a connection to Marsfield and Macquarie University not be approved at this time.

- (b) That Council write to the Ministry of Transport outlining the inadequate public transport services that exist for East Ryde residents between Gladesville and Macquarie Park and strongly recommending that improved services be provided for the benefit of the local community.
- (c) That in the next 12 months, Council actively seek sponsorship to expand the service to include Marsfield, Eastwood, East Ryde and Macquarie Park.
- (d) That Council investigate the option of funding a new bus service through Voluntary Planning Agreements.

Record of Voting:

For the Motion: Unanimous

10 INVESTMENT REPORT - February 2012

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

That Council endorse the report of the Chief Financial Officer dated 5 March 2012 on Investment Report – February 2012.

Record of Voting:

For the Motion: Unanimous

11 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - 17 to 20 June 2012

RESOLUTION: (Moved by Councillors Petch and Maggio)

- (a) That Council confirm the attendance of the Mayor to attend the National General Assembly of Local Government held in Canberra from Sunday, 17 June to Wednesday, 20 June 2012.
- (b) That a further report be provided to Council on 10 April 2012 for the consideration of proposed motions to the National General Assembly.

Record of Voting:

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

Against the Motion: Councillors Butterworth and Salvestro-Martin

12 LOCAL GOVERNMENT MANAGERS AUSTRALIA NATIONAL CONGRESS & BUSINESS EXPO - Perth - 20 to 23 May 2012

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council confirm the attendance of the Mayor and the General Manager (or delegate) to attend the 2012 Local Government Managers Australian National Congress and Business Expo to be held in Perth from 20 to 23 May 2012.

Record of Voting:

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

Against the Motion: Councillors Butterworth, Perram and Salvestro-Martin

13 REPORTS DUE TO COUNCIL

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

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

LATE ITEM

15 CIVIC PRECINCT COMMITTEE MEETING

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

(a) That the Civic Precinct Committee Meeting scheduled for Tuesday, 3 April 2012 be deferred to Tuesday, 1 May 2012.

(b) That the following Civic Precinct Meeting be held on Wednesday, 6 June 2012.

Record of Voting:

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

Against the Motion: Councillors Butterworth and Perram

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 STATE PROPERTY AUTHORITY - 3A AND 3B SMALLS ROAD, RYDE

Note: A Petition opposing the rezoning or sale of playing fields at 3A Smalls Road, Ryde was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Tagg and Petch)

- (a) That the correspondence be received.
- (b) That Council seek a meeting with the Premier with a view of having the open space in Smalls Road, Ryde transferred to the City of Ryde at no cost.
- (c) That the submission tabled at the Council Meeting on 27 March 2012 be included in the submission together with Council's Integrated Open Space Plan be forwarded to the Local State Members to make representations to the Minister for Education, The Honourable Adrian Piccoli MP.
- (d) That Council seek a meeting with the Premier with a view to discussing other open space issues in the City of Ryde as detailed in the Integrated Open Space Plan.
- (e) That the issue regarding the need for more open space as indicated in Council's Integrated Open Space Plan is raised in the upcoming NSW 2021 discussions with NSROC Councils.
- (f) That should all approaches fail that Council investigate the possibility of purchasing the open space in Smalls Road, Ryde.

Record of Voting:

For the Motion: Unanimous

COMPLETION OF BUSINESS

RESOLUTION: (Moved by Councillors Petch and Maggio)

That the meeting time be extended to allow completion of all remaining items on the Agenda, the time being 11.03pm.

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, Salvestro-Martin, Tagg and Yedelian
OAM

NOTICES OF MOTION

1 RESCISSION MOTIONS LISTED IN THE COUNCILLORS INFORMATION BULLETIN - Councillor Terry Perram

MOTION: (Moved by Councillors Perram and Petch)

That in the interests of full transparency, the Councillors' Information Bulletin list any Rescission Motion received by Council staff that has not been subsequently withdrawn or dealt with at a Council Meeting, providing the following information:

- (a) details of the original resolution proposed to be rescinded;
- (b) the date and time of receipt of the Rescission Motion;
- (c) the names of the signatories of the Rescission Motion; and
- (d) the status of any staff action that is affected or potentially affected by the Rescission Motion.

AMENDMENT: (Moved by Councillors Pickering and Campbell)

That in the interests of full transparency, the Councillors' Information Bulletin list any Rescission Motion received by Council staff that has not been subsequently withdrawn or dealt with at a Council Meeting, providing the following information:

- (a) details of the original resolution proposed to be rescinded;
- (b) the date and time of receipt of the Rescission Motion;
- (c) the names of the signatories of the Rescission Motion; and
- (d) the status of any staff action that is affected or potentially affected by the Rescission Motion.
- (e) the names of Councillors submitting a Rescission Motion who fail to attend Council meetings and prevent a Quorum being present.

On being put to the Meeting, the voting on the Amendment was five (5) For and seven (7) Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell and Pickering. – Amendment lost

Against the Amendment: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin, Tagg and Yedelian OAM

RESOLUTION: (Moved by Councillors Perram and Petch)

That in the interests of full transparency, the Councillors' Information Bulletin list any Rescission Motion received by Council staff that has not been subsequently withdrawn or dealt with at a Council Meeting, providing the following information:

- (a) details of the original resolution proposed to be rescinded;
- (b) the date and time of receipt of the Rescission Motion;
- (c) the names of the signatories of the Rescission Motion; and
- (d) the status of any staff action that is affected or potentially affected by the Rescission Motion.

Record of Voting:

For the Motion: Councillors Butterworth, Campbell, Li, Petch, Perram, Salvestro-Martin and Tagg

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Maggio, O'Donnell Pickering and Yedelian OAM

2 CONCEPT DESIGN REPORT FOR THE PROPOSED CIVIC PRECINCT REDEVELOPMENT - Councillor Terry Perram

RESOLUTION: (Moved by Councillors Perram and Petch)

That in respect of the concept design report for the proposed Civic Precinct Redevelopment, received by Council in July 2011, the General Manager be hereby requested to explain in writing to Council the reasons:

- (a) for not reporting the document to Council and seeking a resolution of endorsement or otherwise for the concept design;
- (b) for not making the concept design report available to the public;
- (c) for not at the time providing copies of the concept design report to Councillors;
- (d) for not at the time revealing to Councillors the existence of the concept design report,

noting that the report was not used as a supporting document in an expression of interest process where confidentiality might be claimed until several months after it had been received.

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote Against the Motion. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin and Tagg

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

NOTICES OF RESCISSION

1 NOTICE OF RESCISSION - BEST VALUE REVIEW - SPORTSGROUND ALLOCATION AND MANAGEMENT - Councillor Ivan Petch, Councillor Victor Tagg, Councillor Jeff Salvestro-Martin, Councillor Terry Perram, Councillor Justin Li

Note: Ms Judy Watt (representing Eastwood Ryde Netball Association) addressed the meeting in relation to this Item.

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

That Council rescind the previous resolution in relation to ITEM 18 – BEST VALUE REVIEW – SPORTSGROUND ALLOCATION AND MANAGEMENT, passed at the Council Meeting of 28 February 2012, namely:

- (a) *That Council authorise the release of the Best Value Review – Sportsground Allocation and Management for community comment including distribution to the sporting clubs of the City of Ryde.*
- (b) *That following community comment a report be prepared from the Sports and Recreation Advisory Committee that includes a detailed action plan for the implementation of the Best Value Review recommendations.*
- (c) *That Council endorse the increase in fees and charges of 21% above the IPART determination for inclusion in the draft fees and charges for Councils consideration in formulating the Operation Plan for 2012/13.*
- (d) *That Council endorse the increase in staffing to the Unit as detailed in this report, to be funded by savings and increased income to Council from the leasing and hire of sports facilities.*

- (e) *That Council endorse the year one implementation plan (to June 2012) of:*
- (A) *The recruitment of vacant positions.*
 - (B) *The development of a Pricing and Equity Policy.*
 - (C) *A detailed review of the Fees and Charges including categories and charging structure.*
 - (D) *Open Space undertake the development of Service Level Agreements between Open Space and Public Works to define the maintenance requirements of the fields, informed by the hierarchy provided in the Integrated Open Space Plan.*
- (f) *That Council nominate the commencement of the Summer 2012 season as the commencement of the changes in procedure nominated in the Best Value Review and that a detailed information session be held with clubs and associations ahead of the commencement of season to ensure the community is informed.*
- (g) *That the survey conducted as part of this review be repeated in March 2013 to benchmark Councils efforts in improving their service to the community and the sports sector.*

Record of Voting:

For the Motion: Unanimous

The Rescission Motion was **CARRIED**. The matter was then **AT LARGE**.

RESOLUTION: (Moved by Councillors Petch and Maggio)

- (a) That Council authorise the release of the Best Value Review – Sportsground Allocation and Management for community comment including distribution to the sporting clubs of the City of Ryde.
- (b) That following community comment a report be prepared from the Sports and Recreation Advisory Committee that includes a detailed action plan for the implementation of the Best Value Review recommendations.
- (c) That Council endorse the year one implementation plan (to June 2012) of:
 - (A) The recruitment of vacant positions.
 - (B) The development of a Pricing and Equity Policy.
 - (C) A detailed review of the Fees and Charges including categories and charging structure.

- (D) Open Space undertake the development of Service Level Agreements between Open Space and Public Works to define the maintenance requirements of the fields, informed by the hierarchy provided in the Integrated Open Space Plan.
- (d) That Council nominate the commencement of the Summer 2012 season as the commencement of the changes in procedure nominated in the Best Value Review and that a detailed information session be held with clubs and associations ahead of the commencement of season to ensure the community is informed.
- (e) That the survey conducted as part of this review be repeated in March 2013 to benchmark Councils efforts in improving their service to the community and the sports sector.
- (f) That Council fund and support the recommendations for the implementation of the Best Value Review, subject to a comprehensive review of the season charges being undertaken in consultation with the sport clubs and associations with costed options for consideration and that all results of the review be brought back to Council. The options to include:-
 - (i) No increase;
 - (ii) 7% increase for 3 years;
 - (iii) Any other options.

Record of Voting:

For the Motion: Unanimous

2 NOTICE OF RESCISSION - DRAFT RYDE DEVELOPMENT CONTROL PLAN 2010 - Part 4.4 Ryde Town Centre - Submissions - Councillor Ivan Petch, Councillor Jeff Salvestro-Martin, Councillor Terry Perram, Councillor Victor Tagg

Note: Mr Tony Abboud and Mr Michael Pont addressed the meeting in relation to this Item.

Note: This Notice of Rescission was formally WITHDRAWN by Councillor Victor Tagg, Councillor Ivan Petch, Councillor Jeff Salvestro-Martin. The further Rescission Motion submitted by Councillor Nicole Campbell, Councillor Sarkis Yedelian OAM and Councillor Roy Maggio was then considered by Council as detailed below in these Minutes.

2 NOTICE OF RESCISSION - DRAFT RYDE DEVELOPMENT CONTROL PLAN 2010 - Part 4.4 Ryde Town Centre - Submissions - Councillor Nicole Campbell, Councillor Sarkis Yedelian OAM and Councillor Roy Maggio

Note: Mr Tony Abboud and Mr Michael Pont addressed the meeting in relation to this Item.

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

That Council rescind the previous resolution in relation to ITEM 4 – DRAFT RYDE DEVELOPMENT CONTROL PLAN 2010 – Part 4.4 Ryde Town Centre - Submissions, passed at the Council Meeting of 13 March 2012, namely:

That council receive and note this report and take no further action.

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin and Tagg

The Rescission Motion was **CARRIED**. The matter was then **AT LARGE**.

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

- (a) That Council authorise that draft Development Control Plan Part 2010 – 4.4 Ryde Town Centre be amended as outlined in this report.
- (b) That Council adopts draft Development Control Plan 2010 – Part 4.4 Ryde Town Centre and that a public notice of Council's decision be placed in a local newspaper under the terms of the Regulations to the Environmental Planning and Assessment Act so the Plan may come into effect.

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin and Tagg

3 NOTICE OF RESCISSION - CIVIC PRECINCT PROJECT DOCUMENTATION - Councillor Nicole Campbell, Councillor Sarkis Yedelian OAM, Councillor Roy Maggio

RESOLUTION: (Moved by Councillors Campbell and Pickering)

That Council rescind the previous resolution in relation to NOTICE OF MOTION 2 – CIVIC PRECINCT PROJECT DOCUMENTATION, passed at the Council Meeting of 13 March 2012, namely:

- (a) *That in the interests of full transparency, the full EOI invitation documents (comprising Parts 1 and 2) formerly used in relation to the Civic Precinct Project in December 2011 be made available to all Councillors either on the Councillor portal of Council's website or by other suitable means.*
- (b) *That Council reaffirms its resolution from the meeting of 28 February 2012 that the tender documents for the Civic Precinct proposal be made available to all Councillors by close of business on Friday, 16 March 2012 and remain available for a period of six months.*

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin and Tagg

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Ivan Petch, Councillor Victor Tagg, Councillor Jeff Salvestro-Martin, Councillor Michael Butterworth

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

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

Record of Voting:

For the Motion: Unanimous

In relation to the proposal for the Ryde Civic Precinct Concept Plan, could the General Manager please explain:

Question 1: **What was the value of the works for the Hassell Ryde Civic Precinct Concept Plan dated July 2011?**

Answer 1: \$168,300

Question 2: **Was the process to get competitive quotes?**

Answer 2: Yes.

Question 3: **Did the Council approve the appointment?**

Answer 3: Yes.

Question 4: **Are Malcolm Harrild and Mitch Corn contractors?**

Answer 4: Yes.

Question 5: **If so do they have an exclusivity clause in their contract?**

Answer 5: No.

Question 6: **What is the value of their contracts?**

Answer 6: Not a fixed amount and tendered on a hourly, daily and weekly rate.

Question 7: **What was the process to get competitive quotes?**

Answer 7: These appointments followed Council's normal procurement process and guidelines.

Question 8: **Did you get Council approval for these appointments?**

Answer 8: Yes.

Question 9: **Have they been reported to Council in the Annual Report?**

Answer 9: Yes, the contractor that exceeded \$150,000 was included in the 2010/11 Annual Report. All contracts that exceed \$150,000 are required to be reported in the Annual Report.

Question 10: **Did these contracts need to be approved by Council due to their value?**

Answer 10: Yes.

Question 11: **Would the General Manager please provide to Council a copy of these contracts?**

Answer 11: Yes, as a confidential item.

Question 12: **Have they delivered on the specified outcomes in the contract to date?**

Answer 12: Yes.

Question 13: **Who is the Principal and superintendent of these contracts?**

Answer 13: The General Manager.

Question 14: **How much money has been expended on this project since the General Manager was appointed – including staff costs and other Council in kind costs?**

Answer 14: As this question relates to the Ryde Civic Precinct Concept Plan, the cost incurred to date is as detailed in Question 1.

Question 15: **Could the General Manager please provide a detailed breakdown of the total expenditure on this project?**

Answer 15: Yes.

Question 16: **Has this expenditure been authorised by Council? – Please provide documentation.**

Answer 16: Yes and I will provide the information through a Councillor Information Bulletin (CIB) item.

2 **QUESTIONS WITH NOTICE - Councillor Jeff Salvestro-Martin, Councillor Victor Tagg**

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

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

Record of Voting:

For the Motion: Unanimous

Question 1: **When was the NSW Government Task Force dealing with the sale of the Housing Estate in Ivanhoe Place established and when was Ryde Council invited to participate on that Task Force panel?**

Answer 1: Council received an invitation to nominate someone to be on the NSW Government Task Force in a letter from the Honourable Greg Pearce, Minister for Finance and Services to the Mayor which was received by Council on 12 March 2012. The Minister publicly announced the Task Force on 18 March 2012.

Question 2: Who is the member(s) of staff allocated to the Task Force panel and why did Council not also recommend or support the induction of a resident to the Panel?

Answer 2: When the letter was forwarded to the General Manager by the Mayor asking for a nominee, he nominated the Group Manager, Planning and Environment. A resident was not nominated as this was not called for in the invitation from the Minister and the Task Force will be fulfilling a technical function.

Question 3: Noting that the panels determinations will impact more than 960 Ryde residents, what were the reasons for not including Councillors in the decision to participate on the Task Force panel?

Answer 3: The proposed Task Force provides advice and will not determine any matters. The process by which a decision to participate on the Task Force is described in the answer to Question 2.

Question 4: What other sites in Ryde has Ryde Council been asked to participate as a Task Force panel member to facilitate the sale of property?

Answer 4: None.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

Ms Victoria Newstead (representing Ivanhoe Estate), Ms Camile Livingstone-Newstead and Mr Nicholas Laletin (representing Ivanhoe Estate Tenant Group) addressed the meeting in relation to Items not Listed on the Agenda earlier in the Meeting as detailed in these Minutes.

CLOSED SESSION

ITEM 14 - 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 Pickering and Petch)

That the Council resolve into Closed Session to consider the above matters.

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

Note: The Council closed the meeting at 12.54am. The public and media left the chamber.

14 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Petch)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION

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

That Council resolve itself into open Council.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

Note: Open Council resumed at 12.57am.

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

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 1.00am on Wednesday, 28 March 2012.

CONFIRMED THIS 10TH DAY OF APRIL 2012

Chairperson