

Meeting Date: Tuesday 8 April 2014
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

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

Apologies: Nil.

Leave of Absence: Councillor Salvestro-Martin.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, Manager – Urban Planning, Manager – Communications and Media, Coordinator – Digital Communications, Section Manager – Properties and Section Manager – Governance.

PRAYER

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

LEAVE OF ABSENCE

Councillor Chung requested a Leave of Absence for the period 20 April 2014 to 27 April 2014 inclusive.

Councillor Perram requested a Leave of Absence for the period 18 April 2014 to 27 April 2014 inclusive.

The Mayor, Councillor Maggio advised Council that Councillor Salvestro-Martin had requested a Leave of Absence for tonight's Council Meeting, 8 April 2014.

RESOLUTION: (Moved by Councillors Chung and Pickering)

- (a) That Council approve a Leave of Absence for Councillor Chung from 20 April 2014 to 27 April 2014 inclusive.
- (b) That Council approve a Leave of Absence for Councillor Perram from 18 April 2014 to 27 April 2014 inclusive.
- (c) That Council approve a Leave of Absence for Councillor Salvestro-Martin for tonight's Council Meeting, 8 April 2014.

Record of Voting:

For the Motion: Unanimous

SUSPENSION OF STANDING ORDERS

Councillor Petch sought a Suspension of Standing Orders to table the Minutes of the Heritage Advisory Committee Meeting held on 12 February 2014, the time being 7.33pm.

RESOLUTION: (Moved by Councillors Petch and Pendleton)

That the Minutes of the Heritage Advisory Committee Meeting held on 12 February 2014 be tabled.

Record of Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

There were no Disclosures of Interest.

TABLING OF PETITIONS

Councillor Pendleton tabled a petition from the Volunteer Bush Regenerators' Network to be considered in conjunction with the Notice of Motion 1 – Bushland and Environment Advisory Group .

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Tanya Allen and Yvette Vignando (on behalf of UNICEF)	Mayoral Minute 8/14 - Golf Day to Support UNICEF
Libby Lawson	Item 2 - Public Toilet at Sager Place Shopping Centre
John Carfi (on behalf of Mirvac)	Item 3 - Planning Proposal - 269-271 Lane Cove Road, Macquarie Park
Peter Brown	Notice of Motion 1 - Bushland and Environment Advisory Group

Name	Topic
Bev Debrincat (on behalf of the Volunteer Bush Regenerators' Network)	Notice of Motion 1 - Bushland and Environment Advisory Group
Andrew Duggan	Item 3 - Planning Proposal - 269-271 Lane Cove Road, Macquarie Park
Kingsley Liu (on behalf of Project 18C)	Notice of Motion 2 - Racism! It Stops With Me
Adrian Flores	Notice of Motion 2 - Racism! It Stops With Me
Tony Tang (on behalf of the Ryde Community Forum)	Notice of Motion 2 - Racism! It Stops With Me
Penny Pedersen	Notice of Motion 2 - Racism! It Stops With Me

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Kevin Page	Civic Centre Rezoning
Suzanne Marks (on behalf of Residents for Ryde)	Rezoning of Civic Centre back to community zoning
Beth Kosnik	Consultation period has closed regarding rezoning of Civic Centre site. What is the hold up?

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Simon)

That Council now consider the following Items, the time being 8.16pm:

- Mayoral Minute 8/14 – Golf Day to Support UNICEF
- Item 2 – Public Toilet at Sager Place Shopping Centre
- Item 3 – Planning Proposal – 269-271 Lane Cove Road, Macquarie Park
- Notice of Motion 1 – Bushland and Environment Advisory Group\
- Notice of Motion 2 – Racism! It Stops With Me

Record of Voting:

For the Motion: Unanimous

MAYORAL MINUTES**8/14 GOLF DAY TO SUPPORT UNICEF - The Mayor, Councillor Roy Maggio**

Note: Tanya Allen and Yvette Vignando (on behalf of UNICEF) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by The Mayor, Councillor Maggio and Councillor Chung)

- (a) That Council support the fundraising initiative for UNICEF by sponsoring a hole at the Golf Day to be held on 23 May 2014 – at a cost of \$300.00.
- (b) That the funds be allocated from the Mayor's budget.
- (c) That the event be publicised through Council's regular media channels including the Mayor's Community Message.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS**2 PUBLIC TOILET AT SAGER PLACE SHOPPING CENTRE**

Note: Libby Lawson addressed the meeting in relation to this Item.

Note: Documentation from Libby Lawson was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Chung and Petch)

- (a) That Council note the report into investigations on the provision of a public toilet at Sager Place Neighbourhood Centre.
- (b) That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan.
- (c) That Council investigate leasing the existing toilets at 1-2/8 Sager Place, East Ryde for use on a key only basis.
- (d) That the STA be requested to make a contribution to the leasing and cleaning of the toilets.
- (e) That the matter be reported back to Council.

AMENDMENT: (Moved by Councillors Perram and Laxale)

- (a) That Council note the report into investigations on the provision of a public toilet at Sager Place Neighbourhood Centre.
- (b) That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan, subject to provision for a public toilet or public access to an existing toilet.
- (c) That Council investigate leasing the existing toilets at 1-2/8 Sager Place, East Ryde for use on a key only basis.
- (d) That the STA be requested to make a contribution to the leasing and cleaning of the toilets.
- (e) That the matter be reported back to Council.

On being put to the Meeting, the voting on the Amendment was five (5) votes For and six (6) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: Councillors Laxale, Li, Pendleton, Perram and Simon

Against the Amendment: The Mayor, Councillor Maggio and Councillor Chung, Etmekdjian, Petch, Pickering and Yedelian OAM

RESOLUTION: (Moved by Councillors Chung and Petch)

- (a) That Council note the report into investigations on the provision of a public toilet at Sager Place Neighbourhood Centre.
- (b) That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan.
- (c) That Council investigate leasing the existing toilets at 1-2/8 Sager Place, East Ryde for use on a key only basis.
- (d) That the STA be requested to make a contribution to the leasing and cleaning of the toilets.
- (e) That the matter be reported back to Council.

Record of Voting:

For the Motion: Unanimous

3 **PLANNING PROPOSAL - 269-271 Lane Cove Road, Macquarie Park**

Note: John Carfi (on behalf of Mirvac) and Andrew Duggan addressed the meeting in relation to this Item.

Note: Documentation from John Carfi of Mirvac dated 8 April 2014 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Simon and Pickering)

- (a) That Council does not support the Planning Proposal for 269-271 Lane Cove Road Macquarie Park proceeding to a Gateway determination on the grounds that:
- The Planning Proposal is inconsistent with the vision for the Macquarie Park Corridor as a Specialist Precinct whose primary purpose is for employment and economic functions;
 - The inclusion of residential uses within the commercial core fails to consider the holistic strategic plan for Macquarie Park Corridor and will set a precedent for future proposals in the corridor;
 - The Planning Proposal is inconsistent with the strategic direction for the Macquarie Park Corridor adopted in the City of Cities: A Plan for Sydney's Future (Metropolitan Strategy), Metropolitan Plan for Sydney 2036, the Draft Metropolitan Strategy for Sydney 2031, Ryde Local Planning Study 2010 and Ryde LEP 2010 and Draft Ryde LEP 2013.
- (b) That the need for the current planning framework applying to Macquarie Park Corridor be retained to protect employment lands that are strategically important to the economic viability of the state.
- (c) That the applicant be advised accordingly.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 **BUSHLAND AND ENVIRONMENT ADVISORY GROUP - Councillor Denise Pendleton**

Note: Peter Brown and Bev Debrincat (on behalf of the Volunteer Bush Regenerators' Network) addressed the meeting in relation to this Item.

Note: Correspondence from the Ryde Volunteer Bush Regenerators' Network dated 6 April 2014 was tabled in relation to this Item and a copy is ON FILE.

Note: A petition from the Volunteer Bush Regenerators' Network was tabled by Councillor Pendleton in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

- (a) That the establishment of the Bushland and Environment Advisory Group be expedited by:
- Nomination of a Councillor to Chair the Bushland and Environment Advisory Group.
 - Nomination of other Councillors to join the Bushland and Environment Advisory Group.
 - Setting an initial meeting date in early May 2014 inviting up to five representatives from the Volunteer Bush Regenerators' Network to consider a draft Terms of Reference for the Bushland and Environment Advisory Group.
 - As soon as possible, advertising to seek additional nominations for membership of the Bushland and Environment Advisory Group in the Northern District Times.
- (b) That Council nominate Councillor Pendleton as the Chair of the Bushland and Environment Advisory Committee.
- (c) That Council nominate Councillors Perram and Laxale as members of the Bushland and Environment Advisory Committee.

Record of Voting:

For the Motion: Unanimous

2 **RACISM! IT STOPS WITH ME - Councillor Jerome Laxale**

Note: Kingsley Liu (on behalf of Project 18C), Adrian Flores, Tony Tang (on behalf of the Ryde Community Forum) and Penny Pedersen addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Laxale and Petch)

That Ryde Council, as a supporter of the Racism! It stops with me campaign:

- (1) Intrinsically understands the importance section 18C of the Racial Discrimination Act 1975.

- (2) Notes that section 18C provides protection to individuals from offensive behaviour because of race, colour, national or ethnic origin.
- (3) Further notes that all levels of Government should combat bigotry at every opportunity.
- (4) Requests the Federal Attorney General to withdraw the Draft Exposure Amendment to the Racial Discrimination Act 1975.

AMENDMENT: (Moved by Councillors Yedelian OAM and Chung)

- (a) That Council reaffirm its previous resolution regarding the Racism! It Stops with Me Campaign.
- (b) That the City of Ryde request the Federal Attorney General to withdraw the Draft Exposure Amendment to the Racial Discrimination Act 1975.

On being put to the Meeting, the voting on the Amendment was four (4) votes For and seven (7) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: Councillors Chung, Etmekdjian, Perram and Yedelian OAM

Against the Amendment: The Mayor, Councillor Maggio and Councillors Laxale, Li, Pendleton, Petch, Pickering and Simon

RESOLUTION: (Moved by Councillors Laxale and Petch)

That Ryde Council, as a supporter of the Racism! It stops with me campaign:

- (1) Intrinsically understands the importance section 18C of the Racial Discrimination Act 1975.
- (2) Notes that section 18C provides protection to individuals from offensive behaviour because of race, colour, national or ethnic origin.
- (3) Further notes that all levels of Government should combat bigotry at every opportunity.
- (4) Requests the Federal Attorney General to withdraw the Draft Exposure Amendment to the Racial Discrimination Act 1975.

Record of Voting:

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

Against the Motion: Councillors Chung, Pickering and Yedelian OAM

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 25 March 2014

RESOLUTION: (Moved by Councillors Petch and Simon)

That the Minutes of the Council Meeting 4/14, held on 25 March 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 PUBLIC TOILET AT SAGER PLACE SHOPPING CENTRE

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

3 PLANNING PROPOSAL – 269-271 Lane Cove Road, Macquarie Park

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

4 PUBLIC WIFI - EASTWOOD PLAZA

RESOLUTION: (Moved by Councillors Petch and Li)

(a) That Council endorse the continuation of Public WiFi being provided in the Eastwood Plaza at an estimated cost of \$4,000 (excluding GST) and be funded from 'General Revenue.

(b) That Council support an awareness campaign being delivered to promote the service.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 BUSHLAND AND ENVIRONMENT ADVISORY GROUP – Councillor Denise Pendleton

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

2 RACISM! IT STOPS WITH ME - Councillor Jerome Laxale

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

CLOSED SESSION

ITEM 5 - PROPOSED SALE - WALKLEY PATHWAY, WEST RYDE

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: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

ITEM 6 - PROPERTY INVESTMENT PORTFOLIO - MANAGEMENT FRAMEWORK AND OBJECTIVES

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) (iii) information that would, if disclosed, reveal a trade secret.

ITEM 7 - 53-71 ROWE STREET, EASTWOOD - FEASIBILITY ANALYSIS

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) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

RESOLUTION: (Moved by Councillors Perram and Etmekdjian)

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

Record of Voting:

For the Motion: Unanimous

Note: Council closed the meeting at 10.24pm. The public and media left the chamber.

5 PROPOSED SALE - WALKLEY PATHWAY, WEST RYDE

Note: A Confidential Memorandum from Council's Section Manager – Properties dated 8 April 2014 was tabled in relation to this Item and a copy is ON FILE - CONFIDENTIAL.

RECOMMENDATION: (Moved by Councillors Etmekdjian and Petch)

- (a) That Council defer this matter for the Acting General Manager to negotiate a more commercially advantageous outcome relating to this property.
- (b) That this matter be reported back to Council following further negotiations being finalised.

Record of Voting:

For the Motion: Unanimous

6 PROPERTY INVESTMENT PORTFOLIO - MANAGEMENT FRAMEWORK AND OBJECTIVES

RECOMMENDATION: (Moved by Councillors Petch and Etmekdjian)

- (a) That the management criteria and objectives for the Property Investment Portfolio be adopted.
- (b) That the asset specific strategies and draft action plans for the key targeted properties be endorsed.

Record of Voting:

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

Against the Motion: Councillors Laxale and Pendleton

7 53-71 ROWE STREET, EASTWOOD - FEASIBILITY ANALYSIS

RECOMMENDATION: (Moved by Councillors Petch and Chung)

- (a) That Council receive and note this report.
- (b) That no further action be undertaken unless the financial feasibility for this site changes.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION

RESOLUTION: (Moved by Councillors Petch and Simon)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 10.31pm.

RESOLUTION: (Moved by Councillors Simon and Pendleton)

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 10.35pm.

CONFIRMED THIS 22ND DAY OF APRIL 2014

Chairperson