

Meeting Date: Tuesday 23 September 2014
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

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

Apologies: Nil.

Leave of Absence: Councillors Chung, Etmekdjian and Salvestro-Martin.

Absent: Councillor Petch (currently suspended).

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Chief Financial Officer, Manager – Governance, Risk and Audit, Manager – Ranger and Parking Services, Manager – Asset Systems, Coordinator – Digital Communications and Section Manager – Governance.

PRAYER

Associate Pastor Ben Rodgers of the Ryde Baptist Church was present and offered prayer prior to the commencement of the meeting.

LEAVE OF ABSENCE

The Mayor, Councillor Pickering advised the meeting that Councillor Chung has requested a Leave of Absence for the period of 17 September 2014 to 3 October 2014 inclusive and Councillors Etmekdjian and Salvestro-Martin have requested a Leave of Absence for tonight's Council Meeting, 23 September 2014.

Councillor Laxale requested a Leave of Absence for the period 10 November 2014 to 12 December 2014 inclusive.

Councillor Pendleton requested a Leave of Absence for the period 24 September 2014 to 8 October 2014 inclusive.

Councillor Simon requested a Leave of Absence for the period 10 October 2014 to 24 October 2014 inclusive.

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That Council approve a Leave of Absence for Councillor Chung for the period of 17 September 2014 to 3 October 2014 inclusive.
- (b) That Council approve a Leave of Absence for Councillor Etmekdjian for tonight's Council Meeting, 23 September 2014.

- (c) That Council approve a Leave of Absence for Councillor Salvestro-Martin for tonight's Council Meeting, 23 September 2014.
- (d) That Council approve a Leave of Absence for Councillor Laxale for the period of 10 November 2014 to 12 December 2014 inclusive.
- (e) That Council approve a Leave of Absence for Councillor Pendleton for the period of 24 September 2014 to 8 October 2014 inclusive.
- (f) That Council approve a Leave of Absence for Councillor Simon for the period of 10 October to 24 October 2014 inclusive.

Record of Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

Councillor Simon disclosed a Significant Non-Pecuniary Interest in Item 5 – Angas and See Street – Pedestrian Safety for the reason that his residence backs on to Angas Street.

Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in Notice of Motion 3 – Macquarie University Postgraduate Representative Association for the reason that he knew one of the speakers whilst at school.

TABLING OF PETITIONS

Councillor Laxale tabled a petition containing 406 signatures regarding Pedestrian Safety at the Intersection of Blaxland Road, Terry Road and Kings Road, Denistone.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Kim Whybro	Notice of Motion 2 – Ermington Putt Putt - Councillor Jerome Laxale
Evan Gray (on behalf of the National Union of Students/ Macquarie Uni Students)	Notice of Motion 3 – Macquarie University Postgraduate Representative Association - Councillor George Simon
Tim Hendry	Notice of Motion 3 – Macquarie University Postgraduate Representative Association - Councillor George Simon
Katharine Maxwell	Notice of Motion 2 – Ermington Putt Putt - Councillor Jerome Laxale

Name	Topic
Yan Song	Item 5 - Angas And See Street - Pedestrian Safety

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Ernest Elliott	Demolition of Palm Trees – Ranch Hotel Development

MAYORAL MINUTES

There were no Mayoral Minutes.

TABLING OF DOCUMENTATION AND ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That the letter dated 23 September 2014 from Macquarie University be tabled.
- (b) That Council now consider the following Items, the time being 8.00pm:
 - Notice of Motion 2 – Ermington Putt Putt.
 - Notice of Motion 3 – Macquarie University Postgraduate Representative Association.
 - Item 5 – Angas and See Street – Pedestrian Safety.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

2 ERMINGTON PUTT PUTT - Councillor Jerome Laxale

Note: Kim Whybro and Katharine Maxwell addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Laxale and Simon)

- (a) That the General Manager notes Parramatta Council's plans to allow for 900 new dwellings to be built on open and recreational space at Bartlett Park, and that he instructs Council officers to prepare submission against any proposed over-development of the site once a Development Application is lodged.

- (b) That the General Manager explore the possibilities of locating Ermington Putt Putt at the Ryde Bowling Club site with the current owners.
- (c) That the General Manager expedite and finalise legal matters surrounding the site so that Council can begin an Expression of Interest process.

AMENDMENT: (Moved by Councillors Perram and Yedelian OAM)

- (a) That the General Manager notes Parramatta Council's plans to allow for 900 new dwellings to be built on open and recreational space at Bartlett Park, and that he instructs Council officers to prepare submission against any proposed over-development of the site once a Development Application is lodged.
- (b) That Council urge Parramatta Council to arrange for Putt Putt to be accommodated on its current site or at an alternate location.
- (c) That should it be necessary for Putt Putt to move, that the City of Ryde Council assist them to find an alternative site.

On being put to the Meeting, the voting on the Amendment was seven (6) votes For and two (2) votes Against. The Amendment was **CARRIED**. The Amendment then became the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Pickering and Councillors Li, Maggio, Pendleton, Perram and Yedelian OAM

Against the Amendment: Councillors Laxale and Simon

RESOLUTION: (Moved by Councillors Perram and Yedelian OAM)

- (a) That the General Manager notes Parramatta Council's plans to allow for 900 new dwellings to be built on open and recreational space at Bartlett Park, and that he instructs Council officers to prepare submission against any proposed over-development of the site once a Development Application is lodged.
- (b) That Council urge Parramatta Council to arrange for Putt Putt to be accommodated on its current site or at an alternate location.
- (c) That should it be necessary for Putt Putt to move, that the City of Ryde Council assist them to find an alternative site.

Record of Voting:

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

Against the Motion: Councillors Laxale and Simon

3 MACQUARIE UNIVERSITY POSTGRADUATE REPRESENTATIVE ASSOCIATION - Councillor George Simon

Note: Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he knew one of the speakers whilst at school.

Note: Correspondence from Macquarie University dated 23 September 2014 was tabled in relation to this Item and a copy is ON FILE.

Note: Evan Gray (on behalf of the National Union of Students/Macquarie Uni Students) and Tim Hendry addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Simon and Laxale)

- (a) That the City of Ryde Council notes with concern the Supreme Court application by Macquarie University to wind up the Macquarie University Postgraduate Representative Association (MUPRA).
- (b) As a key stakeholder in the City of Ryde, Macquarie University is encouraged to recognise the importance of independently run student unions that are run for students, by students.
- (c) That Council calls on Macquarie to withdraw its' application and enter negotiations with MUPRA to resolve the current impasse while maintaining the independence of the association.

On being put to the Meeting, the voting on the Motion was two (2) votes For and six (6) votes Against. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Laxale and Simon

Against the Motion: The Mayor, Councillor Pickering and Councillors Li, Maggio, Pendleton, Perram and Yedelian OAM

COUNCIL REPORTS

5 ANGAS AND SEE STREET - PEDESTRIAN SAFETY

Note: Councillor Simon disclosed a Significant Non-Pecuniary Interest in this Item for the reason that his residence backs on to Angas Street. He left the meeting at 8.42pm and was not present for consideration or voting on this Item.

Note: Yan Song addressed the meeting in relation to this Item.

Note: Councillor Maggio left the meeting at 8.44pm and was not present for voting on this item.

RESOLUTION: (Moved by Councillors Pendleton and Maggio)

- (a) That Council investigate the need for a pedestrian refuge along See Street.
- (b) That Council investigate extending the time restrictions on the existing 1/4P parking to include the Scout Hall operating hours.
- (c) That Council investigate a resident parking scheme for Angas Street.
- (d) That Council table items (a), (b) and (c) to the Ryde Traffic Committee, as appropriate, following the completion of Council staff's investigation.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Simon returned to the meeting at 8.45pm.

1 CONFIRMATION OF MINUTES - Council Meeting held on 9 September 2014

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

RESOLUTION: (Moved by Councillors Yedelian OAM and Li)

That the Minutes of the Council Meeting 14/14, held on 9 September 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Maggio returned to the meeting at 8.46pm.

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 9/14 held on 2 September 2014

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

That Council determine Item 2 of the Planning and Environment Committee report 9/14 held on 2 September 2014, noting that Item 1 was dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

2 6 JETTY ROAD, PUTNEY. LOT 5 DP 17893. Local Development Application for New part 2 / part 3 storey dwelling house. LDA2013/0472.

Note: A letter dated 12 September 2014 from Peter Hall Architects Pty Ltd (applicant's architect) was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

(a) That Local Development Application No. 2013/472 at 6 Jetty Road, Putney, being LOT 5 DP 17893 be approved subject to the **ATTACHED** conditions (Attachment 1) with the addition of a deferred commencement condition to Part 1 as follows:

(d) The southern side setback is to fully comply with Council's DCP in regard to bedroom 3 and the staircase and be a minimum of 1.5m.

(b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 10/14 held on 2 September 2014

RESOLUTION: (Moved by Councillors Perram and Li)

That Council determine Items 2 and 4 of the Works and Community Committee report 10/14 held on 2 September 2014, noting that Items 1, 3 and 5 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

2 REVIEW OF TREE MANAGEMENT APPLICATION AT 127 HERRING ROAD, MARSFIELD

RESOLUTION: (Moved by Councillors Perram and Maggio)

That consideration of this matter be deferred to the next Works and Community Committee Meeting to be held on 7 October 2014, following a site inspection for all Councillors of the tree at 127 Herring Road, Marsfield.

Record of Voting:

For the Motion: Unanimous

4 GRANT FUNDING - ROADS AND MARITIME SERVICES - 2014-2015 BLACK SPOT PROGRAM, BIKE WEEK AND TRAFFIC MANAGEMENT PROGRAM

RESOLUTION: (Moved by Councillors Perram and Li)

(a) That Council notes receipt of the funding from the RMS as follows:

- 2014-2015 Black Spot Program;
- NSW Bike Week 2014; and
- 2014-2015 Traffic Management Program

(b) That Council receive funding from the RMS in the amount of:

- \$442,500 for the 2014-2015 Black Spot Funding Program;
- \$3,500 for the NSW Bike Week activities; and
- \$158,000 for the 2014-2015 Traffic Management Program for the purposes of projects listed below and that the amount also be consolidated in the next Quarterly Review:

i. Balaclava Road and Hunts Avenue Eastwood – raised island with additional ‘Give Way’ signs	\$42,500
ii. Pittwater Road and Bronhill Avenue to Pains Road, East Ryde – install CAM’s and guideposts with reflectors. Install CAM’s and guideposts with reflectors. Install raised 900mm median island and provide appropriate super-elevation	\$400,000
iii. NSW Bike Week Activities	\$3,500
iv. Blaxland Road, West Ryde – Shared Path (Stage 7)	\$79,000
v. Blaxland Road, West Ryde – Shared Path (Stage 8)	\$79,000

- (c) That the necessary budget changes be made to reflect the funding so that the projects can meet the 30 June 2015 completion deadline.

Record of Voting:

For the Motion: Unanimous

4 EASTWOOD RAILWAY STATION

RESOLUTION: (Moved by Councillors Perram and Li)

That this matter be deferred for consideration at the next Works and Community Committee Meeting to be held on 7 October 2014.

Record of Voting:

For the Motion: Unanimous

5 ANGAS AND SEE STREET – PEDESTRIAN SAFETY

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

6 INVESTMENT REPORT - August 2014

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

That Council endorse the report of the Chief Financial Officer dated 4 September 2014 on Investment Report – August 2014.

Record of Voting:

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

Against the Motion: Councillor Maggio

7 WAR MEMORIAL HONOUR BOARDS

RESOLUTION: (Moved by Councillors Laxale and Maggio)

That Councillors note the progress of the Centenary of ANZAC grant submission for the interactive honour board.

Record of Voting:

For the Motion: Unanimous

8 REPORTS DUE TO COUNCIL

RESOLUTION: (Moved by Councillors Maggio and Simon)

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE

1 PLANNING PROPOSAL - TO ALLOW ADDITIONAL PERMITTED USE - 144 WICKS ROAD, MACQUARIE PARK

RESOLUTION: (Moved by Councillors Laxale and Pendleton)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

2 HERRING ROAD URBAN ACTIVATION PRECINCT - EXHIBITION PERIOD

RESOLUTION: (Moved by Councillors Laxale and Perram)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 REPLACEMENT OF SIGN AT BRUSH FARM PARK - Councillor Terry Perram

RESOLUTION: (Moved by Councillors Perram and Maggio)

- (a) That Council expedite replacement of the decayed sign in Brush Farm Park facing Rutledge Street east that was recently removed after part of it had fallen down. The replacement sign to be of similar size, style and content as the former sign and the identical sign at Rutledge Street west to be examined to see if it requires replacement at the same time.
- (b) That a general signage proposal for Brush Farm Park be developed for consideration for funding in the 2015-16 works program.

Record of Voting:

For the Motion: Unanimous

2 ERMINGTON PUTT PUTT – Councillor Jerome Laxale

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

3 MACQUARIE UNIVERSITY POSTGRADUATE REPRESENTATIVE ASSOCIATION – Councillor George Simon

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

4 CITY OF SYDNEY TWO VOTES IN LOCAL GOVERNMENT ELECTIONS - Councillor George Simon

RESOLUTION: (Moved by Councillors Simon and Laxale)

- (a) That City of Ryde Council condemns the Bill proposed by the Shooters and Fishers Party, with the support of the NSW Government, that will give businesses in the City of Sydney two votes in local government elections.
- (b) That Council requests that the General Manager write to the NSW Local Government Minister, Paul Toole, outlining Ryde Councils strong opposition to this anti-democratic measure. The General Manager should also write to the Member for Ryde, Victor Dominello, requesting that support Council's position on this issue and vote on the Bill accordingly.

Record of Voting:

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

Against the Motion: The Mayor, Councillor Pickering and Councillors Maggio and Yedelian OAM

5 ROZELLE FIRE APPEAL FUND - Councillor Jerome Laxale

RESOLUTION: (Moved by Councillors Laxale and Simon)

- (a) That the General Manager donate the sum of \$5,000 to the Rozelle Fire Appeal Fund.
- (b) That the General Manager offer administrative support, if required, to assist Leichhardt Council and the Residents of Rozelle with their recovery.

Record of Voting:

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

Against the Motion: Councillors Li and Yedelian OAM

CLOSED SESSION

ITEM 9 - WALKLEY PATHWAY

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

ITEM 10 - UPDATE ON THE OUTCOME OF THE EOI FOR PROVISION AND/OR CONSTRUCTION OF SYNTHETIC SPORTS SURFACES

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 11 - ADVICE ON COURT ACTIONS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CONFIDENTIAL LATE ITEM

ITEM 12 - 45 - 61 WATERLOO ROAD

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.

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

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

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

Note: Council closed the meeting at 9.20pm. The public and media left the chamber.

9 WALKLEY PATHWAY

RECOMMENDATION: (Moved by Councillors Pendleton and Maggio)

That Council rejects the Woolworths offer; withdraw from all discussions with Woolworths and observes Woolworth's sale process.

Record of Voting:

For the Motion: Unanimous

10 UPDATE ON THE OUTCOME OF THE EOI FOR PROVISION AND/OR CONSTRUCTION OF SYNTHETIC SPORTS SURFACES

RECOMMENDATION: (Moved by Councillors Maggio and Simon)

- (a) That Council invite Polytan STI, TeamSports and TurfOne to a selective tender process for the installation of multi-sports synthetic surface at ELS Hall Park field 1.
- (b) That Council allocate the amount of \$1.0 million from the 2015/16 Section 94 Reserve towards the ELS Hall Park project and the amount be consolidated into September Quarterly Review.
- (c) That Council write to AFL NSW/ACT, Cricket NSW and other sporting clubs seeking contribution towards the project.
- (d) That Council seek funding through any opportunities available for the project from State or Federal governments.
- (e) That Council, in consultation with sporting community, develop a management plan and fees and charges for the ELS Hall Park synthetic sports facility and that a further report be submitted to Council on these arrangements.

Record of Voting:

For the Motion: Unanimous

11 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Pendleton and Maggio)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

LATE ITEM – CONFIDENTIAL

12 45 - 61 WATERLOO ROAD

RECOMMENDATION: (Moved by Councillors Maggio and Li)

- (a) That Council, subject to
- i. Receiving satisfactory legal, valuation and due diligence reports for the purchase of 7,000 square metres of land at 45-61 Waterloo Road, Macquarie Park for the purpose of a park,
 - ii. Receiving \$6,000,000 allocated by the Minister of Planning under the Funding Agreement to contribute towards the delivery of the park,
 - iii. Ensuring that the terms for the purchase of the land for the park and the mechanism for the transfer of the development rights over the park and access roads to the developable blocks on the GPNSW sites are acceptable, and
 - iv. Confirming that Council's General Counsel is satisfied as to the legal structure for the provision of the park land and the Precinct Management Plan by which it is maintained,
- purchases the land for a park under the terms identified in this report.
- (b) That Council delegates to the Acting General Manager authority to,
- i. Finalise the terms and conditions of the Heads of Agreement as described in this report,
 - ii. Negotiate and enter into a contract for the purchase of the land for the park and the Precinct Management Plan by which the park is to be maintained, and
 - iii. Proceed with the design and delivery of the park, utilising the Funding Agreement monies allocated for that purpose.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION

RESOLUTION: (Moved by Councillors Pendleton and Simon)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 9.48pm.

RESOLUTION: (Moved by Councillors Pendleton 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 9.50pm.

CONFIRMED THIS 14TH DAY OF OCTOBER 2014

Chairperson