

**Meeting Date:** Tuesday 11 August 2015  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 7.30pm

**Councillors Present:** The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Perram, Simon and Stott.

**Apologies:** Councillors Salvestro-Martin and Yedelian OAM.

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

### **PRAYER**

Pastor Dr Keith Ng of the Evangel Bible Church, Putney was present and offered prayer prior to the commencement of the meeting.

### **LEAVE OF ABSENCE**

Councillor Pendleton requested a Leave of Absence for 18 August 2015.

**RESOLUTION:** (Moved by Councillors Etmekdjian and Maggio)

That Councillor Pendleton's Leave of Absence for 18 August 2015 be approved.

**Record of Voting:**

For the Motion: Unanimous

### **DISCLOSURES OF INTEREST**

The Mayor, Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in Item 10 – Putney Tennyson Bowling and Community Club – Draft Licence Agreement, for the reason that he is a member of the Club.

Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in Item 6 – Establishment of East Ward Events and Promotions Committee, for the reason that he is a community volunteer and a member of the Ryde Roller Coaster Run.

## **TABLING OF PETITIONS**

Councillor Etmekdjian tabled a Petition with approximately 200 signatures regarding 1139 Victoria Road, West Ryde – Local Development Application Number LDA2015/0274.

## **PRESENTATION OF A KNITTED SQUARE TO COUNCIL**

Councillor Chung presented Council with a knitted square from the knitters group who have been meeting at Ryde Libraries for many years. The knitted square represents the hundreds of 'Wrap with Love' blankets that they have knitted for overseas disaster zones over a long period of time.

## **PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

No addresses were made to Council.

## **PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

<b>Name</b>	<b>Topic</b>
Glynis Heydon	Council's New Website

## **COUNCIL REPORTS**

### **1 CONFIRMATION OF MINUTES - Council Meeting held on 28 July 2015**

**RESOLUTION:** (Moved by Councillors Chung and Etmekdjian)

That the Minutes of the Council Meeting 13/15, held on 28 July 2015 be confirmed.

**Record of Voting:**

For the Motion: Unanimous

### **2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 11/15 held on 4 August 2015**

**RESOLUTION:** (Moved by Councillors Chung and Laxale)

That Council note that all Items of the Planning and Environment Committee Meeting 11/15 held on 4 August 2015 were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 11/15 held on 4 August 2015**

**RESOLUTION:** (Moved by Councillors Maggio and Stott)

That Council determine Item 2 and 3 of the Works and Community Committee report 11/15, held on 4 August 2015 noting that Items 1 and 4 were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**2 TENNYSON PARK PROPOSED DINGHY RACK INSTALLATION**

**RESOLUTION:** (Moved by Councillors Maggio and Stott)

- (a) That the proposed installation of 30 – 36 dinghy racks on the western side of the park proceed (pending a full costing) with the dinghy racks to be installed vertically.
- (b) That the installation of the proposed 10 dinghy racks on the eastern side be deferred pending a review after 12 month of the installation of racks on the western side.
- (c) That improved access to the beach to allow the launch of dinghies be investigated with a meeting between Council staff and Minister Anthony Roberts to be held to seek appropriate funding.
- (d) That a review of fees for storage of dinghies be undertaken and reported to the Works Committee. This report is to include the rates paid in other local government areas.

**Record of Voting:**

For the Motion: Unanimous

**3 GRANT FUNDING - ROADS AND MARITIME SERVICES - 2015/2016 BLACK SPOT PROGRAM, SAFER ROADS PROGRAM AND ACTIVE TRANSPORT PROGRAM**

**RESOLUTION:** (Moved by Councillors Maggio and Stott)

- (a) That Council accepts the grant funding from the Roads and Maritime Service (RMS) as follows:
  - i. \$123,500 under their 2015-2016 Black Spot Funding Program
  - ii. \$27,750 under their 2015-2016 Safer Roads Program
  - iii. \$65,000 under their 2015-2016 Active Transport Program

- (b) That the funding received from the RMS be consolidated as income and expenditure budgets in the next Quarterly Review within the Traffic and Transport Program – Black Spot Funded works - \$123,500, being for the projects:
  - i. Blaxland Road/Ethel Street, Eastwood - medians
  - ii. Adelaide Street/Bennett Street, West Ryde – intersection upgrade
  - iv. Rutledge Street/Darvall Road - medians
- (c) That the funding received from the RMS and additional expenditure from Section 94 contributions be consolidated as an income budget at the Quarter 1 review within the Traffic and Transport Program – Traffic Calming Devices - Chatham Road near Clanalpine Street, Eastwood – surface treatments \$27,750.
- (d) That the funding received from the RMS be consolidated as an income and increased program expenditure budget at the Quarter 1 Review within the Paths and Cycleways Program – Cycleways Construction Expansion - Kent Road between Adelphi Street and Scott Street, North Ryde - shared user path \$65,000.

**Record of Voting:**

For the Motion: Unanimous

**4 PROPOSED AMENDMENTS TO NORTH RYDE STATION PRECINCT DEVELOPMENT CONTROL PLAN**

**RESOLUTION:** (Moved by Councillors Chung and Etmekdjian)

- (a) That Council endorse the amendments to the North Ryde Station Precinct Development Control Plan as shown at **ATTACHMENT 1**, and that the amended DCP be placed on public exhibition in accordance with the provisions of the NSW Environmental Planning and Assessment Act.
- (b) That the outcomes of the exhibition are reported back to Council.

**Record of Voting:**

For the Motion: Unanimous

**5 PREPARATION FOR 2016 LOCAL GOVERNMENT ELECTION - COUNCILLOR NUMBERS AND WARD BOUNDARIES**

**MOTION:** (Moved by Councillors Etmekdjian and Chung)

- (a) That Council confirm that for the 2016 to 2020 term, the number of Councillors be maintained at twelve.

- (b) That Council confirm that for the 2016 to 2020 term, the City of Ryde electoral wards remain as East, West and Central with no changes to boundaries.
- (c) That Council confirm that for the 2016 to 2020 term, the City of Ryde Mayor be elected annually from the elected Council.

**AMENDMENT:** (Moved by Councillors Laxale and Simon)

- (a) That Council confirm that for the 2016 to 2020 term, the number of Councillors be maintained at twelve.
- (b) That Council confirm that for the 2016 to 2020 term, the City of Ryde electoral wards remain as East, West and Central with no changes to boundaries.
- (c) That Council initiate a constitutional referendum to coincide with the 2016 Local Government Election to seek community endorsement for a popularly elected Mayor for a four year term.

On being put to the Meeting, the voting on the Amendment was four (4) For and six (6) Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

**Record of Voting:**

For the Amendment: Councillors Laxale, Li, Maggio and Simon

Against the Amendment: The Mayor, Councillor Pickering and Councillor Chung, Etmekdjian, Pendleton, Perram and Stott

**RESOLUTION:** (Moved by Councillors Etmekdjian and Chung)

- (a) That Council confirm that for the 2016 to 2020 term, the number of Councillors be maintained at twelve.
- (b) That Council confirm that for the 2016 to 2020 term, the City of Ryde electoral wards remain as East, West and Central with no changes to boundaries.
- (c) That Council confirm that for the 2016 to 2020 term, the City of Ryde Mayor be elected annually from the elected Council.

**Record of Voting:**

For the Motion: The Mayor, Councillor Pickering and Councillor Chung, Etmekdjian, Maggio, Pendleton, Perram and Stott

Against the Motion: Councillors Laxale, Li and Simon

**6 ESTABLISHMENT OF EAST WARD EVENTS AND PROMOTIONS COMMITTEE**

Note: Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a community volunteer and a member of the Ryde Roller Coaster Run.

**RESOLUTION:** (Moved by Councillors Maggio and Stott)

- (a) That Council approve the Draft Terms of Reference for the East Ward Events and Promotions Committee to be considered at the first Committee meeting and returned to Council for final approval.
- (b) That Council nominate Councillors Chung, Stott, Maggio and Simon to be members of the East Ward Events and Promotions Committee.
- (c) That Council endorses Councillor Stott as Chairperson and Councillor Chung Deputy Chairperson for the East Ward Events and Promotions Committee.
- (d) That Council approves the advertising for Expressions of Interest for Committee members and that the nominees are reported back to Council for approval.

**Record of Voting:**

For the Motion: Unanimous

**7 COMMUNITY OPEN DAYS - PROPOSAL FOR 2015/16**

**RESOLUTION:** (Moved by Councillors Chung and Pendleton)

That Council endorses the proposal (as outlined in option 3 of the report) to hold three local Community Information Fairs, one in each Ward, during the 2015/16 financial year.

**Record of Voting:**

For the Motion: Unanimous

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

**1 PROVISION OF REGIONAL INFRASTRUCTURE FOR THE NORTH RYDE STATION PRECINCT**

**RESOLUTION:** (Moved by Councillors Chung and Stott)

- (a) That the correspondence be received and noted;
- (b) That Council calls on the Minister for Roads, the Hon. Duncan Gay MLC and NSW Roads and Maritime Services to match the \$10 million in Council funding that the City of Ryde has committed towards the upgrade of regional road intersections on Epping Road between Herring and Pittwater Roads;
- (c) That the Mayor request an urgent meeting with the Treasurer, Minister for Planning, Minister for Transport and Minister for Roads to discuss the introduction of a Special Infrastructure Contribution to fund the provision of regional infrastructure in the Macquarie Park Corridor; and
- (d) That the Mayor write to the Member for Ryde, the Hon. Victor Dominello MP and the Member for Lane Cove, the Hon. Anthony Roberts MP seeking their support for the introduction of a Special Infrastructure Contribution to fund the provision of regional infrastructure in the Macquarie Park Corridor.

**Record of Voting:**

For the Motion: Unanimous

**2 RECLASSIFICATION OF COMMONWEALTH HACC COUNSELLING/SUPPORT INFORMATION AND ADVOCACY (CSIA) AND NON-OUTPUT ACTIVITIES**

**RESOLUTION:** (Moved by Councillors Pendleton and Laxale)

That the correspondence be received and noted.

**Record of Voting:**

For the Motion: Unanimous

## **CLOSED SESSION**

### **ITEM 8 - NSROC - ITT 13/15 - ROAD SURFACING, PATCHING AND ASSOCIATED WORKS**

#### **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) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **ITEM 9 - EOI 01/15 - LICENCING OF PART OR WHOLE OF FACILITY AT 11 BLAXLAND ROAD, RYDE (FORMER RYDE BOWLING CLUB)**

#### **Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **ITEM 10 - PUTNEY TENNYSON BOWLING AND COMMUNITY CLUB - DRAFT LICENCE AGREEMENT**

#### **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 Etmekdjian and Stott)

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

#### **Record of Voting:**

For the Motion: Unanimous

Note: The Council closed the meeting at 8.41pm. The public and media left the chamber.



## 8 NSROC - ITT 13/15 - ROAD SURFACING, PATCHING AND ASSOCIATED WORKS

**RECOMMENDATION:** (Moved by Councillors Pendleton and Stott)

- (a) That Council accept the tenders from the tenderers in the following categories of Road Surfacing, Patching and Associated Works up until 30 June 2017, as recommended in the Tender Evaluation Report **(CONFIDENTIAL ATTACHMENTS)** on an “as required” basis for the categories outlined below.

Category 1: For Supply, Delivery and Laying of Asphaltic Concrete, and Profiling of Road Pavement works, ranked in the preferred order:

1. Bitupave Ltd Trading as NSW Boral Asphalt as the preferred contractor
2. Downer EDI Works Pty Ltd as the alternative contractor

Category 2: Thin Wearing or Intermediate Surfacing, not ranked as the selection is site dependent:

- Bitupave Ltd Trading as NSW Boral Asphalt for Dura-Pave Asphalt 7mm as the preferred contractor
- Downer Edi Works Pty Ltd for 25mm thick SMA10 A15E, 25mm 7THTAS A15E, 30mm 10THTAS A15E. SMA10 A15E as the preferred contractor, and
- State Asphalt Services Pty Ltd for SMA10 A15E which includes 20mm thick EcoSeal 7 and 25mm thick EcoSeal 10 as the preferred contractor.

Category 3: For Heavy Patching works, ranked in the preferred order:

1. Kizan Pty Ltd Trading As A&J Paving as the preferred contractor
2. Bernipave Pty Ltd as the alternative contractor

Category 4: For Crack Sealing, ranked in the preferred order:

1. Downer EDI Works Pty Ltd as the preferred contractor
2. JM Schembri Pty Ltd as the alternative contractor

Category 5: For the Supply and Delivery of Asphaltic Concrete Products Excluding Cold Mix, ranked in the preferred order:

1. Downer EDI Works Pty Ltd as the preferred contractor
2. Bitupave Ltd Trading as NSW Boral Asphalt as the alternative contractor

Category 6: For Supply Only of Asphaltic Concrete Products Excluding Cold Mix, ranked in the preferred order:

1. Downer EDI Works Pty Ltd as the preferred contractor
2. Bitupave Ltd Trading as NSW Boral Asphalt as the alternative contractor

Category 7: For Supply and Delivery of Cold Mix

- Bitupave Ltd Trading as NSW Boral Asphalt as the preferred contractor

Category 8: For Supply Only of Cold Mix

- Bitupave Ltd Trading as NSW Boral Asphalt as the preferred contractor

- (b) That Council delegate to the General Manager the authority to enter into a contract with the companies listed above on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

**Record of Voting:**

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

Against the Motion: Councillor Maggio

**9 EOI 01/15 - LICENCING OF PART OR WHOLE OF FACILITY AT 11 BLAXLAND ROAD, RYDE (FORMER RYDE BOWLING CLUB)**

**RECOMMENDATION:** (Moved by Councillors Laxale and Stott)

- (a) That Council receive and note the report on the Expressions of Interest (EOI 01/15) on 11 Blaxland Road, Ryde (former Ryde Bowling Club).
- (b) That Council, in accordance with Section 178(3) of the Local Government (General) Regulation 2005, decline to accept any submissions on the basis that they did not meet the intent of the EOI.
- (c) That Council in accordance with Section 178(3)(b) of the Local Government (General) Regulation 2005 invite fresh tenders based on the same or different details.

**Record of Voting:**

For the Motion: Unanimous

**10 PUTNEY TENNYSON BOWLING AND COMMUNITY CLUB - DRAFT LICENCE AGREEMENT**

Note: The Mayor, Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a member of the Club.

**RECOMMENDATION:** (Moved by Councillors Maggio and Stott)

- (a) That Council support in principle Option 2 as detailed within this report.

- (b) That Council endorse any actions required to amend the Morrison Bay Plan of Management to enable the granting of a future lease/licence to the Putney Tennyson Bowling and Community Club Pty Ltd.
- (c) That Council delegate to the General Manager the authority to negotiate the terms of a future lease/licence generally in accordance with Option 2 as detailed within this Report.
- (d) That Council delegate to the General Manager the authority to negotiate a rental reduction up to 50% of the current rental payable by the Putney Tennyson Bowling and Community Club Pty Ltd for a maximum period of twelve months.
- (e) That Council receive a further report on the matter following finalisation of the General Manger's negotiations under point (c) above.

**Record of Voting:**

For the Motion: Unanimous

**OPEN SESSION**

**RESOLUTION:** (Moved by Councillors Stott and Pendleton)

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 8.47pm.

**RESOLUTION:** (Moved by Councillors Stott 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 8.50pm.

CONFIRMED THIS 25TH DAY OF AUGUST 2015

Chairperson