

CITY OF RYDE

COMMITTEE OF THE WHOLE REPORT NO. 16/07

18 September 2007

Ladies and Gentlemen,

The Committee of the Whole desires to report having met on Tuesday, 18 September 2007 at 7.30 pm.

Councillors Present: The Mayor, Councillor I J Petch (Chairperson – except item 2) and Councillors T P McCosker, C M Netterfield, G O'Donnell, T W Perram, V J Tagg, E M Wilde OAM and S Yedelian (Chairperson – item 2 only).

Apology: Apologies were received and accepted from Councillors M P Butterworth, N B Campbell, M Melhem and T D A Ryan.

Staff Present: General Manager, Group Manager – Community Life, Group Manager – Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager City Promotions & Events, Manager Urban Planning, Media & Community Relations Officer and Manager Councillor Services.

With reference to the various matters which received consideration of your Committee, it is desired to report and recommend thereon as follows:

1 CONFIRMATION OF COMMITTEE REPORT

RESOLUTION: (Moved by Councillors Wilde OAM and Tagg)

That the report of the meeting of the Committee of the Whole No. 15/07 held on 4 September 2007, be confirmed.

- 2 **11 BAY DRIVE, MEADOWBANK. Lot 5 in DP 1092972. Local Development Application for Fit Out and Use of Shop 4.4 as a Bottle Shop. LDA 872/2006. Applicant: JK Developments. Date lodged: 3 November 2006. Original notification - 4 submissions received.**

INTERVIEWED

Note: The Mayor, Councillor I J Petch declared a pecuniary interest in this item for the reason that he is in negotiations to purchase a property at the subject site and departed the meeting for discussion and voting thereon.

This is page no. 1 of the Committee of the Whole Report No. 16/07 dated 18 September 2007.

CITY OF RYDE

Committee of the Whole Report No. 16/07

18 September 2007

Councillor Tagg disclosed a non-pecuniary interest in this item for the reason that the applicant, JK Developments is a sponsor of the Ryde Aquatic Festival of which he is a Committee member.

Councillor Netterfield disclosed a non-pecuniary interest in this item for the reason that the applicant, JK Developments is a sponsor of the Ryde Aquatic Festival of which she is a Committee member.

Councillor Wilde OAM disclosed a non-pecuniary interest in this item for the reason that the applicant, JK Developments is a sponsor of the Ryde Eisteddfod of which she is a Committee member.

Councillor Yedelian was Chairperson for this item.

Report: The Committee received an address from the following people:

- Ms Jackie Ohlin, Associate Director, Social Planning & Social Research, Urbis Consultants, representing Franklins, and
- Mr Jim Veneris, Meadowbank Cellars.

Mr Veneris provided a copy of a submission on the Social Impact Assessment in relation to the subject premises from Design Collaborative Pty Limited and a copy is **ON FILE**.

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

- (a) That Local Development Application No. 872/2006 for fit out and use of 198m² of Shop 4.4 No. 11 Bay Drive, Meadowbank for a bottle shop, being lot 5 in DP 1092972, be approved in accordance with the conditions of consent set out in the report of the Acting Manager Assessment dated 30 March 2007 on pages 14 to 21 of the Committee of the Whole Agenda No. 16/07.
- (b) That those persons who made submissions be advised of Council's decision.
- (c) That the Liquor Licensing Board be advised of Council's decision, including the recommendations of the Social Impact Assessment, and also be advised of Council's resolution to establish an alcohol free zone in the area.

This is page no. 2 of the Committee of the Whole Report No. 16/07 dated 18 September 2007.

3 CITIZENSHIP CEREMONIES – Approval to enhance the conduct of Ceremonies

RESOLUTION: (Moved by Councillors Perram and Yedelian)

That Council's Citizenship Ceremonies be conducted as outlined in this report with the following further enhancements:

- i. That Citizenship Ceremonies commence at 7.30pm.
- ii. That Council conduct eight Citizenship Ceremonies each year in addition to the Australia Day ceremony.
- iii. That all Councillors continue to be invited to each ceremony and that while 5 different roles for Councillors will be included on the roster, these roles can be combined to a minimum of 3 roles if few Councillors are able to attend.
- iv. That contact details of Recipients be provided to Councillors unless a written prohibition is received from the Department of Immigration and Multicultural Affairs.
- v. That the local State Members of Parliament be invited to speak at each ceremony but a speech will not be given if they, or their nominated Member of the Legislative Council, are unable to attend.
- vi. That recipients be advised that the Dress Code for Citizenship Ceremonies be smart casual.
- vii. That the song "We are Australian" continue to be sung at each ceremony.

Note: Councillor O'Donnell recorded her name against part (vii) of the resolution.

4 DRAFT BRUSH FARM HOUSE INTERPRETATIVE PLAN

RESOLUTION: (Moved by Councillors Perram and Yedelian)

That the draft Brush Farm House Interpretative Plan (revised June 2007) be adopted.

5 DRAFT CITY OF RYDE SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN

RESOLUTION: (Moved by Councillors Yedelian and Perram)

That the City of Ryde Draft Section 94 Development Contributions Plan 2007 be placed on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Act .

6 DRAFT RYDE LOCAL ENVIRONMENTAL PLAN (LEP) 2008

RESOLUTION: (Moved by Councillors Yedelian and Netterfield)

- (a) That details of the Section 62 consultation as required under Section 64 of the Environmental Planning & Assessment Act be submitted to the Department of Planning.
- (b) That the Director General of the Department of Planning be requested under Section 65 of the Environmental Planning and Assessment Act, 1979 to certify that the draft Plan may be publicly exhibited.

7 DRAFT INNER NORTH SUBREGIONAL STRATEGY

RESOLUTION: (Moved by Councillors Perram and Yedelian)

That the Draft Submission on the Draft Inner North Subregional Strategy be endorsed and sent to the Department of Planning with the following amendments –

- (i) That bullet point 1 of the key points set out on pages 67 & 68 of the Committee of the Whole Agenda No. 16/07 be amended to read as follows:
 - The requirement for the City of Ryde to plan for an additional 12,000 dwellings to be provided by 2031 is noted,

- (ii) That bullet point 2 of the key points set out on pages 67 & 68 of the Committee of the Whole Agenda No. 16/07 be amended to read as follows:
- The requirement for the City of Ryde to plan for an additional 21,000 jobs by 2031 is noted,
- (iii) That bullet point 11 of the key points set out on pages 67 & 68 of the Committee of the Whole Agenda No. 16/07, relating to the ADI site at Putney, be deleted.

Note: Councillors O'Donnell and Wilde OAM recorded their name against this resolution.

**8 RYDE BUSINESS DEVELOPMENT WEEK AND BUSINESS EXPO –
15 to 22 August 2007**

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

That the report of the Manager Urban Planning, dated 3 September, 2007, providing an overview of the Business EXPO and Ryde Business Development Week be received and noted.

**9 HERITAGE ADVISORY COMMITTEE – Minutes of the Meeting held on 22
August 2007**

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

- (a) That the Minutes of the City of Ryde Heritage Advisory Committee Meeting 04/07 held on 22 August 2007 be received and noted.
- (b) That the six applications received under the Heritage Assistance Fund be approved in accordance with the information contained in the report of the Manager Urban Planning, dated 28 August 2007.

CLOSED COMMITTEE

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and it was resolved on the motion of Councillors Wilde OAM and Netterfield that item 10 should be dealt with in a part of the meeting closed to the media and public.

Note: At 9.05pm, the Committee of the Whole moved into Closed Session to the exclusion of the press and public.

10 31 THOMPSON STREET, GLADESVILLE – Status report on Court of Appeal Proceedings

Note: This item is classified as CONFIDENTIAL under Section 10A(2)(g) 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 that would 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 Wilde OAM and Netterfield)

That the report from the General Counsel, dated 9 September 2007 regarding 31 Thompson Street, Gladesville – Status of Court of Appeal Proceedings be received and noted.

RESOLUTIONS FROM THE CLOSED COMMITTEE

It was resolved on the motion of Councillors Yedelian and Netterfield:-

That the Committee of the Whole resolve into Open Session.

Note: At 9.14pm, the Committee of the Whole moved into Open Session.

The resolutions of the Committee while the meeting was closed to the press and public were read to the meeting by the General Manager.

SUSPENSION OF STANDING ORDERS

At this stage, the Mayor Councillor Petch moved a Suspension of Standing Orders which WAS CARRIED to discuss the possibility of altering the balance of members between the Public Facilities & Services Committee and Development Committee noting that Councillor Melhem will likely be taking Leave of Absence in the near future for the birth of her child.

It was resolved on the motion of Councillors Netterfield and Tagg –

THAT COUNCILLOR TAGG BE APPOINTED AS A MEMBER OF THE PUBLIC FACILITIES & SERVICES COMMITTEE AND DISCONTINUE AS A MEMBER OF THE DEVELOPMENT COMMITTEE.

Note: Councillor O'Donnell recorded her name against this resolution.

The meeting closed at 9.16 pm.

CONFIRMED THIS

DAY OF

2007

Chairperson