

Committee of the Whole

MINUTES OF MEETING NO. 09/09

Meeting Date: Tuesday 16 June 2009
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

Councillors Present: The Mayor, Councillor V Tagg and Councillors M Butterworth, N Campbell, A Etmekdjian, J Li, R Maggio, G O'Donnell, I Petch, T Perram, W Pickering, J Salvestro-Martin and S Yedelian OAM.

Apology: Nil

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Manager Urban Planning, Acting Team Leader Urban Planning and Senior Administration Co-ordinator.

DISCLOSURES OF INTEREST

Councillor Yedelian OAM disclosed a non-pecuniary interest in Item 2 of the Committee's Report No. 09/09 – GLADESVILLE TOWN CENTRE AND VICTORIA ROAD CORRIDOR PLANNING CONTROLS, for the reason that he owns an office on the Hunters Hill side of Gladesville.

1 CONFIRMATION OF MINUTES

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

That the Minutes of the Committee of the Whole No. 08/09 held on 02 June 2009, be confirmed.

Record of Voting

For the Motion: Unanimous.

Minutes of the Committee of the Whole No. 9/09, dated 16 June 2009.

2 GLADESVILLE TOWN CENTRE AND VICTORIA ROAD CORRIDOR PLANNING CONTROLS

Note: Mr Graeme Cordiner, Ms Yvonne Dornan, Mr Reg Cain, Ms Elizabeth Peet, Mr Graeme Beere, Ms Belinda Stewart, Ms Kelly Ghaleb, Ms Maria Palise, Mr Craig Sinclair and Councillor Ross Sheerin addressed the meeting.

Note: Items of correspondence dated 16 June 2009 were tabled from residents regarding this Item and are ON FILE.

Note: Mr Russell Olsson, Consultant to Council was present to answer questions.

MOTION: (Moved by Councillors Butterworth and O'Donnell)

- (a) That the report of the Senior Strategic Planner, dated 19/03/2009 on GLADESVILLE TOWN CENTRE AND VICTORIA ROAD CORRIDOR PLANNING CONTROLS, be received and noted.
- (b) That the amendments to the Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008 and Development Control Plan as outlined in this report be adopted.
- (c) That the draft Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008 be forwarded with a s.68 report to the Department of Planning with a request that the Minister make the Plan.
- (d) That the amendments to the Gladesville Town Centre and Victoria Road Corridor Development Control Plan are made and the plan becomes effective upon the making of the Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008.
- (e) That draft Heritage Item 141, Our Lady Queen of Peace Church, 329 Victoria Road, Gladesville be deferred from Schedule 5 of the draft Gladesville Town Centre and Victoria Road Local Environmental Plan 2008 and a further report be submitted to Council following discussions with the landowner.

AMENDMENT: (Moved by Councillors Yedelian and Petch)

- a) That the report of the Senior Strategic Planner, dated 19/03/2009 on GLADESVILLE TOWN CENTRE AND VICTORIA ROAD CORRIDOR PLANNING CONTROLS, be received and noted.
- (b) That the amendments to the Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008 and Development Control Plan as outlined in this report be adopted.
- (c) That the draft Gladesville Town Centre and Victoria Road Corridor Local

Minutes of the Committee of the Whole No. 9/09, dated 16 June 2009.

Environmental Plan 2008 be forwarded with a s.68 report to the Department of Planning with a request that the Minister make the Plan.

- (d) That the amendments to the Gladesville Town Centre and Victoria Road Corridor Development Control Plan are made and the plan becomes effective upon the making of the Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008.
- (e) That draft Heritage Item 141, Our Lady Queen of Peace Church, 329 Victoria Road, Gladesville be deferred from Schedule 5 of the draft Gladesville Town Centre and Victoria Road Local Environmental Plan 2008 and a further report be submitted to Council following discussions with the landowner.
- (f) That Council write to Hunter's Hill Council seeking their support of the Gladesville Town Centre and Victoria Road Corridor Planning Controls as soon as possible.

The AMENDMENT was withdrawn.

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

- (a) That the report of the Senior Strategic Planner, dated 19/03/2009 on GLADESVILLE TOWN CENTRE AND VICTORIA ROAD CORRIDOR PLANNING CONTROLS, be received and noted.
- (b) That the amendments to the Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008 and Development Control Plan as outlined in this report be adopted.
- (c) That the draft Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008 be forwarded with a s.68 report to the Department of Planning with a request that the Minister make the Plan.
- (d) That the amendments to the Gladesville Town Centre and Victoria Road Corridor Development Control Plan are made and the plan becomes effective upon the making of the Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008.
- (e) That draft Heritage Item 141, Our Lady Queen of Peace Church, 329 Victoria Road, Gladesville be deferred from Schedule 5 of the draft Gladesville Town Centre and Victoria Road Local Environmental Plan 2008 and a further report be submitted to Council following discussions with the landowner.

Record of Voting

For the Motion: Unanimous.

Minutes of the Committee of the Whole No. 9/09, dated 16 June 2009.

3 312 VICTORIA ROAD GLADESVILLE. Lot 100 in DP 771721. Application pursuant to Section 96(1A) of the Environmental Planning and Assessment Act, 1979 to amend the approved Car Wash Facility and Cafe. MOD2009/60 to amend LDA2005/101.

Note: Ms Belinda Stewart, Ms Kelly Ghaleb and Mr Anthony Sahade addressed the meeting.

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

1. That Local Development Application No. MOD2009/0060 to modify the consent to LDA 101/2005 to erect a 2 storey car wash café at 312 Victoria Road, Gladesville, being lot 100 in DP 771721, be deferred and that Council seek further information to enable an accurate assessment of the impact of the proposed changes. The following is required to be submitted:
 - (a) Work as executed plans for all work that has been carried out and should include a site survey identification plan.
 - (b) A detailed description of all changes proposed, including identification of any conditions of consent that require modification.
 - (c) Details, including an acoustic assessment, sections and elevations, of the acoustic wall on the southern and western sides of the washbay. This is to include an assessment of the impact the relocated wall will have on the privacy, light, sunlight and amenity of the residents in the adjoining residential flat building.
 - (d) Details of the use of the area between the staff roof and the water recycling system, including an acoustic report if any noise producing plant, equipment, use by staff or the like is proposed.
 - (e) Details of the plant proposed on the plant platform on top of the café building. This should include elevations and an acoustic report and justification of need. If it can be justified consideration should be given to relocating the plant room to the space within the roof.
 - (f) Shadow plans showing before and after shadows on the adjoining residential property caused by the removal of the plant room from over the staff room and the extension of the washbay roof over the 1.5m landscape strip along the southern boundary.
 - (g) Amended plans deleting the fascia and sign over the washbay.
 - (h) A report that assesses the impact of glare from the illuminated signs, in particular the south facing wall sign, onto adjoining residents. The report should include measures to cut off power to the signs outside operating hours.

Minutes of the Committee of the Whole No. 9/09, dated 16 June 2009.

- (i) Details of how the 1.8m high fence is provided along the western side of the development as required by condition 76A of the consent. The details shall show the relationship between the fence and the acoustic barrier along the washbay.
 - (j) All plans should be at 1:100 scale, contain RL's using the same reference as the approved plans, show all changes by colouring and contain dimensions of all changes.
2. That Council facilitate meetings between the Applicant and the adjoining property owners and occupiers to allow discussion and resolution of all impacts and potential impacts from any approved development and construction activities.

Record of Voting

For the Motion: Unanimous.

4 DRAFT RYDE DEVELOPMENT CONTROL PLAN 2008 - Submissions

MOTION: (Moved by Councillors Campbell and Pickering)

- (a) That the report of the Strategic Planner, dated 21/05/2009 on DRAFT RYDE DEVELOPMENT CONTROL PLAN 2008 - Submissions , be received and noted.
- (b) That draft Development Control Plan 2008 be amended as outlined in this report.
- (c) That draft Development Control Plan 2008 be adopted and 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 upon the gazettal of draft Ryde LEP 2008.

AMENDMENT: (Moved by Councillors Perram and Petch)

- (a) That the report of the Strategic Planner, dated 21/05/2009 on DRAFT RYDE DEVELOPMENT CONTROL PLAN 2008 - Submissions , be received and noted.
- (b) That the draft Development Control Plan 2008 be amended as outlined in this report and part (c) below:
- (c) That the draft Development Control Plan, Section 9.6 Tree Preservation be modified to accede to the resident's submission as outlined on pages 87/88 of

Minutes of the Committee of the Whole No. 9/09, dated 16 June 2009.

the Committee of the Whole Report No. 09/09 and that the requirement of the owner to sign the application be removed.

- (d) That draft Development Control Plan 2008 be adopted and 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 upon the gazettal of draft Ryde LEP 2008.

Record of Voting

For the Amendment: The Mayor, Councillor Tagg, Councillors Petch, Perram, Li, Maggio, Etmekdjian, Butterworth, Yedelian OAM, Pickering.

Against the Amendment: Councillors Campbell, Salvestro-Martin and O'Donnell.

ON BEING PUT TO THE MEETING THE AMENDEMENT WAS **CARRIED**
THEREBY BECOMING THE MOTION

RESOLUTION: (Moved by Councillors Perram and Petch)

- (a) That the report of the Strategic Planner, dated 21/05/2009 on DRAFT RYDE DEVELOPMENT CONTROL PLAN 2008 - Submissions , be received and noted.
- (b) That the draft Development Control Plan 2008 be amended as outlined in this report and part (c) below.
- (c) That the draft Development Control Plan, Section 9.6 Tree Preservation be modified to accede to the resident's submission as outlined on pages 87/88 of the Committee of the Whole Report No. 09/09 and that the requirement of the owner to sign the application be removed..
- (d) That draft Development Control Plan 2008 be adopted and 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 upon the gazettal of draft Ryde LEP 2008.

Record of Voting

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

Against the Motion: Councillor Salvestro-Martin.

Minutes of the Committee of the Whole No. 9/09, dated 16 June 2009.

5 WASTE MINIMISATION AND MANAGEMENT - Review of Development Controls

RESOLUTION: (Moved by Councillors Butterworth and Maggio)

- (a) That the report of the Strategic Planner and Waste Management Co-ordinator dated 27/05/2009 on WASTE MINIMISATION AND MANAGEMENT - Review of Development Controls, be received and noted.
- (b) That the waste minimisation and management controls under City of Ryde DCP 2006 be reviewed with respect to matters contained within this report and an amending DCP be prepared with a view to replacing the existing waste minimisation and management controls under DCP 2006.
- (c) That DECC be advised of Council's decision by 30 June 2009.

Record of Voting

For the Motion: Unanimous.

6 RYDE HERITAGE ADVISORY COMMITTEE MINUTES 02/09

RESOLUTION: (Moved by Councillors Maggio and Petch)

That the report of the Heritage Officer, dated 1/06/2009 on RYDE HERITAGE ADVISORY COMMITTEE MINUTES 02/09, be received and noted.

Record of Voting

For the Motion: Unanimous.

The meeting closed at 10.19pm.

CONFIRMED THIS 21st DAY OF JULY 2009.

Chairperson

Minutes of the Committee of the Whole No. 9/09, dated 16 June 2009.