

Committee of the Whole

MINUTES OF MEETING NO. 13/09

Meeting Date: Tuesday 1 September 2009
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 7.32pm

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

Apology: Councillor Campbell.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Manager, Open Spaces, Consultant Town Planners, Manager Environmental Health and Building, Manager, The Environment, Media & Community Relations Officer and Senior Administration Co-ordinator.

DISCLOSURES OF INTEREST

Councillor Yedelian disclosed a non-pecuniary interest in Item 5 of the Committee's Report No. 13/09 – Item 5 Ryde Community Grants Allocation 2009-10, for the reason that he is a member of the Management Committee of one of the applicant groups.

Councillor Li disclosed a non-pecuniary interest in Item 5 of the Committee's Report No. 13/09 – Item 5 Ryde Community Grants Allocation 2009-10, for the reason that he is a volunteer with one of the applicant groups.

1 CONFIRMATION OF MINUTES

RESOLUTION: (Moved by Councillors Petch and Li)

That the Minutes of the Committee of the Whole No. 12/09 held on 18 August 2009, be confirmed.

Record of Voting:

For the Motion: Unanimous.

Minutes of the Committee of the Whole No. 13/09, dated 1 September 2009.

2 ABORIGINAL HERITAGE OFFICE PARTNERSHIP

Note: Mr Robert Emerson, Director of Open Space & Environmental Services from North Sydney Council and Mr David Watts, Aboriginal Heritage Manager from the Aboriginal Heritage Office gave a presentation to the Committee.

MOTION: (Moved by Councillors Perram and Maggio)

- (a) That the report of the Client Manager, dated 19/08/2009 on ABORIGINAL HERITAGE OFFICE PARTNERSHIP, be received and noted.
- (b) That Mr Robert Emerson and Mr David Watts be thanked for their presentation.

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

- (a) That the report of the Client Manager, dated 19/08/2009 on ABORIGINAL HERITAGE OFFICE PARTNERSHIP, be received and noted.
- (b) That Mr Robert Emerson and Mr David Watts be thanked for their presentation.
- (c) That the City of Ryde join the Aboriginal Heritage Office partnership from March 2010.
- (d) That Council Officers prepare a report on how best to utilise these services.

ON BEING PUT TO THE MEETING THE AMENDMENT WAS DECLARED **CARRIED** THEREBY BECOMING THE MOTION.

Record of Voting:

For the Amendment: The Mayor, Councillor Tagg, Councillors Pickering, Butterworth Petch, O'Donnell, Maggio, Salvestro-Martin, Etmekdjian and Yedelian.

Against the Amendment: Councillors Perram and Li

THE MOTION WAS PUT AND **CARRIED**.

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

- (a) That the report of the Client Manager, dated 19/08/2009 on ABORIGINAL HERITAGE OFFICE PARTNERSHIP, be received and noted.
- (b) That Mr Robert Emerson and Mr David Watts be thanked for their presentation.
- (c) That the City of Ryde join the Aboriginal Heritage Office partnership from

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March 2010.

(d) That Council Officers prepare a report on how best to utilise these services.

Record of Voting:

For the Motion: The Mayor, Councillor Tagg, Councillors Pickering, Butterworth, Petch, O'Donnell, Maggio, Salvestro-Martin, Etmekdjian and Yedelian.

Against the Motion: Councillors Perram and Li

3 312 VICTORIA RD GLADESVILLE. Lot 100 DP 771721. - Section 96 application MOD2009/60 to modify LDA2005/101. Modifications include: lower floor level of cafe, signage cube removed and replaced with illuminated sign and wash bay roof extended.

Note: Mr Anthony Sahade addressed the meeting. An email from Ms Belinda Stewart in relation to this matter was tabled and a copy is ON FILE.

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

(a) That the application for modification of Local Development Application No. LDA2005/101-03 be approved, and the Development Consent issued on 5 August 2008 be modified in the following manner:

Condition 1 which currently states:

1. Development is to be carried out in accordance with the plans received 30 October 2007 marked DA01H to DA08H and support information submitted to Council.

Be modified to:

1. Development is to be carried out in accordance with the following:

Drawing No.	Description	Designer	Date
DA 01(C)	Site/Layout Plan	I.D.Projects	23/07/09
DA10(C)	Floor plan	I.D.Projects	3/07/09
DA12(C)	Upper floor plan	I.D.Projects	3/07/09
DA13(C)	Wash back roof plan	I.D.Projects	3/07/09
DA14(C)	Elevations	I.D.Projects	3/07/09
DA15(C)	Car park, staff & plant	I.D.Projects	3/07/09
DA16(C)	Elevations & Section	I.D.Projects	3/07/09
DA20(C)	Elevations	I.D.Projects	3/07/09

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DA21(C)	Elevations	I.D.Projects	3/07/09
DA25(C)	Elevations & Section	I.D.Projects	3/07/09
04247DA1(C)	Landscape Plan	Vision Dynamics	15/07/09

- Statement of Environmental Effects prepared by Mike George Planning Pty Ltd dated July 2009.
- Acoustic Report prepared by The Acoustic Group and dated 22 June 2009.

Condition 22 which currently states:

- 22. Lighting** – The premises must be provided with adequate lighting for the activities carried out on the premises.

Be modified to:

- 22. Lighting** – The premises must be provided with adequate lighting for the activities carried out on the premises.

The external spot lights shall be directed so as to prevent light spill into the adjoining residential properties.

All external spot lights shall be turned off by 7.00pm daily. The operator of the car wash shall provide adjoining residents a telephone number that will be accessible up to 12.00midnight on any day to facilitate reporting by residents of the operation of spot lights beyond 7.00pm. Alternatively, the phone number can be attached to the front and rear of the building in a prominent position that is able to be observed by residents while standing on the public road.

Condition 53 which presently states:

- 53. Storage of garbage and recycling materials** – A separate room or area must be provided in a convenient location on the premises for the storage of garbage and recycling materials.

Be modified to:

- 53. Storage of garbage and recycling materials** – A separate room or area must be provided in a convenient location on the premises for the storage of garbage and recycling materials. If the Laundry Room is not to be also used as a garbage room, then a waste container is to be stored/placed adjacent to the entry to the laundry room.

Condition 71 which currently states:

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71. Only those trees shown for removal on the plans may be removed. All other trees must remain unless exempt under Councils Tree Preservation Order. Trees that are to remain on site are to be protected against damage during construction. All mature trees to remain shall be clearly marked and a fence erected around their drip line as set out in Condition 91-105. This shall include the landscaped area on the northwestern corner (Gerald Lane) corner of the site. A qualified arborist shall inspect the tree protection measures and documentary evidence of tree protection measures is to be submitted to Council prior to the issuing of the **Construction Certificate**.

Be modified to:

71. The site shall be landscaped in accordance with the Landscape Plan prepared by Vision Dynamics Landscape Design, being drawing No. 04247DA1 C dated 15 July 2009.

Eight (8) of the Lilly Pilly trees proposed to be planted along the western boundary of the site shall be advanced specimens and shall be growing in a 45 litre or larger pot prior to planting.

The existing landscaped area adjoining the site's southern boundary shall be maintained as part of the overall landscaping of the site. In the event any trees growing adjacent to the site's southern boundary, including the Eucalyptus trees growing near Victoria Road die, they shall be replaced with advanced specimens of a native tree that has a mature height of at least 8m.

Condition 73 which currently states:

73. The wash bay enclosure is to be between 2 x 100mm high bunds that separate the vacuum area from the wash bay and wipe down area from the wash bay. The walls of the enclosure from the roof line to the ground level are to have no gaps. The walls can be of colourbond or a minimum of 6.38mm laminated glazing. Any doors/gates in this wall (e.g. to the plant/staff room) shall be fitted with self closing devices and shall achieve the same acoustic rating as the wall when closed. Details shall be shown on the **Construction Certificate** plans.

Be modified to:

73. The wash bay enclosure is to be surrounded by 2 x 100mm high bunds that separate it from the vacuum area and the wipe down area, as per detailed on Drawing No. DA01(C) (Issue D). The walls of the vacuum bay enclosure shall be from the roof line to the ground level are to have no gaps, as detailed on Drawing No. DA01(C) (Issue D). The walls can be of colourbond or a minimum of 6.38mm laminated glazing. Any doors/gates in this wall (e.g. to the plant/staff room) shall be fitted with self closing devices and shall achieve the same acoustic rating as the wall when closed. Details shall be shown on

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the **Construction Certificate** plans.

Condition 78 which currently states:

78. The 1.8m high colourbond fence (Meadow colour) proposed along the Gerald Lane frontage shall be altered to comply with the following with details being shown on the **Construction Certificate** plans:
- (a) The 23.048m part adjoining the west side of the staff/plant room building shall remain as shown on the plans.
 - (b) The fence shall then run in an easterly direction along the side of water recycling system (on site detention tank) to the kerbing that separates the landscaping from the wipe down area.
 - (c) The fence shall then run in a northerly direction following the edge of the kerbing until it finishes at the common boundary with the Freedom car park. Staff parking space No. 3 shall be behind the fence so that the fence acts as a noise attenuation device between the parking space and residential properties to the west.
 - (d) The fence proposed along the remainder of the Gerald Lane boundary shall be 1.8m high and be of materials chosen to minimise the likelihood of graffiti with preference for dark coloured chain wire similar to that existing.

Be modified to:

78. The southern side of the development site shall be treated in accordance with the following, with details being shown on the **Construction Certificate** plans:
- (a) The southern side of the wash bay shall be enclosed by a continuous full height (roof to ground level) 6.38m high laminated glazing, shall have no gaps and the acoustic wall shall be opaque, frosted or similar, for a distance of 1.8m from the floor level so as to screen the car wash activities from adjoining residents..
 - (b) a 1.8m high fence (colourbond, lapped capped or opaque glazing) shall extend from its northern end of the car wash along the edge of the concrete to the northern boundary. A gate may be installed to provide access for maintenance of the landscaped area.
 - (c) The fence proposed along the remainder of the Gerald Lane boundary shall be 1.8m high and be of materials chosen to minimise the likelihood of graffiti with preference for dark coloured chain wire similar to that existing.

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Condition 155 which currently states:

155. Any illumination of the car wash facility shall be by internal illumination only and shall be fitted with a device that cuts power to the illumination when the business is closed.

Be modified to:

155. Any illumination of the car wash facility shall be by internal illumination only and shall be fitted with a device that cuts power to the illumination when the business is closed.

All illuminated signage of the car wash facility shall be by internal illumination only and shall be fitted with a device that cuts power to the illumination at 9.00pm daily.

Additional conditions:

173. The three (3) car spaces on the northern side of the site shall be relocated to the west to minimise their intrusion to the wipe down area. These spaces shall be marked and sign posted as for use as staff parking.

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

Record of Voting:

For the Motion: Unanimous.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Petch and Pickering)

That standing orders be suspended the time being 8.27pm to allow consideration of Item 7 – ADVISORY COMMITTEE MEETING – Minutes of BEACR Meeting of 13 July 2009.

Record of Voting:

For the Motion: Unanimous.

7 ADVISORY COMMITTEE MEETING - Minutes of BEACR Meeting of 13 July 2009

Note: Mr Noel Plumb addressed the meeting on behalf of the Ryde Environment Group. He tabled a document in relation to this matter and a copy is ON FILE.

Councillor Butterworth left the meeting at 8.57pm and was not present for consideration of Item 7.

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

- a) That the report of the Manager - Open Space, dated 23/07/2009 on ADVISORY COMMITTEE MEETING - Minutes of Bushland and Environs Advisory Committee for Ryde meeting of 13 July 2009, be received and noted.
- (b) That Council note and consider the Bushland and Environs Advisory Committee for Ryde recommendations 1 and 2 (outlined below) in a further report on the consultation outcomes of the Street Tree Program, as resolved at the Committee of the Whole of 17 March 2009.
 1. "That all non local native trees and exotic trees proposed in the 2009 –2011 Street Tree Program and identified to Council by representatives of the Ryde Environment Group and Ryde Hunters Hill Flora and Fauna Preservation Society in their letter of 25 March 2009 and discussions with Council officers on 26 March be replaced by locally occurring, appropriate native trees submitted by Ryde Environment Group and the Society to Council on 25 and 26 March 2009"
 2. "That as a matter of urgency a program be started to have appropriate locally occurring native trees for the Street Tree Planting Program sourced from seed from local reserves (wherever possible) and grown up as tube stock by a local native plant specialist grower. Where necessary, the tube stock will then be grown on by a commercial nursery to provide advanced trees for street planting"
- (c) That Council write to the Department of Aging and Disability and the Dept of Environment & Climate Change requesting that the remaining Sydney Turpentine Ironbark Forest Endangered Ecological Community and the Sydney Blue Gum High Forest Community on the Macquarie Hospital Site be managed in consultation with a local steering group and in accordance with the "Best Practice Guidelines of the National Parks and Wildlife Service".
- (d) That the Manager, Open Spaces provide a further report on how to best implement part (b) above.

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Record of Voting:

For the Motion: The Mayor, Councillor Tagg, Councillors Pickering, Petch, O'Donnell, Maggio, Salvestro-Martin, Yedelian, Perram, Li and Etmekdjian.

RESUMPTION OF STANDING ORDERS

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

That standing orders be resumed, the time being 9.00pm

Record of Voting:

For the Motion: The Mayor, Councillor Tagg, Councillors Pickering, Petch, O'Donnell, Maggio, Salvestro-Martin, Yedelian, Perram, Li and Etmekdjian.

Councillor Butterworth returned to the meeting, the time being 9.01pm.

4 PUBLIC LIGHTING TECHNOLOGY OPTIONS FOR CITY OF RYDE

RESOLUTION: (Moved by Councillors Yedelian and Maggio)

- a) That the report of the Sustainability Engineer, dated 18/05/2009 on PUBLIC LIGHTING TECHNOLOGY OPTIONS FOR CITY OF RYDE, be received and noted.
- b) That the Sustainability Engineer maintain a watching brief on the City of Sydney LED Trial and the results of the trial be subject to further consideration by Council.
- c) That the City of Ryde continue its involvement in the Street Lighting Improvement Program (SLIP) and liaise with the Department of Environment and Climate Change on emerging lighting technologies and related policy direction.

Record of Voting:

For the Motion: Unanimous.

5 RYDE COMMUNITY GRANTS ALLOCATION 2009-10**RESOLUTION:** (Moved by Councillors Li and Maggio)

- a) That the report of the Manager - Community and Culture, dated 24/08/2009 on RYDE COMMUNITY GRANTS ALLOCATION 2009-10, be received and noted.
- b) That the City of Ryde Community Grants 2009 funds of \$100,000 as listed in the report of the Manager Community & Culture dated 24 August 2009 be adopted
- c) That the successful and unsuccessful grant applicants be informed in writing of the outcome of their application.

Record of Voting:For the Motion: Unanimous.**6 46 JEANETTE STREET, EAST RYDE - Encroachments onto Public Land****RESOLUTION:** (Moved by Councillors Petch and Butterworth)

That the report of the Group Manager - Corporate Services, dated 27/08/2009 on 46 JEANETTE STREET, EAST RYDE - Encroachments onto Public Land, be received and noted.

Record of Voting:For the Motion: Unanimous.**7 ADVISORY COMMITTEE MEETING - Minutes of BEACR Meeting of 13 July 2009**

Note – This Item was dealt with earlier in the meeting as detailed in these Minutes.

8 ADVISORY COMMITTEE MINUTES - ACCESS 5 August 2009**RESOLUTION:** (Moved by Councillors Pickering and Salvestro-Martin)

That the report of the Access and Equity Coordinator, dated 13/08/2009 on ADVISORY COMMITTEE MINUTES - ACCESS 5 August 2009 including the minutes, be received and noted.

Record of Voting:

For the Motion: Unanimous.

The meeting closed at 9.10pm.

CONFIRMED THIS 15th DAY OF SEPTEMBER 2009.

Chairperson

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