

Meeting Date: Tuesday 12 March 2013
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm
(Please note this meeting was not completed on Tuesday, 12 March 2013 and was reconvened on Tuesday, 19 March 2013 as detailed in these Minutes)

Councillors Present: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Perram, Pickering, Salvestro-Martin, Simon and Yedelian OAM.

Apologies: Nil.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Acting Group Manager - Public Works, Manager – Communications and Media, Service Unit Manager – Urban Planning, Service Unit Manager – Customer Service and Governance, Service Unit Manager – Environmental Health & Building, Service Unit Manager – Environment, Team Leader – Building Compliance, Section Manager – Community Engagement and Social Media and Section Manager – Governance.

PRAYER

Pastor Dean Moore of the Ryde Baptist Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in Item 2(5) of the Report of the Planning and Environment Committee Meeting 3/13 held on 5 March 2013 – Unauthorised Development 29 Vimiera Road Eastwood for the reason that he is aware of the applicant involved in charity community events – as an East Ward Councillor and Cox's Road Master Plan.

Councillor Laxale disclosed a Significant Non-Pecuniary Interest in Notice of Motion 1 – Deferred Notice of Motion: Legal Costs for the Supreme Court Injunction for the reason that he has a relationship with defendant, former Councillor Butterworth.

Councillor Li disclosed a Pecuniary Interest in Notice of Motion 1 – Deferred Notice of Motion: Legal Costs for the Supreme Court Injunction and Item 8 – Policy on the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors for the reason that he is a defendant in legal proceedings.

Councillor Simon disclosed a Significant Non-Pecuniary Interest in Notice of Motion 1 – Deferred Notice of Motion: Legal Costs for the Supreme Court Injunction for the reason that he has a personal relationship with defendants, specifically former Councillor Michael Butterworth.

Councillor Salvestro-Martin disclosed a Pecuniary Interest in Notice of Motion 1 – Deferred Notice of Motion: Legal Costs for the Supreme Court Injunction and Item 8 – Policy on the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors for the reason that he is a listed party in legal proceedings.

Councillor Perram disclosed a Pecuniary Interest in Notice of Motion 1 – Deferred Notice of Motion: Legal Costs for the Supreme Court Injunction and Item 8 – Policy on the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors for the reason that he is a defendant in incomplete Court proceedings where costs have to be determined.

The Mayor, Councillor Petch disclosed a Pecuniary Interest in Notice of Motion 1 – Deferred Notice of Motion: Legal Costs for the Supreme Court Injunction for the reason that he is a defendant in these legal proceedings.

The Mayor, Councillor Petch disclosed a Pecuniary Interest in Item 8 – Policy on the Payment of Expenses and Provision of Facilities for the Mayor and other Councillors for the reason that he is a defendant in a legal matter.

The Mayor, Councillor Petch disclosed a Less than Significant Non-Pecuniary Interest in Item 2(5) of the Report of the Planning and Environment Committee Meeting 3/13 held on 5 March 2013 – Unauthorised Development 29 Vimiera Road Eastwood for the reason that he knows the person named in the action.

TABLING OF PETITIONS

No Petitions were tabled.

MATTER OF URGENCY

Councillor Salvestro-Martin requested to raise a Matter of Urgency in order to table a letter dated 12 March 2013 received from the Refugee Council of Australia.

The Mayor, Councillor Petch accepted this as an urgent Item.

RESOLUTION: (Moved by The Mayor, Councillor Petch and Councillor Li)

That Council consider a Matter of Urgency regarding the tabling of a letter dated 12 March 2013 received from the Refugee Council of Australia, the time being 7.49pm.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Perram, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillor Pickering

Note: The letter dated 12 March 2013 from the Refugee Council of Australia was tabled and a copy is ON FILE.

RESOLUTION: (Moved by The Mayor, Councillor Petch and Councillor Li)

That the Matter of Urgency and the tabled letter dated 12 March 2013 received from the Refugee Council of Australia be considered in conjunction with Notice of Motion 10 – Housing of Asylum Seekers at Macquarie University.

Record of Voting:

For the Motion: Unanimous

TABLING OF CORRESPONDENCE - CONFIDENTIAL

The Mayor, Councillor Petch tabled Confidential Legal Advice received from AJL Legal dated 10 March 2013 and a copy is ON FILE.

TABLING OF DOCUMENTATION

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That all other correspondence be tabled and considered in conjunction with the relevant Items.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY

Councillor Pendleton advised that she wished to raise a Matter of Urgency regarding the Planning Assessment Commission (PAC) determination of Meadowbank Shepherds Bay.

The Mayor, Councillor Petch accepted this Item as an Urgent Item.

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

That Council consider a Matter of Urgency regarding the Planning Assessment Commission (PAC) determination of Meadowbank Shepherds Bay, the time being 7.57pm.

Record of Voting:

For the Motion: Unanimous

PLANNING ASSESSMENT COMMISSION (PAC) DETERMINATION OF MEADOWBANK SHEPHERDS BAY

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

- (a) That the Acting General Manager prepare a report on Council's options to challenge the Planning Assessment Commission (PAC) determination including a legal opinion of Meadowbank Shepherds Bay.
- (b) That the report be provided to Council within seven (7) days for further consideration.

Record of Voting:

For the Motion: Unanimous

LEAVE OF ABSENCE

Councillor Li requested a Leave of Absence from Monday, 25 March 2013 to Tuesday, 2 April 2013.

RESOLUTION: (Moved by Councillors Li and Councillor Yedelian OAM)

That Councillor Li's Leave of Absence for the period from Monday, 25 March 2013 to Tuesday, 2 April 2013 be approved.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Sherie Barton	Notice of Motion 9 – Ombudsman System
John Ward	Item 4 – Draft Ryde LEP 2011 – Open Community Workshop

Kevin Bevitt (representing Harry Fellas of 15 Farm Street, Gladesville and Mr Dawborn of 1/365 Victoria Road, Gladesville)	Item 4 – Draft Ryde LEP 2011 – Open Community Workshop
Anne Doring (representing Eastwood Ryde Netball Association)	Notice of Motion 12 – Amenity Building at Meadowbank Park
Jill Hartley	Item 4 – Draft Ryde LEP 2011 – Open Community Workshop and Item 6 – Electric Vehicles Study for City of Ryde 2012
Aaron Lynch	Item 4 – Draft Ryde LEP 2011 – Open Community Workshop
Gregor Zylber (representing the owners of properties 11-15 Farm Street and 392-396 Victoria Road, Gladesville)	Item 4 – Draft Ryde LEP 2011 – Open Community Workshop
Jennie Minifie (representing Ryde Community Alliance and Ryde Environment Group)	Item 4 – Draft Ryde LEP 2011 – Open Community Workshop

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

That members of the public who had requested to address Council on Item 2(5) of the Planning and Environment Committee Meeting 3/13 held on 5 March 2013 be allowed to address the meeting at this time.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Ian Mooney	Item 2(5) – Unauthorised Development 29 Vimiera Road, Eastwood
Stephen Raymond	Item 2(5) – Unauthorised Development 29 Vimiera Road, Eastwood
Derek Raymond (representing Lina Raymond)	Item 2(5) – Unauthorised Development 29 Vimiera Road, Eastwood
Belle O'Keefe	Item 2(5) – Unauthorised Development 29 Vimiera Road, Eastwood
Lachlan Roots	Item 2(5) – Unauthorised Development 29 Vimiera Road, Eastwood

MAYORAL MINUTES

There were no Mayoral Minutes.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Perram and Yedelian OAM

That Council now consider the following Items, the time being 8.54pm:-

- Item 4 – Draft Ryde LEP 2011 – Open Community Workshop.
- Item 6 – Electric Vehicles Study for City of Ryde 2012.
- Notice of Motion 9 – Ombudsman System.
- Notice of Motion 10 – Housing of Asylum Seekers.
- Notice of Motion 12 – Amenity Building at Meadowbank Park

Record of Voting:

For the Motion: Unanimous

4 DRAFT RYDE LEP 2011- OPEN COMMUNITY WORKSHOP

Note: John Ward, Kevin Bevitt (representing Harry Fellas of 15 Farm Street, Gladesville and Mr Dawborn of 1/365 Victoria Road, Gladesville), Jill Hartley, Aaron Lynch, Gregor Zylber (representing the owners of properties 11-15 Farm Street and 392-396 Victoria Road, Gladesville) and Jennie Minifie (representing Ryde Community Alliance and Ryde Environment Group) addressed the meeting in relation to this Item.

Note: A Memorandum from the Group Manager – Environment and Planning dated 12 March 2013 was tabled in relation to this Item and a copy is ON FILE.

Note: Correspondence from Metroplan, Town Planning & Development Consultants dated 7 March 2013 was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Chung and Etmekdjian)

(a) That Council amend Draft Ryde LEP 2011 in accordance with the changes identified in *Table 1 – Amendments to LEP 2011* attached to this report, subject to the removal of Items 1 and 2 (Farm Street properties and Our Lady Queen of Peace) and that these be placed into Table 2.

(b) That Council forward to the Department of Planning and Infrastructure draft LEP 2011 as amended with a Section 68 report requesting that the Minister make the Plan.

- (c) That a Planning Proposal be prepared to amend Draft LEP 2011 in accordance with *Table 2 Planning Proposal Amendments to DLEP 2011* attached to this report and be supported by a consultation programme prepared by Council's Media and Communications Group and reported back to Council for further discussion and endorsement.
- (d) That a Master plan be undertaken for the area in Meadowbank Urban Village bounded by Railway Rd, Constitution Rd, Bowden Street and the Water Point development in the south.
- (e) That \$150 000 be allocated in the draft Delivery Plan to undertake the Master Plan for Meadowbank Urban Village and that it be part of the work programme for Environment and Planning for 2013/2014.
- (f) That prior to finalisation of the Bushland Plan of Management an Open Community Workshop be held.
- (g) That Council resolve to remove linear separation for dual occupancy (attached) and multi dwelling housing from Draft Development Control Plan 2011.
- (h) That Planning Proposals be accepted for consideration by Council for the properties:
- 12A, 14 Epping Rd/86 Blenheim Rd North Ryde
 - 2-14 Tennyson Rd Gladesville
 - 2 College St/10 Monash Rd Gladesville
 - Bulky goods premises as an additional land use in the IN2 zone Gladesville
 - 44-48 Eltham Street, Gladesville
- (i) That Council continue expressing its preferred planning outcomes regarding development of land within the North Ryde Station Precinct and surrounding areas, in particular the retention of the Tennis World site and land adjoining Bundarra Reserve as recreational/bushland with State Government agencies to ensure the best and most appropriate outcomes for the area.
- (j) That a Section 96 application in relation to 6 Clare St Gladesville be brought to the Planning and Environment Committee and that Council commits to maintaining Cottonwood Crescent and Peachtree Rd as roads.
- (k) That 100 Rowe Street Eastwood be rezoned to B4 Mixed Use and deleted from Ryde LEP 2011 Land Reservation Acquisition Map subject to agreement of the owner to enter into a legal agreement with Council to allow for stormwater works and a permanent easement to allow ongoing access to the resulting stormwater infrastructure at a timing of Council's choosing.
- (l) That Table 2 be amended to include the following the Torrens titling of current dual occupancy developments be permitted under DLEP 2011 for properties approximating a minimum of 800sqm to 1000sqm.

(m) That during consideration of the items in Table 2 a community workshop be held prior to the planning proposal being considered by Council.

RESOLUTION: (Moved by councillors Maggio and Yedelian OAM)

That this matter be dealt with in Seriatim.

Record of Voting:

For the Motion: Unanimous

AMENDMENT: (Moved by Councillors Maggio and Yedelian OAM)

(a) That Council amend Draft Ryde LEP 2011 in accordance with the changes identified in *Table 1 – Amendments to LEP 2011* attached to this report, subject to the proposed B4 zoning and development standards (FSR 1.5:1 and height of 12m) of 11-15 Farm Street, Gladesville be retained in the draft LEP 2011 and be submitted to the Department of Environment and Planning for gazettal.

On being put to the Meeting, the voting on the Amendment was four (4) votes For and eight (8) votes Against. The Amendment was LOST. The Motion was then put and CARRIED.

Record of Voting:

For the Amendment: Councillors Maggio, Li, Pickering and Salvestro-Martin

Against the Amendment: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Pendleton, Perram, Simon and Yedelian OAM

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

(a) That Council amend Draft Ryde LEP 2011 in accordance with the changes identified in *Table 1 – Amendments to LEP 2011* attached to this report, subject to the removal of Items 1 and 2 (Farm Street properties and Our Lady Queen of Peace) and that these be placed into Table 2.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Perram, Pickering, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillor Maggio

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

- (b) That Council forward to the Department of Planning and Infrastructure draft LEP 2011 as amended with a Section 68 report requesting that the Minister make the Plan.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

- (c) That a Planning Proposal be prepared to amend Draft LEP 2011 in accordance with *Table 2 Planning Proposal Amendments to DLEP 2011* attached to this report and be supported by a consultation programme prepared by Council's Media and Communications Group and reported back to Council for further discussion and endorsement.

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Perram, Pickering, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillor Maggio

AMENDMENT: (Moved by Councillors Salvestro-Martin and Simon)

- (d) That a Master plan be undertaken for the area in Meadowbank Urban Village bounded by Railway Rd, Constitution Rd, Bowden Street and the Water Point development in the south and consideration be given to similar transit oriented development opportunities adjacent transport interchanges where there is not already a Master Plan.

On being put to the Meeting, the voting on the Amendment was six (6) votes For and six (6) votes Against. The Mayor used his casting vote for the Amendment. The Amendment was CARRIED. The Amendment then became the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Petch and Councillors Laxale, Li, Pickering, Salvestro-Martin and Simon

Against the Amendment: Councillors Chung, Etmekdjian, Maggio, Pendleton, Perram and Yedelian OAM

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

- (d) That a Master plan be undertaken for the area in Meadowbank Urban Village bounded by Railway Rd, Constitution Rd, Bowden Street and the Water Point development in the south and consideration be given to similar transit oriented development opportunities adjacent transport interchanges where there is not already a Master Plan.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Pickering, Salvestro-Martin and Simon

Against the Motion: Councillors Maggio, Pendleton, Perram and Yedelian OAM
For the Amendment:

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

- (e) That \$150 000 be allocated in the draft Delivery Plan to undertake the Master Plan for Meadowbank Urban Village and that it be part of the work programme for Environment and Planning for 2013/2014.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Perram, Pickering, Salvestro-Martin and Simon

Against the Motion: Councillors Maggio and Yedelian OAM

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

- (f) That prior to finalisation of the Bushland Plan of Management an Open Community Workshop be held.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

- (g) That Council resolve to remove linear separation for dual occupancy (attached) and multi dwelling housing from Draft Development Control Plan 2011.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pickering, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillors Pendleton and Perram

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

(h) That Planning Proposals be accepted for consideration by Council for the properties:

- 12A, 14 Epping Rd/86 Blenheim Rd North Ryde
- 2–14 Tennyson Rd Gladesville
- 2 College St/10 Monash Rd Gladesville
- Bulky goods premises as an additional land use in the IN2 zone Gladesville
- 44-48 Eltham Street, Gladesville

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

(i) That Council continue expressing its preferred planning outcomes regarding development of land within the North Ryde Station Precinct and surrounding areas, in particular the retention of the Tennis World site and land adjoining Bundarra Reserve as recreational/bushland with State Government agencies to ensure the best and most appropriate outcomes for the area.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

(j) That a Section 96 application in relation to 6 Clare St Gladesville be brought to the Planning and Environment Committee and that Council commits to maintaining Cottonwood Crescent and Peachtree Rd as roads.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

- (k) That 100 Rowe Street Eastwood be rezoned to B4 Mixed Use and deleted from Ryde LEP 2011 Land Reservation Acquisition Map subject to agreement of the owner to enter into a legal agreement with Council to allow for stormwater works and a permanent easement to allow ongoing access to the resulting stormwater infrastructure at a timing of Council's choosing.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

- (l) That Table 2 be amended to include the following the Torrens titling of current dual occupancy developments be permitted under DLEP 2011 for properties approximating a minimum of 800sqm to 1000sqm.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

- (m) That during consideration of the items in Table 2 a community workshop be held prior to the planning proposal being considered by Council.

Record of Voting:

For the Motion: Unanimous

RESOLUTION:

- (a) That Council amend Draft Ryde LEP 2011 in accordance with the changes identified in *Table 1 – Amendments to LEP 2011* attached to this report, subject to the removal of Items 1 and 2 (Farm Street properties and Our Lady Queen of Peace) and that these be placed into Table 2.
- (b) That Council forward to the Department of Planning and Infrastructure draft LEP 2011 as amended with a Section 68 report requesting that the Minister make the Plan.

- (c) That a Planning Proposal be prepared to amend Draft LEP 2011 in accordance with *Table 2 Planning Proposal Amendments to DLEP 2011* attached to this report and be supported by a consultation programme prepared by Council's Media and Communications Group and reported back to Council for further discussion and endorsement.
- (d) That a Master plan be undertaken for the area in Meadowbank Urban Village bounded by Railway Rd, Constitution Rd, Bowden Street and the Water Point development in the south and consideration be given to similar transit oriented development opportunities adjacent transport interchanges where there is not already a Master Plan.
- (e) That \$150 000 be allocated in the draft Delivery Plan to undertake the Master Plan for Meadowbank Urban Village and that it be part of the work programme for Environment and Planning for 2013/2014.
- (f) That prior to finalisation of the Bushland Plan of Management an Open Community Workshop be held.
- (g) That Council resolve to remove linear separation for dual occupancy (attached) and multi dwelling housing from Draft Development Control Plan 2011.
- (h) That Planning Proposals be accepted for consideration by Council for the properties:
- 12A, 14 Epping Rd/86 Blenheim Rd North Ryde
 - 2-14 Tennyson Rd Gladesville
 - 2 College St/10 Monash Rd Gladesville
 - Bulky goods premises as an additional land use in the IN2 zone Gladesville
 - 44-48 Eltham Street, Gladesville
- (i) That Council continue expressing its preferred planning outcomes regarding development of land within the North Ryde Station Precinct and surrounding areas, in particular the retention of the Tennis World site and land adjoining Bundarra Reserve as recreational/bushland with State Government agencies to ensure the best and most appropriate outcomes for the area.
- (j) That a Section 96 application in relation to 6 Clare St Gladesville be brought to the Planning and Environment Committee and that Council commits to maintaining Cottonwood Crescent and Peachtree Rd as roads.
- (k) That 100 Rowe Street Eastwood be rezoned to B4 Mixed Use and deleted from Ryde LEP 2011 Land Reservation Acquisition Map subject to agreement of the owner to enter into a legal agreement with Council to allow for stormwater works and a permanent easement to allow ongoing access to the resulting stormwater infrastructure at a timing of Council's choosing.

- (l) That Table 2 be amended to include the following the Torrens titling of current dual occupancy developments be permitted under DLEP 2011 for properties approximating a minimum of 800sqm to 1000sqm.
- (m) That during consideration of the items in Table 2 a community workshop be held prior to the planning proposal being considered by Council.

6 ELECTRIC VEHICLES STUDY FOR CITY OF RYDE 2012

Note: Jill Hartley addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Perram and Laxale)

- (a) That Council endorses and notes the report.
- (b) That the recommended measures listed in table 3 of the 'Electric Vehicles within the City of Ryde' study dated 11 December 2012 be considered as part of future delivery plans when the electrical vehicle market is sufficiently mature and where no significant cost will be borne by Council.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

9 OMBUDSMAN SYSTEM - Councillor Denise Pendleton

Note: Sherie Barton addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Pendleton and Perram)

That a report for Council be prepared with options for an Ombudsman system that ensures citizens' complaints are dealt with fairly and impartially, that assists staff to focus on policies, guidelines and controls and which addresses systemic issues relating to poor administration, weak internal controls or unethical conduct within the Council.

The report should include consideration of the effective management of complaints and in particular how an Ombudsman system might be implemented by Ryde Council to:

- impartially investigate complaints by citizens about poor administration, maladministration or misconduct by council staff or councillors (in an administrative capacity).
- reach resolutions that are fair and reasonable.
- if a resolution can't be reached, the Ombudsman provides advice to Council to facilitate a final decision.

- to provide guidance and education for staff and councillors about ethical decision-making, proper conduct, council policies.
- ensure learnings from complaints and feedback are utilised for continuous improvement in Council systems and processes.

Record of Voting:

For the Motion: Unanimous

**10 HOUSING OF ASYLUM SEEKERS AT MACQUARIE UNIVERSITY -
Councillor Bill Pickering**

Note: Councillor Salvestro-Martin's Matter of Urgency was dealt with in conjunction with this Item.

Note: A letter dated 12 March 2013 received from the Refugee Council of Australia which was tabled earlier in the meeting by Councillor Salvestro-Martin was considered in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Pickering and Etmekdjian)

- (a) That the City of Ryde write to the Vice Chancellor of Macquarie University and the Federal Minister for Immigration, Brendan O'Connor, to confirm the accuracy or otherwise of media reports that the University was being used to accommodate asylum seekers on Campus.
- (b) That, if this is the case, Council expresses strong opposition to this practice particularly given the already acute shortage of on-campus student accommodation that has caused major community concerns with the proliferation of illegal boarding houses in surrounding suburbs.
- (c) That the City of Ryde also express its dissatisfaction with the Federal Government and the University for failing to inform the Council and the residents of Ryde about this practice (if media reports are accurate).

AMENDMENT: (Moved by Councillors Laxale and Simon)

- (a) That the City of Ryde welcomes the contribution that refugees, asylum seekers and immigrants have made to the City of Ryde.
- (b) That the City of Ryde continue to promote and protect cultural diversity.
- (c) That the Acting General Manager arrange a meeting between the Mayor, interested Councillors and the Refugee Council of Australia as outlined in correspondence tabled tonight.

On being put to the Meeting, the voting on the Amendment was eight (8) votes For and four (4) votes Against. The Amendment was CARRIED. The Amendment then became the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Petch and Councillors Chung, Laxale, Li, Pendleton, Perram, Salvestro-Martin and Simon

Against the Amendment: Councillors Etmekdjian, Maggio, Pickering and Yedelian OAM

RESOLUTION: (Moved by Councillors Laxale and Simon)

- (a) That the City of Ryde welcomes the contribution that refugees, asylum seekers and immigrants have made to the City of Ryde.
- (b) That the City of Ryde continue to promote and protect cultural diversity.
- (c) That the Acting General Manager arrange a meeting between the Mayor, interested Councillors and the Refugee Council of Australia as outlined in correspondence tabled tonight.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Perram, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillor Pickering

12 AMENITY BUILDING AT MEADOWBANK PARK - Councillor Roy Maggio

Note: Anne Doring (representing Eastwood Ryde Netball Association) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

That Council undertake to re-paint the exterior and interior of the amenity building at Meadowbank Park that is used by ERNA in time for the start of the netball season and prior the ceremony of the newly named Norma Woods Netball Courts.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Yedelian OAM and Salvestro-Martin)

That John Gude (representing AMP Capital Investors) be permitted to address the meeting at this time regarding Item 11 – Night Works Permit – Macquarie Shopping Centre Development, the time being 11.00pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following person then addressed the Council:-

John Gude (representing AMP Capital Investors)	Item 11 – Night Works Permit – Macquarie Shopping Centre Development
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ORDER OF BUSINESS

Note: At this point in the meeting, the Mayor, Councillor Petch recommended that Council consider Item 11.

LATE ITEM

11 NIGHT WORKS PERMIT - Macquarie Shopping Centre Development

Note: John Gude (representing AMP Capital Investors) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Salvestro-Martin)

- (a) That the application for approval to carry out night works from Thursday, 14 March 2013 to Friday, 12 April 2013 be approved subject to the following conditions:
1. This approval commences on Thursday, 14 March 2013 and expires on Friday, 12 April 2013, unless sooner suspended or revoked.
 2. The scope of works are limited to the works listed below and detailed in the Acoustic Report submitted with the application for approval:
 - Limited services diversions
 - Removal of facades
 - Limited preparation works for bored piers
 - Limited construction of bored piers
 - Limited construction of pier caps
 - Installation of preliminary steelwork.
 - Demolition of overhead concrete structures.

3. All feasible and reasonable practices must be implemented to control the emission of noise.
4. Unless otherwise approved, the work may be carried out on Monday to Thursday nights between 7.00pm and 7.00am the following day.
5. The demolition of the overhead concrete structures may be carried out between 7.00pm -11.00pm on Monday 18 March 2013, Tuesday 19 March 2013, Tuesday 2 April 2013 and Wednesday 3 April 2013
6. Unless otherwise approved, the noise level (Leq, 15 minute) from the demolition and construction work must not exceed the following noise level limits at the most noise affected residential premises in the vicinity:
 - (a) evening period (7.00pm - 11.00pm): 62dB(A)
 - (b) night-time period (11.00pm - 7.00am): 51dB(A)
7. The noise level (Leq, 15 minute) from the demolition of the overhead concrete structures must not exceed 69dB(A) at the most affected residential premises in the vicinity.
8. All potentially affected residents must be notified of the proposed works at least 48 hours before the works begin.
9. A manned 24 hour telephone contact line must be provided for affected residents to report noise problems.
10. A noise logger must be installed to continuously monitor the noise level at 16 Cottonwood Cres, North Ryde.
11. A suitably qualified acoustical consultant must be employed to carry out attended noise measurements for each construction activity undertaken, and when complaints are received about the level of noise, to ensure compliance with the noise level limits.
12. Where the noise exceeds the noise level limits, appropriate remedial action must be taken or the work must cease as soon as it is safe to do so.
13. Council must be notified in writing within 24 hours if the noise level limits are exceeded or any noise complaints are received.
14. Weekly noise monitoring reports must be submitted to Council before close of business on the Friday of the following week.
15. The weekly noise monitoring reports must include the following information:

- The type of monitoring conducted (eg. routine monitoring of construction activities or following complaints) and a brief statement of the measurement method.
- The noise limits specified in the approval.
- A description of the nearest affected residences or, in the case of complaints, a description of the complainant location and complaint.
- A plan or diagram showing the location of the noise generating works and monitoring locations.
- A description of the instrumentation used.
- The name and qualifications of the personnel carrying out the monitoring.
- The weather conditions during monitoring.
- The dates, times and durations of monitoring.
- A clear description of the construction activities taking place during the monitoring.
- The results of the monitoring at each monitoring location, including a comparison with the relevant noise limits.
- A clear statement outlining the projects compliance or non-compliance with the approval conditions.
- The reasons for any non-compliance and details of any remedial action taken or strategies proposed to minimise the noise.

16. Council may suspend or revoke this approval for failure to comply with the conditions of approval or if significant numbers of complaints are received.

- (b) That the Group Manager - Environment and Planning be given delegated authority to determine future applications to carry out night works unless a direction is received from Council to the contrary.
- (c) That the Group Manager - Environment and Planning be given delegated authority to suspend or revoke any night works approval granted.

Record of Voting:

For the Motion: Unanimous

LEAVE OF ABSENCE

Councillor Perram requested a Leave of Absence from Saturday, 16 March 2013 to Saturday, 23 March 2013.

RESOLUTION: (Moved by the Mayor, Councillor Petch and Councillor Yedelian OAM)

That Councillor Perram's Leave of Absence for the period from Saturday, 16 March 2013 to Saturday, 23 March 2013 be approved.

Record of Voting:

For the Motion: Unanimous

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Chung and Pendleton)

That Council now consider Item 2(5) of the Planning and Environment Committee Meeting 3/13 held on 5 March 2013 – Unauthorised Development 29 Vimiera Road, Eastwood, the time being 11.10pm.

Record of Voting:

For the Motion: Unanimous

CLOSED SESSION

ITEM 2(5) OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 3/13 HELD ON 5 MARCH 2013 – UNAUTHORISED DEVELOPMENT 29 VIMIERA ROAD, EASTWOOD

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.

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

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

Record of Voting:

For the Motion: Unanimous

Note: The Council closed the meeting at 11.11pm. The public and media left the chamber.

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 3/13 held on 5 March 2013

5 UNAUTHORISED DEVELOPMENT 29 VIMIERA ROAD EASTWOOD

Note: Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is aware of the applicant involved in charity community events – as an East Ward Councillor and Cox’s Road Master Plan.

Note: The Mayor, Councillor Petch disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he knows the person named in the action.

Note: Ian Mooney, Stephen Raymond, Derek Raymond (representing Lina Raymond), Belle O’Keefe and Lachlan Roots addressed the meeting in relation to this Item.

RECOMMENDATION: (Moved by Councillors Chung and Laxale)

- (a) That Council prosecute Alramon Pty Limited in the Local Court via a Court Attendance Notice for failing to cease unauthorised construction work at No. 29 Vimiera Road, Eastwood when directed by Council staff.
- (b) That Council prosecute Alramon Pty Limited in the Local Court via a Court Attendance Notice for carrying out unauthorised development at No. 29 Vimiera Road, Eastwood; and
- (c) That a further report be forwarded to Council for consideration on the merits of the building certificate application for the unauthorised work.
- (d) That if the building certificate is not issued, then Council note its intent to pursue the demolition of the unapproved structure.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

OPEN SESSION

RESOLUTION: (Moved by Councillors Pickering and Simon)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 11.25pm.

RESOLUTION: (Moved by Councillors Pickering 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

ADJOURNMENT

The Mayor, Councillor Petch adjourned this meeting to Tuesday, 19 March 2013, to commence at 7.30pm in the Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde, the time being 11.27pm.

The following Councillors were present: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Perram, Pickering, Salvestro-Martin, Simon and Yedelian OAM.

MEETING RECONVENED

The Meeting reconvened at 7.30pm on Tuesday, 19 March 2013 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Pickering, Salvestro-Martin and Yedelian OAM.

Note: Councillor Pickering was removed from the meeting at 10.07pm as a result of an Act of Disorder, as detailed in these Minutes and did not return. He was not present for consideration or voting on Precis of Correspondence 2, Notice of Motion 1, Notice of Motion 2, Notice of Motion 3, Notice of Motion 4, Notice of Motion 5, Notice of Motion 6, Notice of Motion 7, Notice of Motion 8, Notice of Motion 11 and Item 8.

Note: Councillor Li left the meeting at 10.53pm and did not return. He was not present for consideration or voting on Item 8.

Note: Councillor Salvestro-Martin left the meeting at 10.53pm and did not return. He was not present for consideration or voting on Item 8.

Apologies: Simon.

Leave of Absence: Councillor Perram.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Acting Group Manager - Public Works, General Counsel, Manager – Communications and Media, Service Unit Manager – Environment, Coordinator – Commissioning, Section Manager – Community Engagement and Social Media, Section Manager – Governance and Councillor Support Coordinator.

DISCLOSURES OF INTEREST

There were no further Disclosures of Interest.

LEAVE OF ABSENCE

Councillor Chung requested a Leave of Absence from Wednesday, 10 April 2013 to Friday, 26 April 2013.

RESOLUTION: (Moved by Councillors Chung and Maggio)

That Councillor Chung's Leave of Absence for the period from Wednesday, 10 April 2013 to Friday, 26 April 2013 be approved.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION

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

That members of the public who had requested to address Council on Items Listed on the Agenda and Items Not Listed on the Agenda be allowed to address the meeting at this time.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following person addressed the Council:-

Julie Worsley (representing Allengrove Against Inappropriate Development)	Notice of Motion 13 – Planning White Paper
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PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Julie Worsley (representing Allengrove Against Inappropriate Development)	Allengrove Development
Marie Sillars (representing Ivanhoe Estate Tenant Group)	Giving an update from Ivanhoe Estate, Macquarie Park and generally updating all about the UAP on this Estate
Jasmina Mollter	Support Resident Workshop regarding North Ryde Station Development proposed

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Laxale and Maggio)

That Council now consider the following Items, the time being 7.44pm:-

- Notice of Motion 13 – Planning White Paper
- Precis of Correspondence 1 – Macquarie Park Taskforce - Cessation

Record of Voting:

For the Motion: Unanimous

13 PLANNING WHITE PAPER - Councillor Jerome Laxale

Note: Julie Worsley addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Laxale and Pendleton)

That Council resolve to:

- (a) Hold one or more community workshop(s) on the NSW Planning White Paper, following its expected release in March 2013.
- (b) Conduct any such workshop(s) within one month after the release of the White Paper, in order to inform our local community about the proposals contained within the White Paper and provide an opportunity for Council staff and Councillors to hear community views on these proposals.

- (c) That Council write to the NSW Government and the local member seeking six months of public consultation on the Planning Reform.
- (d) That Ryde Council write to the other affected Councils that have a UAP and invite them to a meeting hosted by Ryde council to develop joint initiatives to fight the proposed overdevelopment.

AMENDMENT: (Moved by Councillors Maggio and Pickering)

- (a) That Council notes the potential widespread impact on our local community of the proposed Planning Law Reform being undertaken by the NSW Government.
- (b) That Council write to the NSW Government and the local member seeking six months of public consultation on the Planning Reform White Paper when it is released this year and commits to:
 - (i) holding one or two workshops when it is released:
 - (ii) assist the community to understand the NSW Government Planning Reforms
 - (iii) discuss the implications of these Reforms for our Local Government area
- (c) Consult with the community on how to co-operate with a new system for the betterment of our Local Government area.
- (d) Gain feedback on what the Council needs to know to support their community and obtain resident views for the Council's response to the White Paper and the draft legislation.

On being put to the Meeting, the voting on the Amendment was five (5) votes For and five (5) votes Against. The Mayor used his casting vote Against the Amendment. The Amendment was LOST. The Motion was then put and CARRIED.

Record of Voting:

For the Amendment: Councillors Chung, Etmekdjian, Maggio, Pickering and Yedelian OAM

Against the Amendment: The Mayor, Councillor Petch and Councillors Laxale, Li, Pendleton and Salvestro-Martin

RESOLUTION: (Moved by Councillors Laxale and Pendleton)

That Council resolve to:

- (a) Hold one or more community workshop(s) on the NSW Planning White Paper, following its expected release in March 2013.

- (b) Conduct any such workshop(s) within one month after the release of the White Paper, in order to inform our local community about the proposals contained within the White Paper and provide an opportunity for Council staff and Councillors to hear community views on these proposals.
- (c) That Council write to the NSW Government and the local member seeking six months of public consultation on the Planning Reform.
- (d) That Ryde Council write to the other affected Councils that have a UAP and invite them to a meeting hosted by Ryde council to develop joint initiatives to fight the proposed overdevelopment.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Salvestro-Martin and Yedelian OAM

Against the Motion: Councillor Pickering

PRECIS OF CORRESPONDENCE

1 MACQUARIE PARK TASKFORCE - CESSATION

RESOLUTION: (Moved by Councillors Laxale and Yedelian OAM)

- (a) That the correspondence be received and noted.
- (b) That Ryde Council write to the Minister for Planning and to the Honourable Victor Dominello MP, Member for Ryde, requesting that the Macquarie Park Taskforce be re-instated and that the Ivanhoe Tenants Estate Group be invited to participate in deliberations.
- (c) That in the letter to the Minister for Planning and the Local Member for Ryde, Council request that the Mayor, interested Councillors and the representatives from the Ivanhoe Estate meet with the above Ministers to seek the re-instatement of the Macquarie Park Taskforce.

Record of Voting:

For the Motion: Unanimous

TABLING OF PETITIONS

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

That Councillor Li be permitted to table a petition from users of the Civic Hall.

Record of Voting:

For the Motion: Unanimous

Note: The petition was tabled and a copy is ON FILE.

MAYORAL MINUTES

MM5/13 GARAGE SALE TRAIL

RESOLUTION: (Moved by The Mayor, Councillor Petch and Councillor Yedelian OAM)

That:

- (a) Council take part in the 2013 Garage Sale Trail and take all necessary actions, including using the promotion of the garage sale trail to remind residents of the appropriate disposal of waste.
- (b) Council's contribution of \$12,500.00 be funded from Council's Domestic Waste Management Reserve.
- (c) That Council advise all local State Members of its participation in the scheme.
- (d) That the Group Manager – Public Works report on a suitable venue for combined garage sale open to the members of the public.
- (e) That this initiative be promoted through the Mayoral Column and existing channels of communication.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 26 February 2013

Note: Councillor Chung left the meeting at 8.37pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pickering and Pendleton)

That the Minutes of the Council Meeting 3/13, held on 26 February 2013 be confirmed.

Record of Voting:

For the Motion: Unanimous

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
3/13 held on 5 March 2013**

Note: Councillor Chung was not present for consideration of voting on this Item.

RESOLUTION: (Moved by Councillors Pendleton and Yedelian OAM)

That Council determine Items 4 and 5 of the Planning and Environment Committee report, noting that Items 1, 2 and 3 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Chung returned to the meeting at 8.39pm.

**4 77 WHARF ROAD, GLADESVILLE – LOT 2 DP 536882. Development
Application for alterations to the existing dwelling, including a new
front fence and gates. LDA2012/0272**

RESOLUTION: (Moved by Councillors Pendleton and Yedelian OAM)

(a) That LDA2012/272 at 77 Wharf Road, Gladesville being LOT 2 DP 536882 be deferred for a mediation meeting to be undertaken by the Group Manager Environment and Planning with the applicant and the objectors to address issues relating to bulk, scale, habitable areas and streetscape presentation. That a further report be referred to Planning and Environment Committee within three months.

(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 2/13
held on 5 March 2013**

RESOLUTION: (Moved by Councillors Laxale and Pickering)

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

Record of Voting:

For the Motion: Unanimous

2 PUBLIC EXHIBITION OF MACQUARIE PARK PEDESTRIAN ACCESSIBILITY AND MOBILITY PLAN

RESOLUTION: (Moved by Councillors Laxale and Pickering)

- (a) That Council endorse in principle the exhibition of the draft Macquarie Park Pedestrian Accessibility and Mobility Plan for a period of 28 days subject to consideration of discussions at a workshop on 5th March 2013.
- (b) That a further report on the Macquarie Park Pedestrian Accessibility and Mobility Plan be presented for Council's consideration and determination after the public exhibition period has finished and all submissions have been considered.
- (c) That subject to (b), Council endorse the Draft Macquarie Park Pedestrian Accessibility and Mobility Plan as a guide to future prioritisation of capital works relating to accessibility and mobility in Macquarie Park precinct.

Record of Voting:

For the Motion: Unanimous

3 SKATEBOARDING CLINICS IN THE CITY OF RYDE

RESOLUTION: (Moved by Councillors Laxale and Maggio)

- (a) That Council continue to conduct skateboard clinics in the City of Ryde during the April, July and October school holiday periods.
- (b) That Council seeks sponsorship and corporate support with the aim of offsetting Council's costs to allow a flat rate of \$15 for the clinics to be incorporated into Council's Draft Fees and Charges schedule for 2013/14.
- (c) The location of these clinics in each ward to be determined by staff to ensure that the needs to the skateboarding community are best met.
- (d) One of the above clinics to be a twilight clinic at Top Ryde, subject to the agreement with the Top Ryde Shopping Centre.

Record of Voting:

For the Motion: Unanimous

5 WATERLOO PARK FLOODLIGHTING

RESOLUTION: (Moved by Councillors Laxale and Maggio)

That a workshop be scheduled at the first opportunity to allow this matter to be discussed by all Councillors.

Record of Voting:

For the Motion: Unanimous

4 DRAFT RYDE LEP 2011 – OPEN COMMUNITY WORKSHOP

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

5 SOCIAL MEDIA PRESENCE

RESOLUTION: (Moved by Councillors Laxale and Yedelian OAM)

- (a) That Council request the Acting General Manager to commence recruitment for a Coordinator Digital Communications immediately.
- (b) That Council allocate the amount of up to \$18,000 from working capital for the purpose of funding the Coordinator Digital Communications position from mid April to June 2013 and that the amount also be consolidated into the next Quarterly Review.
- (c) That Council approve the ongoing funding of this position on the basis that these additional funds are offset by salary savings, and these proposed savings are identified in the report to Council recommending adoption of the 2013/14 budget.
- (d) That the Acting General Manager separately report back to Council prior to 30 June 2013 on Council's Draft Communication and Media Strategy and progress of our social media presence.

Record of Voting:

For the Motion: Unanimous

6 ELECTRIC VEHICLES STUDY FOR CITY OF RYDE 2012

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

7 CODE OF MEETING PRACTICE

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Council adopt the draft City of Ryde Code of Meeting Practice with the amendment to the commencement time of Planning and Environment Committee and Works and Community Committee Meetings to 5pm.
- (b) That Council adopted the draft City of Ryde Code of Meeting Practice with the additions and clarifications in response to feedback received from the Division of Local Government.
- (c) That a copy of the adopted Code be forwarded to the Division of Local Government for their information, including a letter from the Acting General Manager in appreciation of their feedback.

Record of Voting:

For the Motion: Unanimous

8 POLICY ON THE PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS

RESOLUTION: (Moved by The Mayor, Councillor Petch and Councillor Li)

That consideration of this Item be deferred to the end of the meeting.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Pickering and Salvestro-Martin

Against the Motion: Councillor Yedelian OAM

9 DRAFT MOTIONS FOR THE NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - 16 to 19 June 2013

Note: A document amending Attachment 2 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That Council endorse the Motions for submission to the 2013 National General Assembly of Local Government held in Canberra on 16 to 19 June 2013 as detailed in the report and set out in amended Attachment 2.

Record of Voting:

For the Motion: Unanimous

10 APPOINTMENT OF DELEGATES TO THE RYDE YOUTH COUNCIL ADVISORY COMMITTEE

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

- (a) That Council endorse the appointment of all twenty-seven (27) young people to the Ryde Youth Council Advisory Committee.
- (b) That the Ryde Youth Council Advisory Committee be requested to review their Terms of Reference at their first meeting and report back to Council for confirmation on this matter.
- (c) That Council notify all those who submitted Expressions of Interest of Council's determination.
- (d) That Council acknowledge Janice Nicholson, Council's Community Project Officer – Young People and Leisure for her management of the Youth Council Advisory Committee.

Record of Voting:

For the Motion: Unanimous

LATE ITEMS

11 NIGHT WORKS PERMIT – Macquarie Shopping Centre Development

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

12 STAMFORD MAJOR PROJECT MODIFICATION APPLICATION - DRAFT SUBMISSION. 110-114 Herring Road, Macquarie Park. LOT 1 DP780314

RESOLUTION: (Moved by Councillors Maggio and Etmekdjian)

That the attached submission be forwarded to the Department of Planning and Infrastructure.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Pickering and Yedelian OAM

Against the Motion: Councillor Salvestro-Martin

RECOMMITTAL OF ITEM 12 – STAMFORD MAJOR PROJECT MODIFICATION APPLICATION – DRAFT SUBMISSION. 110-114 Herring Road, Macquarie Park. LOT 1 DP 780314

RESOLUTION: (Moved by Councillors Laxale and Pendleton)

That Item 12 be recommitted.

Record of Voting:

For the Motion: Unanimous

Note: Item 12 was then recommitted.

12 STAMFORD MAJOR PROJECT MODIFICATION APPLICATION - DRAFT SUBMISSION. 110-114 Herring Road, Macquarie Park. LOT 1 DP780314

RESOLUTION: (Moved by Councillors Maggio and Etmekdjian)

That the attached submission be forwarded to the Department of Planning and Infrastructure.

Record of Voting:

For the Motion: Unanimous

13 WEST RYDE URBAN VILLAGE – PROGRESS REPORT AND PROPOSAL FOR PARTIAL HANDOVER OF VILLAGE SQUARE

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That Council note the progress on the following issues proceeding the meeting held between the parties on Friday, 8 March 2013:

- (i) Recognition of the expediency exercised by Mr Greg Chubb, Coles Property Director to meet with Council to discuss the issues raised by Council in our correspondence to the Non-Executive Chairman Wesfarmers Limited.
- (ii) Commencement of the first stage of road works in the vicinity.
- (iii) Execution of the license for the shop front (Community liaison).
- (iv) The immediate establishment of a working party consisting of senior key staff from Coles, West Ryde Chamber of Commerce, City of Ryde Councillors, Acting General Manager, General Counsel and relevant staff to address key issues impacting local residents and businesses. That once the resolution of the roadworks is achieved and Council's carpark open, the scope of the working party be reviewed in consultation with Council.

- (v) Review the offer from Coles for Council to consider a partial handover of the Village Square.
- (vi) That the resolution of this project remain a key priority for the Acting General Manager.

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 MACQUARIE PARK TASKFORCE - CESSATION

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

LATE PRECIS OF CORRESPONDENCE

2 LOCAL GOVERNMENT AMENDMENT (EARLY INTERVENTION) BILL 2013

MOTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council writes to the Minister for Local Government requesting deferral of the legislation pending appropriate public consultation.
- (b) That Council write to its Local Member for Ryde the Honourable Victor Dominello MP seeking his support for the deferral of this legislation.

AMENDMENT: (Moved by Councillors Pickering and Etmekdjian)

That the correspondence be received and noted.

ACT OF DISORDER

The Mayor, Councillor Petch requested Councillor Pickering to apologise for inappropriate comments in relation to this matter. Upon the Mayor giving Councillor Pickering three warnings to apologise, he requested Council to consider the removal of Councillor Pickering from this meeting.

RESOLUTION: (Moved by The Mayor, Councillor Petch and Councillor Salvestro-Martin)

That Councillor Pickering immediately be removed from the Chamber, the time being 10.02pm.

On being put to the Meeting, the voting on the Motion was five (5) votes For and five (5) votes Against. The Mayor used his casting vote For the Motion. The Motion was CARRIED.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Laxale, Li, Pendleton and Salvestro-Martin

Against the Motion: Councillors Chung, Etmekdjian, Maggio, Pickering and Yedelian OAM

Note: The Mayor, Councillor Petch requested Councillor Pickering to vacate the Chamber.

Note: Councillor Pickering refused to vacate the Chamber and the Mayor immediately adjourned the meeting and requested the police be called to assist in the removal of Councillor Pickering from the meeting.

ADJOURNMENT

The Mayor, Councillor Petch adjourned this meeting in order for Councillor Pickering to be removed from the Chamber, the time being 10.05pm.

The following Councillors were present: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Pickering, Salvestro-Martin and Yedelian OAM.

Note: Councillor Pickering left the meeting at 10.07pm and did not return.

MEETING RECONVENED

The Meeting reconvened at 10.10pm on Tuesday, 19 March 2013 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Salvestro-Martin and Yedelian OAM.

Apologies: Simon.

Leave of Absence: Councillor Perram.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Acting Group Manager - Public Works, General Counsel, Manager – Communications and Media, Section Manager – Governance and Councillor Support Coordinator.

LATE PRECIS OF CORRESPONDENCE

2 LOCAL GOVERNMENT AMENDMENT (EARLY INTERVENTION) BILL 2013

MOTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council writes to the Minister for Local Government requesting deferral of the legislation pending appropriate public consultation.
- (b) That Council write to its Local Member for Ryde the Honourable Victor Dominello MP seeking his support for the deferral of this legislation.

AMENDMENT: (Moved by Councillors Pickering and Etmekdjian)

That the correspondence be received and noted.

On being put to the Meeting, the voting on the Amendment was one (1) vote For and eight (8) votes Against. The Amendment was LOST. The Motion was then put and CARRIED.

Record of Voting:

For the Amendment: Councillor Etmekdjian

Against the Amendment: The Mayor, Councillor Petch and Councillors Chung, Laxale, Li, Maggio, Pendleton, Salvestro-Martin and Yedelian OAM

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council writes to the Minister for Local Government requesting deferral of the legislation pending appropriate public consultation.
- (b) That Council write to its Local Member for Ryde the Honourable Victor Dominello MP seeking his support for the deferral of this legislation.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 DEFERRED NOTICE OF MOTION: LEGAL COSTS FOR THE SUPREME COURT INJUNCTION - Councillor Bill Pickering

Note: Councillor Laxale disclosed a Significant Non-Pecuniary Interest in this Item for the reason that he has a relationship with defendant, former Councillor Butterworth.

Note: Councillor Li disclosed a Pecuniary Interest in this Item for the reason that he is a defendant in legal proceedings.

Note: Councillor Simon disclosed a Significant Non-Pecuniary Interest in this Item for the reason that he has a personal relationship with defendants, specifically former Councillor Michael Butterworth.

Note: Councillor Salvestro-Martin disclosed a Pecuniary Interest in this Item for the reason that he is a listed party in legal proceedings.

Note: Councillor Perram disclosed a Pecuniary Interest in this Item for the reason that he is a defendant in incomplete Court proceedings where costs have to be determined.

Note: The Mayor, Councillor Petch disclosed a Pecuniary Interest in this Item for the reason that he is a defendant in these legal proceedings.

RESOLUTION: (Moved by the Mayor, Councillor Petch and Councillor Yedelian OAM)

That due to Councillor Pickering's absence this Notice of Motion be deferred to the Council Meeting when Maddocks will be briefed by Council in regards to the Supreme Court proceedings.

Record of Voting:

For the Motion: The Mayor, Councillor Petch and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton and Yedelian OAM

Against the Motion: Councillor Salvestro-Martin

2 DEFERRED NOTICE OF MOTION - REVIEW OF COUNCIL'S EXISTING PREFERRED SUPPLIER LIST - Councillor Jeff Salvestro-Martin

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

That the Acting General Manager prepare a report that informs Council of the existing Preferred Supplier Lists used by Council staff including those auspiced by the State Government and Preferred Supplier Tenders.

Record of Voting:

For the Motion: Unanimous

3 LOGISTICAL AND ORGANISATIONAL CAPACITY FOR COUNCIL CUSTOMER SERVICE CENTRE AT TOP RYDE CITY - Councillor Craig Chung

RESOLUTION: (Moved by Councillors Chung and Laxale)

That the Acting General Manager prepare a report detailing the logistical and organisational capacity to convert the existing Planning Service Centre at Top Ryde City to a Council Customer Service Centre including:

1. Costs associated with such a change with no additional staff employment
2. Workspace capacity to move some planning staff back to the Civic Centre
3. IT capacity to offer the full range of services offered at the Civic Centre
4. The community benefits to such a change
5. Any other relevant matter associated with such a change

Record of Voting:

For the Motion: Unanimous

4 CUSTOMER SERVICE CENTRES - Councillor Craig Chung

RESOLUTION: (Moved by Councillors Chung and Laxale)

That the Acting General Manager prepare a report identifying:

1. Existing public interface locations that can be utilised as Customer Service Centres
2. Costs associated with converting existing locations to Customer Service Centres
3. Organisational impediments to such changes
4. Community benefits of such changes
5. Any other relevant information associated with such a change

Record of Voting:

For the Motion: Unanimous

5 SMOKING IN PUBLIC PLACES - Councillor Roy Maggio

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That the Council notes the changes to N.S.W. Government legislation in relation to smoking in public places that became effective on January 7th. 2013.

- (b) That the Council notes that while the legislation makes it an offense to smoke at railway stations and bus/coach stops the State government is limiting the installation of signage to railway stations only and is referring the installation of signage at bus/coach stops onto local government.
- (c) That Council considers in the very near future the installation of no smoking signs at the most heavily utilized bus/coach stops and that it be further noted that these signs could be easily affixed to the existing bus stop pole signs which face the roadway in such a way that the new signs face the pavement to reduce cost and minimize visual pollution; and
- (d) That Council notes that while the new legislation has been aimed at public health it has the added advantage for this Council of reducing the debris at bus/coach stops and hence the cost to Council of cleaning it up
- (e) That council submits a motion to the 2013 National General Assembly of Local Government
- (f) That council staff be provided with the authority to enforce non – smoking provisions on public land through the necessary changes to the State and Federal Legislation.
- (g) That a report be issued to council outlining the new legislation through the CIB and broad vantage to all councillors.

Record of Voting:

For the Motion: Unanimous

6 OPTION TO RECIEVE RATES NOTICES ELECTRONICALLY (E-NOTICE) - Councillor Roy Maggio

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

That the Acting General Manager investigate and provide a report back to Council in providing City of Ryde ratepayers with the option to receive their rate notices electronically (e-notice) and to encourage the ratepayers to receive their notices electronically in lieu of paper-based rates notices., therefore further enhancing City of Ryde's sustainability credentials.

This report should include :

- Financial impact of this proposal including initial set up costs as well as cost savings with providing paperless rates notices
- Environmental benefits of such a proposal

- The benefits to ratepayers and the City of Ryde in rates notices being delivered electronically
- A communication plan to inform and encourage ratepayers to receive rate notices electronically
- Any other matters which may inform the Council better about the provision of e-notices being utilized throughout the organisation

Record of Voting:

For the Motion: Unanimous

7 BOOM GATES AT COUNCIL CAR PARKS - Deputy Mayor Justin Li

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

To incentivise self-regulated turnover of parking spots, Council investigates and consults with the local community and businesses on the merits and feasibility of installing boom gates at major/busy Council car parking lots which will preserve all existing free parking hours but will collect a fee for parking additional hours. The report is to consider the benefits of alleviating the need for Rangers to enforce parking time limits if such boom gates are installed, and redeploy those resources to other areas (eg illegal dumping).

Record of Voting:

For the Motion: Unanimous

8 WOMEN'S ADVISORY COMMITTEE - Councillor Denise Pendleton

RESOLUTION: (Moved by Councillors Pendleton and Maggio)

That Council welcome the following representatives onto the Women's Advisory Committee:

- Ms Agnes Shim, President of the Sydney Korean Women's Association
- Ms Ivy Pang, Committee member of Eastwood Chinese Senior Citizens Club.

Record of Voting:

For the Motion: Unanimous

9 OMBUDSMAN SYSTEM – Councillor Denise Pendleton

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

**10 HOUSING OF ASYLUM SEEKERS AT MACQUARIE UNIVERSITY –
Councillor Bill Pickering**

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

**11 SUPPORTING LOCAL BUSINESS LEASING COUNCIL PROPERTIES -
Councillor Bill Pickering**

RESOLUTION: (Moved by Councillors Etmekdjian and the Mayor, Councillor Petch)

That due to Councillor Pickering's absence this Notice of Motion be deferred to the next Council Meeting on 26 March 2013.

Record of Voting:

For the Motion: Unanimous

12 AMENITY BUILDING AT MEADOWBANK PARK – Councillor Roy Maggio

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

13 PLANNING WHITE PAPER - Councillor Jerome Laxale

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

Note: Councillor Li left the meeting at 10.53pm and did not return.

Note: Councillor Salvestro-Martin left the meeting at 10.53pm and did not return.

**8 POLICY ON THE PAYMENT OF EXPENSES AND PROVISION OF
FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS**

Note: Councillor Li disclosed a Pecuniary Interest in this Item for the reason that he is a defendant in legal proceedings.

Note: Councillor Salvestro-Martin disclosed a Pecuniary Interest in this Item for the reason that he is a listed party in legal proceedings.

Note: Councillor Perram disclosed a Pecuniary Interest in this Item for the reason that he is a defendant in incomplete Court proceedings where costs have to be determined.

Note: The Mayor, Councillor Petch disclosed a Pecuniary Interest in this Item for the reason that he is a defendant in a legal matter.

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

That consideration of this Item be deferred to the next Council Meeting on 26 March 2013.

Record of Voting:

For the Motion: Unanimous

NOTICES OF RESCISSION

There were no Notices of Rescission.

QUESTIONS BY COUNCILLORS AS PER POLICY

There were no Questions by Councillors as per Policy.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

Julie Worsley (representing Allengrove Against Inappropriate Development), Marie Sillars (representing Ivanhoe Estate Tenant Group) and Jasmina Mollter addressed the Council earlier in the meeting as set out in these Minutes.

EXTRAORDINARY MEETING OF COUNCIL

Prior to the meeting closing, the Acting General Manager raised the issue of Council's independent advisor in the Supreme Court Proceedings, Maddocks Lawyers, were organised to be present at next week's Council Meeting on 26 March 2013. It was agreed by Council for the Mayor and Acting General Manager to arrange an Extraordinary Meeting of Council to allow Council to fully brief Maddocks on the Supreme Court Proceedings in addition to considering Notice of Motion 1 – Deferred Notice of Motion: Legal Costs for the Supreme Court Injunction.

(NOTE: Following the Council Meeting, the Extraordinary Meeting was set for 7.30pm on Wednesday, 27 March 2013).

NATIONAL ANTHEM

The National Anthem was sung at the conclusion of the meeting.

The meeting closed at 11.00pm on 19 March 2013.

CONFIRMED THIS 26TH DAY OF MARCH 2013

Chairperson