

Meeting Date: Tuesday 28 May 2013
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

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

Apologies: Councillor Salvestro-Martin.

Leave of Absence: Councillor Perram.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Group Manager – Environment & Planning, Acting Group Manager - Public Works, General Counsel, Chief Financial Officer, Manager – Communications and Media, Manager – Customer Service and Governance, Manager – Urban Planning, Manager – Project Development, Manager – Ranger and Parking Services, Coordinator – Commissioning, Section Manager – Asset Networks, Acting Manager – Open Space, Section Manager – Open Space Planning and Assets, Section Manager – Design and Project Development, Section Manager – Governance and Councillor Support Coordinator.

PRAYER

Pastor Stephen Cooper of the Eastwood Baptist Church was present and offered prayer prior to the commencement of the meeting.

LEAVE OF ABSENCE

Councillor Simon requested a Leave of Absence for the period of 4 June 2013 to 8 June 2013.

Councillor Pickering requested a Leave of Absence for the period of 24 June 2013 to 21 July 2013.

RESOLUTION: (Moved by Councillors Simon and Li)

That Council approve Councillor Simon's Leave of Absence for the period of 4 June 2013 to 8 June 2013 and Councillor Pickering's Leave of Absence for the period of 24 June 2013 to 21 July 2013.

Record of Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

There were no disclosures of interest.

TABLING OF PETITIONS

No petitions were tabled.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Errol Penrose	Item 9 – Ryde River Walk – Outcomes of the Public Exhibition
Bruce Lane (representing Waterfront Action Group)	Item 9 – Ryde River Walk – Outcomes of the Public Exhibition
Michael Chapman (representing Waterfront Action Group)	Item 9 – Ryde River Walk – Outcomes of the Public Exhibition
Jim Casey (representing Fire Brigade Employees Union)	Notice of Motion 3 – Fire Station Response Times and Closures

RESOLUTION: (Moved by Councillors Chung and Li)

That the late request to address Council on Items 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:-

Mr Tony Wong (representing Australian Dong Guan Business Chambers)	Notion of Motion 1 – Workshop to Discuss Proposal for Sister City with city of Dong Guan, China
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PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

MAYORAL MINUTES

MM14/13 MACQUARIE UNIVERSITY MENTORING PROGRAM

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

That:

- (a) Council endorse the participation of the Acting General Manager, Danielle Dickson, in the Macquarie University Lucy Mentoring program.
- (b) Council thank Ms Dickson for her willingness to take part in the program.

Record of Voting:

For the Motion: Unanimous

MM15/13 TASK FORCE FOR NORTH RYDE STATION URBAN ACTIVATION PRECINCT

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

- (a) That the Acting General Manager be delegated to set up a North Ryde Station Precinct Urban Activation Task Force to coordinate responses and advocacy on the North Ryde Station Precinct UAP on behalf of the residents of Ryde, and that this Task Force be comprised of relevant Council staff, interested Councillors, the consultant to be engaged, and one member of the Friends of North Ryde; and
- (b) That the Task Force meet as soon as practicable after the appointment of the Independent Consultant; and
- (c) That a delegation comprising of the Mayor, interested Councillors and relevant staff seek a further meeting with the Minister for Planning, the Honourable Brad Hazzard, in order to advocate for further time to be allowed for submissions, the content of Council's submissions and any further matters raised by the Independent Consultant.

Record of Voting:

For the Motion: Unanimous

MM16/13 APPOINTMENT OF ACTING GENERAL MANAGER

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

That:

- (a) Council appoint Mr Roy Newsome to act in the role of Acting General Manager from 20 May 2013 until such time as Danielle Dickson returns from leave.
- (b) Upon the return of Ms Dickson to work, she will continue in the role of Acting General Manager.

Record of Voting:

For the Motion: Unanimous

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Simon and Yedelian OAM)

That Council now consider the following Items, the time being 7.58pm:

- Item 9 – Ryde River Walk - Outcomes of the Public Exhibition.
- Notice of Motion 3 – Fire Station Response Times and Closures.
- Notion of Motion 1 – Workshop to Discuss Proposal for Sister City with city of Dong Guan, China.

Record of Voting:

For the Motion: Unanimous

9 RYDE RIVER WALK - OUTCOMES OF THE PUBLIC EXHIBITION

Note: Errol Penrose, Bruce Lane (representing Waterfront Action Group) and Michael Chapman (representing Waterfront Action Group) addressed the meeting in relation to this Item.

Note: A document provided by Bruce Lane was tabled in relation to this Item and a copy is ON FILE.

Note: A document provided by Errol Penrose was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Simon and Laxale)

- (a) That Council endorses Ryde River Walk Option 1 as described in this report for implementation under the Infrastructure State Environment Planning Policy planning pathway.

- (b) That the future implementation of the excluded sections of the Bill Mitchell Park, Glades Bay Park and Looking Glass Bay Park precinct (as described in this report) are deferred for future consideration when funding becomes available.
- (c) That Council approve a quarterly review adjustment of \$340,787 to provide matching funding for accepted grant funding, as detailed in this report and to incorporate into Council's 4 Year Delivery Plan, 2013-2017, and the 1 Year Operational Plan for 2013-2014.
- (d) That Council continue to consult with the landowner at 52 Ross Street during the detailed design stage to preserve and enhance water access for that residence.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

3 FIRE STATION RESPONSE TIMES AND CLOSURES - Councillor Roy Maggio

Note: Jim Casey (representing Fire Brigade Employees Union) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council, in support the recent resolution of NSROC board on this matter, note that the City of Ryde's contribution in the 2012/13 year is \$1.485 million and that due to recent budget restrictions imposed on Fire and Rescue Services response times by Fire Brigades are being compromised funding cuts to local services.
- (b) That Council reinforces its position that it is unacceptable for Gladesville, Ryde and Eastwood Fire Stations not to be fully operational 24 hours a day; and that Council is especially concerned that the increased response times, resulting from fire apparatus having to travel from other suburbs, pose an unacceptable safety risk for our residents. It is imperative that such a dense urban area, with many boarding houses, halfway houses, high care nursing homes, retirement villages, highly developed apartments, shopping centres, schools and hospital facilities, has a permanently operational fire station; and
- (c) That Council write to the Hon Barry O'Farrell, Premier of NSW Services expressing its grave concern over fire station closures and increased local response times, with copies to the Hon Michael Gallacher MP, Minister for Police and Emergency Services, and the Hon Victor Dominello MP, Member for Ryde.

- (d) That the Acting General Manager make urgent representation to both the Commissioner of Fire and Rescue NSW and the Minister for Police and Emergency Services, to receive assurances that as Local Government make significant contributions to support the delivery of these services, Beecroft and Hornsby Stations will be fully serviced to reduce the regular backup of services from surrounding Brigades.
- (e) That Council seek a report from the Department of Emergency Services detailing to the dates of the closures of the local fire stations due to staffing shortages or any other reasons and that the Acting General Manager report the response to Council through the CIB.

Record of Voting:

For the Motion: Unanimous

1 WORKSHOP TO DISCUSS PROPOSAL FOR SISTER CITY WITH CITY OF DONG GUAN, CHINA - Deputy Mayor, Councillor Justin Li

Note: Tony Wong (representing Australian Dong Guan Business Chambers) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Li and Maggio)

- (a) That the City of Ryde invites representatives from the Australia Dong Guan Business Chamber to attend a Councillor workshop following Council's scheduled workshop on Sister Cities on 16 July 2013, in order to explore a potential mutually beneficial Sister City relationship with City of Dong Guan, China.
- (b) That Council explore appropriate options for a Korean Sister City relationship at the workshop on Sister Cities to be held on 16 July 2013.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 14 May 2013

RESOLUTION: (Moved by Councillors Pickering and Simon)

That the Minutes of the Council Meeting 10/13, held on 14 May 2013 be confirmed.

Record of Voting:

For the Motion: Unanimous

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
8/13 held on 21 May 2013**

RESOLUTION: (Moved by Councillors Pendleton and Yedelian OAM)

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

Record of Voting:

For the Motion: Unanimous

**3 14A ETHEL STREET, EASTWOOD. LOT A DP 381028. Local
Development Application for demolition and construction of a
boarding house. LDA2012/0332.**

Note: A Memorandum dated 23 May 2013 from the Group Manager – Environment and Planning was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Pendleton and Yedelian OAM)

- (a) That Local Development Application No. 2012/0332 at 14A Ethel Street Eastwood, being LOT A DP 381028 be approved as a deferred commencement consent for a drainage solution to be provided by the applicant before the consent becomes operational to the satisfaction of the Group Manager Environment and Planning. The deferred commencement approval with conditions are set out below:-

PART 1 - DEFERRED COMMENCEMENT

The following are the Deferred Commencement condition(s) imposed pursuant to Section 80(3) of the Environmental Planning & Assessment Act 1979. This Consent does not become operative until the matters referred to in Part 1 have been submitted to Council and Council has notified you in writing that the Consent has become operative. The information required in Part 1 shall be submitted to Council within 1 year from the date of this notice or the Consent will have lapsed, in accordance with the requirements of Section 95(6) of the Environmental Planning and Assessment Act.

1. **Easement Registration.** An interallotment drainage easement has been created through one of the adjoining downstream property owners to the downstream receiving drainage system (ie kerb and gutter or Council trunk drainage) and registered with the Land Titles Office.
2. **Stormwater Drainage Plans.** Detailed stormwater drainage plans are to be submitted incorporating an onsite stormwater detention system (OSD) for the whole site. The OSD system and piped easement shall be designed strictly in accordance with Council's DCP 2010, Part 8.2: Stormwater Management.

The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

PART 2 - GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Site Plan / Site Analysis Plan	1/2/13	4926-1 Rev B
Proposed Ground Floor	1/2/13	4926-2 Rev B
Proposed First Floor	1/2/13	4926-3 Rev B
Proposed Second Floor	1/2/13	4926-4 Rev B
Proposed Third Floor	1/2/13	4926-5 Rev B
Roof Plan	1/2/13	4926-6 Rev A
South (front) Elevation	25/1/13	4685-7 Rev B
West (side) Elevation	25/1/13	4685-8 Rev B
North (rear) Elevation	25/1/13	4685-9 Rev B
East (side) Elevation	25/1/13	4685-10 Rev B
Section AA	25/1/13	4685-11 Rev B
Signage	25/11/12	4685-12 Rev A
Demolition Plan	7/3/12	DE4926-1
Schedule of External Building Materials and Finishes	12/2/13	4685-13

Prior to the issue of a Construction Certificate, the following amendments shall be made (as marked in red on the approved plans):

- a) To ensure adequate manoeuvrability, the two car parking spaces located beneath the building are to be deleted.
 - b) The motorcycle parking and bicycle racks are to be relocated to the area beneath the building that was previously car parking spaces.
 - c) The garbage and recycling area is to be relocated to the area beneath the building that was previously car parking spaces.
 - d) The area currently identified on the ground floor plan as 'garbage and recycling area', 'motorcycle parking' and 'bicycle racks' is to be fully landscaped in a manner that is consistent with the landscaping plan numbered LP4926-1 Rev B dated 1/2/13.
2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 4464505-03, dated 20 February 2013.

4. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
5. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
6. **Illumination of public place.** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
7. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties.
8. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
9. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
10. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.
11. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
12. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
13. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any

disused gutter crossings will be carried out by Council following receipt of the relevant payment.

14. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.
15. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”.

DEMOLITION CONDITIONS

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.

16. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
 - (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
 - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
17. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
18. **Excavation**
 - (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
 - (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: *The Demolition of Structures*, or

its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

19. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.
20. **Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal docket must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
21. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
22. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

23. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate**:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$22,647.50
Open Space & Recreation Facilities	\$55,753.42
Civic & Urban Improvements	\$18,962.86
Roads & Traffic Management Facilities	\$2,586.69
Cycleways	\$1,615.66
Stormwater Management Facilities	\$5,135.60
Plan Administration	\$435.64
Car Parking	\$34,892.41
The total contribution is	\$142,029.80

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

24. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
25. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation)
26. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
27. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
28. **Public Domain.** The public domain along the entire site frontage of Ethel Street is to be upgraded in accordance with the City Of Ryde Public Domain Technical Manual. This includes street lighting, footpath paving, street furniture and street tree planting. Full details, including samples, schedules and plans are to be submitted and approved by Council prior to the issue of any Construction Certificate for the development.

29. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of the **Construction Certificate**, to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

30. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
31. **Lighting of common areas (driveways etc).** Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
32. **Disabled Access.** Prior to the issue of a Construction Certificate, a report is to be provided from a suitably qualified access consultant to verify that the Construction Certificate Drawings fully comply with Development Control Plan 2010 – Access for People with Disabilities, the Building Code of Australia and Australian Standard AS1428.1, AS4299, AS1735.12 and AS2890.6. The report is to be provided to the PCA and Council (if Council is not the PCA).
33. **Fire Safety Schedule.** A "Fire Safety Schedule" specifying the fire safety measures that are currently implemented in the building premises and the fire safety measures proposed or required to be implemented in the building premises as required by Clause 168 - Environmental Planning & Assessment Regulation 2000 are to be submitted and approved prior to the issue of the **Construction Certificate**.
34. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveway, carparking areas, landscaping and stormwater drainage plans and must be obtained prior to the issue of the construction certificate.

35. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps shall be 1 in 4 and in accordance with the relevant section of AS 2890.1. The maximum change of grade permitted is 1 in 8 (12.5%) for summit grade changes and 1 in 6.7 (15%) for sag grade changes. Any transition grades shall have a minimum length of 2.0m. The driveway design is to incorporate Council's issued footpath and gutter crossing levels where they are required as a condition of consent. A driveway plan, longitudinal section from the centreline of the public road to the garage floor, and any necessary cross-sections clearly demonstrating that the driveway complies with the above details, and that vehicles may safely manoeuvre within the site without scraping shall be submitted with the Construction Certificate application.

36. **Car Parking.** All internal driveways, vehicle turning areas, garage opening widths, parking space dimensions and headroom clearances etc shall be designed comply with relevant section AS 2890.

Plans including engineering certification indicating compliance with this condition are to be submitted with the Construction Certificate application.

37. **Reduction in On Site Car Parking.** A maximum of 2 car parking spaces, 4 motorcycle parking spaces and 3 bicycle racks are to be provided on the site. The two car parking spaces shown on the approved architectural plans that are adjacent to rear of the building are to be deleted to ensure compliance with AS2890. This amendment is to be demonstrated on the Construction Certificate plans.

38. **Detailed Landscape Plan.** A detailed landscape plan is to be submitted and approved by Council. This landscape plan is to include the areas currently marked as 'bicycle racks', 'motorcycle parking' and 'garbage and recycling areas' as landscaping. The additional landscaping is to be consistent with the landscape plan numbered LP4926-1 Rev B dated 1/22/13 drawn by Namoo Designs.

39. **On-Site Stormwater Detention.** Stormwater runoff from all impervious areas shall be collected and piped by gravity flow to a suitable on-site detention system designed in accordance with City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. Accordingly, all roof gutters, downpipes and pipeline conveying runoff to the OSD system shall be designed for the 1 in 100 year, 5 minutes duration storm event. Runoff which enters the site from upstream properties should not be redirected in a manner which adversely affects adjoining properties.

Detailed engineering plans including certification indicating compliance are to be submitted with the Construction Certificate application.

40. **Water Tank First Flush.** A first flush mechanism is to be designed and constructed with the water tank system. Details of the first flush system are to be submitted with the construction certificate application.

41. **Erosion and Sediment Control Plan.** An *Erosion and Sediment Control Plan (ESCP)* shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction*" prepared by the Landcom. These devices shall be maintained during the construction works and replaced where considered necessary.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*

- (a) Existing and final contours
- (b) The location of all earthworks, including roads, areas of cut and fill
- (c) Location of all impervious areas
- (d) Location and design criteria of erosion and sediment control structures,
- (e) Location and description of existing vegetation
- (f) Site access point/s and means of limiting material leaving the site
- (g) Location of proposed vegetated buffer strips
- (h) Location of critical areas (drainage lines, water bodies and unstable slopes)
- (i) Location of stockpiles
- (j) Means of diversion of uncontaminated upper catchment around disturbed areas
- (k) Procedures for maintenance of erosion and sediment controls
- (l) Details for any staging of works
- (m) Details and procedures for dust control.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

42. **Site Sign**
- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
 - (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

43. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
44. **Australia Post Box.** Prior to commencement of construction, the existing Australia Post box located in Dayman Place shall be re-located to a suitable location away from the approved driveway, in accordance with any requirement of Australia Post.
45. **Sediment and Erosion Control.** The applicant shall install appropriate sediment control devices in accordance with an approved plan **prior** to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary. Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.
46. **Compliance Certificate.** A Compliance Certificate should be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and City of Ryde, Development Control Plan 2010: - Part 8.1; Construction Activities.
47. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The location, design and construction shall conform to the requirements of Council. Crossings are to be constructed in plain reinforced concrete and finished levels shall conform with property alignment levels issued by Council's Public Works Division. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

48. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
49. **Noise and vibration.** The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations.

50. **Construction noise.** The L_{10} noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
51. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
52. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
 - (a) Fill is allowed under this consent;
 - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
 - (c) the material is reused only to the extent that fill is allowed by the consent.
53. **Construction materials.** All materials associated with construction must be retained within the site.
54. **Site Facilities**

The following facilities must be provided on the site:

 - (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
55. **Site maintenance**

The applicant must ensure that:

 - (a) approved sediment and erosion control measures are installed and maintained during the construction period;
 - (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - (c) the site is clear of waste and debris at the completion of the works.
56. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
57. **Site Contamination – discovery of additional information.** Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.

In this regard, preliminary site contamination investigation reports and/or site contamination remediation plans may be required to address any concerns or issues arising in relation to potential site contamination.

58. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or otherwise necessary as a result of construction works approved by this consent. The 4 trees identified in the Arboricultural Impact Assessment prepared by Urban Tree Management and dated 15 February 2013 are to be retained.
59. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained and the 4 trees referred to in the Arboricultural Impact Assessment prepared by Urban Tree Management and dated 15 February 2013 must be protected against damage during construction. The tree protection measures as identified in the Arboricultural Impact Assessment are to be implemented and maintained throughout the entire construction process.
60. **Tree works – arborist supervision.** A Consultant Arborist must be appointed to oversee all works, including demolition and construction, in relation to the trees identified for retention on the site.
61. **Tree works – provision of arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

62. **CCTV Installation.** Prior to the issue of any Occupation Certificate, CCTV is to be installed on the site. The CCTV is to focus on areas of high vulnerability such as the entry, public areas and halls. The CCTV is to be maintained in good operating order at all times.
63. **Fire Safety Certificates.** A Fire Safety Certificate/s from a suitably qualified person/s is to be submitted to Council or an accredited certifier (*and Council, if Council is not the PCA or an accredited certifier*) for all the essential services installed in the building in accordance with Clauses 170 and 171 of the Environmental Planning and Assessment Regulation 2000.

64. **Landscaping.** All landscaping works approved by condition 1 and 38 are to be completed prior to the issue of the final **Occupation Certificate**.
65. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in the BASIX Certificate numbered 4464505-03 dated 20 February 2013.
66. **BASIX Completion.** Within 2 days of issuing a final Occupation Certificate, the Principle Certifying Authority (PCA) is required to generate a BASIX Completion Receipt in accordance with the provisions of the EP&A Regulation 2000. The PCA is to refer to the BASIX Completion Receipt Tool at www.basix.nsw.gov.au/administration/login.jsp in order to generate the BASIX Completion Receipt and a printed copy of the receipt is to be placed on the PCA file.
67. **Public Domain.** A works as executed plan for works carried out in the public domain must be provided to and endorsed by Council prior to the issue of any Occupation Certification.
68. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Interim/Final Occupation Certificate.

69. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.
70. **Neighbour Notification.** Residents within a 200m radius of the site are to be provided with contact details in writing of the on-site manager (including a current mobile telephone number), who be contacted in the event of any noise disturbances arising from the use of the approved development. If any details of the on-site manager changes (including but not limited to the name of the on-site manager or contact telephone number etc), then arrangements shall be made to re-notify the residents within a 200m radius of such changes in detail within 14 days.

71. **Compliance Certificates – Engineering.** Compliance Certificates should be obtained for the following (If Council is appointed the Principal Certifying Authority [PCA] then the appropriate inspection fee is to be paid to Council) and **submitted to the PCA:**
- Confirming that all vehicular footway and gutter (layback) crossings (if any) are constructed in accordance with the construction plan requirements and Ryde City Council's *Environmental Standards Development Criteria – 1999 section 4.*
 - Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Development Control Plan 2010: - Part 8.3; Driveways.
 - Confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management
 - Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - Confirming that the connection of the site drainage system to the trunk drainage system (if any) complies with Section 4.7 of AS3500.3-1990 (National Plumbing and Drainage Code).
 - Confirming that the constructed interallotment drainage system complies with the construction plan requirements and the City of Ryde, Development Control Plan 2006: - Part 8.2; Stormwater Management.
72. **Work-as-Executed Plan.** A Work-as-Executed plan signed by a Registered Surveyor clearly showing the surveyor's name and the date, the stormwater drainage, including the on-site stormwater detention system if one has been constructed and finished ground levels **is to be submitted to the Principal Certifying Authority (PCA)** and to Ryde City Council if Council is not the nominated PCA. If there are proposed interallotment drainage easements on the subject property, **a Certificate from a Registered Surveyor is to be submitted to the PCA** certifying that the subject drainage line/s and pits servicing those lines lie wholly within the proposed easements.
73. **On-Site Stormwater Detention System - Marker Plate.** Each on-site detention system basin shall be indicated on the site by fixing a marker plate. This plate is to be of minimum size: 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. It is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. An approved plate may be purchased from Council's Customer Service Centre on presentation of a completed City of Ryde OSD certification form.

74. **Positive Covenant, OSD.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater detention system on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of Stormwater Detention Systems and to the satisfaction of Council.
75. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with the plans approved in respect of Part 1 of this consent.

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

76. **Operational Plan of Management.** The development must be operated in accordance with the Operational Plan of Management dated Amended 4/2/13 prepared by JKL Design and as amended by any subsequent conditions. The Operational Plan of Management can only be amended with the agreement of Council in writing.
77. **Amendments to the Operational Plan of Management.** The Operational Plan of Management referred to in the above condition is to be amended to include the following requirements:
- (a) All lodgers must sign an agreement upon commencement of their stay which will include a set of house rules and the consequences of breaking the rules.
 - (b) A list of the house rules is to be displayed in each room and common areas to remind both lodgers and guests of their responsibilities.
 - (c) The Manager is to keep details of all lodgers and next of kin details for emergency purposes for the duration of their stay.
 - (d) The name and 24 hour contact phone number of the Manager/Caretakers is to be displayed in a prominent position on each level and at the front of the premises.
 - (e) NSW Police are to be made aware of any complaints that are of a criminal nature.
 - (f) NSW Police and Council are to be provided with contact details of the Manager/Caretaker of the premises.
78. **Restricted Access.** The second floor balcony fronting the street, private open space areas and the rooftop area is to have restricted access. These areas must not be used for social gatherings (BBQ's, parties and the like).
79. **Use of the Private Outdoor Spaces.** The outdoor private spaces are only to be used between the hours of 7am to 10pm.

80. **Offensive noise.** The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.
81. **Operation of any Plant Equipment.** The operation of any plant or equipment installed on the premises must not cause:
- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.
 - (c) The transmission of vibration to any place of different occupancy.
82. **Drying of Clothes.** At no time are external windows, verandahs, porches or the like permitted to be used for the drying of clothes.
83. **Maintenance of the Premises.** The premises and all fixtures, furnishings and equipment must be maintained in a clean, sanitary condition and kept in good repair at all times. All common areas within the boarding house, including bathrooms and their fixtures, are to be cleaned on at least weekly basis.
84. **Maintenance of the Premises.** Open space areas, including any lawns, gardens, or landscaped areas must be maintained on at least a fortnightly basis and kept in a clean and tidy condition at all times.
85. **Waste Management.** An adequate number of suitable waste containers must be kept on the premises for the storage of all garbage and recycling wastes generated between collections.
86. **Waste Management.** Waste storage areas and waste containers must be maintained in a clean and tidy condition at all times.
87. **Waste Management.** Staff or contractors must be employed to take the waste containers from garbage area to the container emptying point for servicing and to return the containers to the garbage area after servicing.
88. **Single Rooms.** All boarding rooms shown on the approved plans labelled single are considered to be single-person rooms and can be occupied by only one (1) lodger.
89. **Double Rooms.** All boarding rooms shown on the approved plans labelled double are considered to be double-person rooms and may be occupied by one (1) or two (2) lodgers.

90. **Maximum Number of Lodgers per Room.** No boarding room is to be occupied by more than 2 adult lodgers.
91. **Maximum Number of Occupants.** The maximum occupancy of the whole development shall be no more than 16 residents and 1 on-site manager.
92. **Fixture to Doors.** A floor plan must be permanently affixed to the internal face of each bedroom door indicating the available emergency egress routes from the respective bedroom.
93. **Display near the Entrance.** A schedule showing the numeral designating each bedroom and the number of lodgers permitted to be accommodated in each must be conspicuously displayed near the entrance of the premises.
94. **Construction of the Kitchen.** The kitchen must be designed and constructed to permit easy and effective cleaning and prevent the entry and harbourage of pests.

Note: See AS 4674 for guidance on the design, construction and fit-out of food handling areas.

95. **Kitchen Facilities.** The kitchen facilities must include:
 - at least one stove and one microwave oven for every 12 residents;
 - a suitable system of exhaust ventilation;
 - at least one sink supplied with hot and cold running water for every 12 residents;
 - adequate bench space for the preparation of food;
 - sufficient refrigerators and freezers for residents to store cold and frozen food;
 - lockable storage cupboards for each resident to store dry goods;
 - sufficient cutlery, crockery and cooking utensils for the number of residents;
 - adequate storage facilities for all utensils provided for residents;
 - separate containers for collection of garbage and recyclable materials.
96. **Maintenance of the Premises.** The Manager is to ensure that all external facades and internal walls are well maintained and cleaned. If any graffiti occurs, this is to be removed immediately.
97. **Dining Facilities.** A dining area with sufficient tables and chairs must be provided in or adjacent to the kitchen for the use of residents.
98. **Laundry Facilities.** The laundry facilities must include:
 - at least one automatic washing machine for every 12 residents;

- at least one domestic clothes dryer for every 12 residents;
- at least one laundry tub supplied with hot and cold running water; and
- an ironing board and iron.

99. **Illumination Hours for the Sign.** The signage is to cease illumination between the hours of 11pm to 7am.

100. **Air-handling and Water Systems.** All air-handling and water systems regulated under the *Public Health Act 1991* must be installed, operated and maintained in accordance with the requirements of the *Public Health (Microbial Control) Regulation 2000*.

101. **Access to all Plant, Equipment and Components.** Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2002 *Air-handling and water systems of buildings - Microbial control - Operation and maintenance*.

102. **Water Cooling and Warm Water Systems.** All water-cooling and warm water systems (including thermostatic mixing valves) regulated under the *Public Health Act 1991* must be registered with Council's Environmental Health Unit within one (1) month of installation.

Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.

103. **Grease Trap.** A grease trap must be installed if required by Sydney Water Corporation. Any grease trap installed must be located outside the building or in a specially constructed grease trap room and be readily accessible for servicing.

104. **Registration of Premises.** The operator of the business must register the premises with Council's Environmental Health Unit before operations commence and must renew the registration annually.

(b) That Council accepts the payment of \$94 for two carparking spaces which is to be reflected in the conditions of consent required by part a.

(c) 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 7/13
held on 21 May 2013**

RESOLUTION: (Moved by Councillors Laxale and Pickering)

That Council determine Item 2 of the Works and Community Committee report, noting that Items 1, 3, 4, 5 and 6 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

2 CRICKET PRACTICE FACILITIES IN THE CITY OF RYDE

RESOLUTION: (Moved by Councillors Laxale and Maggio)

- (a) That this matter be referred to the Sports and Recreation advisory committee to provide comment prior a further report being presented to the Works and Community Committee.
- (b) That this further report provide specific statistical data.

Record of Voting:

For the Motion: Unanimous

4 DRAFT DCP 2010 PART 4.4 RYDE TOWN CENTRE - CIVIC PRECINCT

MOTION: (Moved by Councillors Pendleton and Li)

- (a) That Council resolve in the event of a gateway determination being issued for the planning proposal of the Ryde Civic Precinct, the amendment to Ryde Development Control Plan (DCP) 2010 – Part 4.4 Ryde Town Centre be exhibited concurrently with the planning proposal.
- (b) That Council staff follow up the progress of Ryde Civic Centre Precinct planning proposal and advise Councillors through the CIB as to its current status.
- (c) That Council is presented with a further report following the completion of the exhibition period.

AMENDMENT: (Moved by Councillors Chung and Pickering)

That Council resolve to withdraw the current planning proposal being considered by the Department of Planning and Infrastructure and move to replace it with a Planning Proposal which seeks to rezone the Civic Centre site B3.

On being put to the Meeting, the voting on the Amendment was five (5) all. 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 Simon

RESOLUTION: (Moved by Councillors Pendleton and Li)

- (a) That Council resolve in the event of a gateway determination being issued for the planning proposal of the Ryde Civic Precinct, the amendment to Ryde Development Control Plan (DCP) 2010 – Part 4.4 Ryde Town Centre be exhibited concurrently with the planning proposal.
- (b) That Council staff follow up the progress of Ryde Civic Centre Precinct planning proposal and advise Councillors through the CIB as to its current status.
- (c) That Council is presented with a further report following the completion of the exhibition period.

On being put to the Meeting, the voting on the Motion was five (5) all. 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 Simon

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

5 DRAFT RYDE DEVELOPMENT CONTROL PLAN 2011 - SUBMISSIONS

Note: Councillor Chung left the meeting at 9.20pm and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

- (a) That Council authorise that draft Ryde Development Control Plan 2011 be amended as outlined Table 2 - Amendments to DCP 2011.
- (b) That Council adopts draft Ryde Development Control Plan 2011 (to be renamed DCP 2013) as amended and that 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 notification of draft LEP 2013.

Record of Voting:

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

Against the Motion: Councillor Maggio

6 MARCH 2013 QUARTERLY REVIEW REPORT - DELIVERY PLAN 2012-2016 AND 2012/2013 OPERATIONAL PLAN

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

- (a) That the report of the Team Manager - Management Accounting, dated 13 May 2013 on MARCH 2013 QUARTERLY REVIEW REPORT - DELIVERY PLAN 2012-2016 AND 2012/2013 OPERATIONAL PLAN be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in maintaining current Council's Working Capital, to a projected balance as at 30 June 2013 of \$3.43 million, be endorsed and included in the 2012/2013 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net decrease in Transfers from Reserves of \$4.19 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer attached to the report of the Chief Financial Officer dated 13 May 2013 be endorsed.
- (e) That Council note the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as detailed in the Report.

Record of Voting:

For the Motion: Unanimous

7 INVESTMENT REPORT - April 2013

RESOLUTION: (Moved by Councillors Etmekdjian and Simon)

That Council endorse the report of the Chief Financial Officer dated 15 May 2013 on Investment Report – April 2013.

Record of Voting:

For the Motion: Unanimous

8 CITY OF RYDE - DRAFT RESPONSE TO THE DRAFT METROPOLITAN STRATEGY FOR SYDNEY TO 2031

RESOLUTION: (Moved by Councillors Yedelian OAM and Pendleton)

That Council endorse the draft City of Ryde response on the NSW Government's Draft Metropolitan Strategy for Sydney to 2031 and the response be submitted to the Department of Planning and Infrastructure, subject to the following amendments:

- Under the heading of Key Issues (page 166 of the agenda) in the report to include:
 - Meeting NSW Government growth targets with already overstretched infrastructure including integrated transport planning, local roads and schools.
 - Prioritising social, community, environment and economic outcomes.

Record of Voting:

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

Against the Motion: Councillor Pickering

9 RYDE RIVER WALK – OUTCOMES OF THE PUBLIC EXHIBITION

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

Note: Councillor Chung returned to the meeting at 9.27pm.

10 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION - Councillors and Mayoral fees for 2013/14

MOTION: (Moved by Councillors Laxale and Simon)

That Council adopt the following increases to Councillor and Mayoral fees effective from 1 July 2013:

- (a) 2.5% increase to Councillor fees (total fee payment of \$22,240 per annum).
- (b) 2.5% increase to Mayoral fees (total fee payment of \$59,100 per annum), noting that 10% of the Mayoral fee is paid to the Deputy Mayor.

AMENDMENT (Moved by Councillors Maggio and Pickering)

That Council adopt the following increases to Councillor and Mayoral fees effective from 1 July 2013:

- (a) 2.5% increase to Councillor fees (total fee payment of \$22,240 per annum).

- (b) 2.5% increase to Mayoral fees (total fee payment of \$59,100 per annum), noting that 10% of the Mayoral fee is paid to the Deputy Mayor.
- (c) That Council explore the option of the 2.5 % increase being allocated to a fund for ad-hoc donations or minor projects in lieu of the 2.5% increase.

On being put to the Meeting, the voting on the Amendment was five (5) all. 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, Li, Maggio, Pickering

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

RESOLUTION: (Moved by Councillors Laxale and Simon)

That Council adopt the following increases to Councillor and Mayoral fees effective from 1 July 2013:

- (a) 2.5% increase to Councillor fees (total fee payment of \$22,240 per annum).
- (b) 2.5% increase to Mayoral fees (total fee payment of \$59,100 per annum), noting that 10% of the Mayoral fee is paid to the Deputy Mayor.

Record of Voting:

For the Motion: Unanimous

11 PAID PARKING AND BOOM GATES IN COUNCIL CAR PARKS

RESOLUTION: (Moved by Councillors Li and Etmekdjian)

That Council defer the matter to consideration at a workshop and Council conduct further research on the benefits of freeing up extra car spaces with the installation of unpaid boom gates versus other options to increase the number of car spaces.

Record of Voting:

For the Motion: Unanimous

12 ELECTRONIC (E-NOTICES) ISSUING OF RATE NOTICES

Note: Councillor Yedelian OAM left the meeting at 9.38pm and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Simon and Maggio)

- (a) That Council note and endorse the actions taken in respect of the electronic service of rate notices.
- (b) That Council examine the feasibility of providing a full payment option that attracts a small discount for rate payers.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Yedelian OAM returned to the meeting at 9.39pm.

13 CENTENARY OF ANZAC AND COMMEMORATION OF WORLD WAR I COMMITTEE

RESOLUTION: (Moved by Councillors Laxale and Simon)

- (a) That Council adopt the Draft Terms of Reference for the Centenary of Anzac and Commemoration of World War I Committee.
- (b) That Council endorse the nominations for the Centenary of Anzac and Commemoration of World War I Committee as outlined in the report.
- (c) That nominees for the Centenary of Anzac and Commemoration of World War I Committee be thanked for their nomination and advised of the first scheduled meeting.
- (d) That the Committee, once formed, work with the Federal Member for Bennelong to avail itself of available federal funding and ensure integration of efforts to celebrate the Centenary of Anzac and Commemoration of World War I.

Record of Voting:

For the Motion: Unanimous

14 BUFFALO AND KITTY'S CREEK FLOODPLAIN RISK MANAGEMENT COMMITTEE

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

- (a) That the formation of the Buffalo and Kitty's Creek Floodplain Risk Management Committee to oversee and guide the preparation of the Buffalo and Kitty's Creek *Floodplain Risk Management Study & Plan* be endorsed comprising of the following members:
- Up to four members of the local community, following call for expressions of interest
 - Up to four elected members of the City of Ryde, The Mayor, Councillor Petch and Councillors Chung and Perram.
 - A representative from the NSW Office of Environment and Heritage (OEH)
 - Representatives from the State Emergency Service
 - A representative from the Department of Planning
 - Members of the Council's Public Works and Environmental Planning Departments, being the Group Manager Public Works (Chairperson), the Manager Infrastructure Integration (Deputy Chairperson), and the Stormwater Coordinator
 - Specialist consultants as engaged.
- (b) That Council now determine the Councillor representation on the Buffalo and Kitty's Creek Floodplain Risk Management Committee.

Record of Voting:

For the Motion: Unanimous

15 PROVISION OF AN IN-HOUSE DELIVERY COURIER SERVICE

RESOLUTION: (Moved by Councillors Pickering and Pendleton)

That Council confirms the current arrangements for external service provider for delivery courier services and note that the Courier Service Tender will be reported to Council at the next Council meeting.

Record of Voting:

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

Against the Motion: Councillors Maggio and Yedelian OAM

16 PROPOSED ACQUISITION BY AGREEMENT (ROADS AND MARITIME SERVICES) PART PUBLIC PATHWAY - 453 Victoria Road, Gladesville

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

- (a) That Council sell to the Roads and Maritime Service for road widening, the front part of its operational land at 453 Victoria Rd as identified in the attached acquisition plan as Lot 9 DP 1008105.
- (b) That the Acting General Manager be delegated to negotiate compensation in accordance with part (a) above and as detailed in this report and execute necessary documentation in relation to the subject disposal.

Record of Voting:

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

Against the Motion: Councillor Maggio

17 FINANCIAL SUSTAINABILITY OF THE NSW LOCAL GOVERNMENT SECTOR - REPORT BY NSW TREASURY CORPORATION (TCORP)

RESOLUTION: (Moved by Councillors Laxale and Etmekdjian)

- (a) That Council note the “*Financial Sustainability of the New South Wales Local Government Sector*” report and its general findings as detailed in the report, including Council’s Financials Sustainability Rating of Sound with a Negative Outlook.
- (b) That Council will address its response to the findings of the TCorp report in its submission to the Independent Review Panel’s ‘Future Directions for NSW Local Government’ discussion paper.

Record of Voting:

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

Against the Motion: Councillors Maggio and Yedelian OAM

18 REPORTS DUE TO COUNCIL

RESOLUTION: (Moved by Councillors Simon and Laxale)

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

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

Against the Motion: Councillor Maggio

LATE REPORT

19 WEST RYDE URBAN VILLAGE – ACCESS REPORT FOR EARLY OPENING OF BASEMENT CARPARKS

Note: A document from the West Ryde Chamber of Commerce was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) That the Mayor and Acting General Manager make further strong representations to Coles' management, including attending Coles' head office in Melbourne on behalf of Council to secure the early opening of the basement carparks.
- (b) That Council make available the access consultant's report to Coles, as detailed in **ATTACHMENT 1** of this report.
- (c) That Council endorse Option 1 as detailed in the report in respect of access to the Coles carpark, requiring Coles to arrange a second opinion regarding the engineering advice relating to back propping for the Chatham Road vehicle exit as a matter of urgency.
- (d) That Council endorse the Acting General Manager to engage an independent advisor if necessary to review the further advice provided by Coles.
- (e) That Council fully supports the West Ryde Local Community Rally and that a written invitation be extended to Coles to attend the event which will be held on Saturday, 1 June 2013 at 10.00 am.

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 FUTURE DIRECTIONS FOR NSW LOCAL GOVERNMENT

RESOLUTION: (Moved by Councillors Pickering and Simon)

- (a) That the correspondence be received and noted.
- (b) That the Acting General Manager again write to Independent Local Government Review Panel seeking clarification regarding the provision of relevant working papers as requested on 13 May 2013.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 WORKSHOP TO DISCUSS PROPOSAL FOR SISTER CITY WITH CITY OF DONG GUAN, CHING – Deputy Mayor, Councillor Justin Li

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

2 ADVERTISING ON PUBLIC LAND AND AROUND DOG OFF LEASH PARKS - Councillor Roy Maggio

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

1. That the Acting General Manager provide a report to Council advising of the options for advertisement around the dog off leash parks including proposed fees and terms and conditions for such advertising that are compliant with the requirements of the State Environmental Planning Policy 64.
2. That the Acting General Manager investigate the potential of advertising on public land as an revenue generating option such as advertisement around dog parks, with the expression of interests to be sent to all local vet business and dog food companies, and report back to Council.

Record of Voting:

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

Against the Motion: Councillor Pendleton

3 FIRE STATION RESPONSE TIMES AND CLOSURES - Councillor Roy Maggio

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

NOTICES OF RESCISSION

There were no Notices of Rescission.

QUESTIONS BY COUNCILLORS AS PER POLICY

There were no Questions by Councillors as per Policy.

NATIONAL ANTHEM

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

The meeting closed at 10.15pm.

CONFIRMED THIS 11TH DAY OF JUNE 2013

Chairperson