

Meeting Date: Tuesday 22 September 2015

Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde

Time: 7.30pm

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

Apologies: Nil.

Leave of Absence: Councillors Chung and Salvestro-Martin.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Chief Financial Officer, Manager – Communications and Media, Manager – Governance, Risk and Audit, Acting Manager – Urban Planning, Place Manager, Digital – Communications Coordinator, Section Manager – Governance and Governance, Risk and Audit Coordinator.

PRAYER

Captain Cheryl Kistan of the Salvation Army, Ryde was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

LEAVE OF ABSENCE

The Mayor, Councillor Laxale advised the meeting that Councillor Salvestro-Martin has requested a Leave of Absence for tonight's Council Meeting, 22 September 2015.

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

That Council approve a Leave of Absence for Councillor Salvestro-Martin for tonight's Council Meeting, 22 September 2015.

Record of Voting:

For the Motion: Unanimous

TABLING OF PETITIONS

No Petitions were tabled.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

Name	Topic
Rebecca Lehman (representing Connect Macquarie Park + North Ryde)	Item 9 – Strengthening Ryde - Macquarie Park Staged Review of Car Parking Rates

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No requests to address Council were received.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Pendleton and Yedelian OAM)

That Council now consider the following Items, the time being 7.42pm:

- Item 9 – Strengthening Ryde - Macquarie Park Staged Review of Car Parking Rates.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

9 STRENGTHENING RYDE - MACQUARIE PARK STAGED REVIEW OF CAR PARKING RATES

Note: Rebecca Lehman (representing Connect Macquarie Park + North Ryde) addressed the meeting in relation to this Item.

Note: Documentation was tabled by Rebecca Lehman in relation to this item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Simon and Pendleton)

- That Council prepare a Planning Proposal to amend Ryde Local Environmental Plan 2014, including amending Clause 4.5B Macquarie Park Corridor and the Macquarie Park Corridor Parking Restrictions Maps to change the commercial car parking rate in the B4, B3 and B7 zones to 1 space / 60m² GFA in Area A, and 1 space / 100m² GFA in both Areas B and C.
- That Council authorize the preparation of an amending Development Control Plan to effect this change.

- (c) That officers report back to Council on the draft Planning Proposal, draft Development Control Plan amendments and proposed community consultation.
- (d) That Council endorses the removal of the 'all day' (12P) parking rate and lift the hourly rate from \$2.50 per hour to \$3.50 per hour, and that this be incorporated into the Fees and Charges schedule for 2015/2016, by advertising the new fee for 28 days from 30 September 2015, and should there be no objections, the fee to commence from 1 December 2015.

Record of Voting:

For the Motion: Unanimous

1 CONFIRMATION OF MINUTES - Council Meeting held on 8 September 2015

RESOLUTION: (Moved by Councillors Yedelian OAM and Pendleton)

That the Minutes of the Council Meeting 16/15, held on 8 September 2015 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 13/15 held on 1 September 2015

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council note that all Items of the Planning and Environment Committee Meeting 13/15 held on 1 September 2015 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 12/15 held on 1 September 2015

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council note that all Items of the Works and Community Committee Meeting 12/15 held on 1 September 2015 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

4 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 14/15 held on 15 September 2015

RESOLUTION: (Moved by Councillors Simon and Yedelian OAM)

That Council note that all Items of the Planning and Environment Committee Meeting 14/15 held on 15 September 2015 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

5 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 13/15 held on 15 September 2015

RESOLUTION: (Moved by Councillors Perram and Stott)

That Council note that all Items of the Works and Community Committee Meeting 13/15 held on 15 September 2015 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

6 VOLUNTARY PLANNING AGREEMENT 113-115 CHURCH STREET RYDE & 13-15 PORTER STREET RYDE

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council accept the written offer dated 3 September 2015 from Eastern Pearl Pty Limited to enter into a Voluntary Planning Agreement in relation to Development Application number LDA2015/70 for the construction of an additional storey to an approved residential flat development 13-15 Porter Street and 113-115 Church Street Ryde which will deliver the following contributions to Council:
- i. The transfer at no cost to Council of a strata titled unit with a minimum internal area of 51m², an associated balcony of 12m² in area, an associated secure disabled car parking space of 16m² and an associated 3m² of secure storage space for the purpose of an accessible and affordable housing unit;

- ii. The payment to Council of a monetary contribution in the amount of \$125,000 to be utilised for the purpose of delivering public facilities within the Ryde LGA.
- (b) That Council delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement, and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provisions of the Environmental Planning and Assessment act 1979;
- (c) That Council delegate authority to the General Manager to:
- i. Authorise any minor changes to the draft Voluntary Planning Agreement following its public exhibition, provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in (a) above;
 - ii. Subsequently enter into the Voluntary Planning Agreement on behalf of Council; and
 - iii. Any land to be dedicated to Council under the terms of the voluntary Planning Agreement is to be classified as Operational Land in accordance with the provisions of Section 31(2) of the Local Government Act 1993.

Record of Voting:

For the Motion: Unanimous

**7 VOLUNTARY PLANNING AGREEMENT FOR 388-392 LANE COVE ROAD
MACQUARIE PARK**

Note: A Memorandum from the Acting Group Manger – Environment and Planning dated 18 September 2015 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Pendleton and Pickering)

That this matter be deferred for further negotiations to be undertaken with the applicant.

Record of Voting:

For the Motion: Unanimous

8 STRENGTHENING RYDE - ESTABLISHMENT OF PROGRAM 2015-2019

RESOLUTION: (Moved by Councillor Li and Pendleton)

That this matter be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous

Note: This Item was then dealt with in seriatim.

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) (1) That Council endorse the Strengthening Ryde Initiative - Property Strategy to be explored and progressed.

Record of Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Etmekdjian, Maggio, Li, Perram, Pickering, Stott and Yedelian OAM.

Against the Motion: Councillors Pendleton and Simon

RESOLUTION: (Moved by Councillors Pickering and Maggio)

- (a) (2) That Council endorse the Strengthening Ryde Initiative – Laneways to be explored and progressed.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) (3) That Council endorse the Strengthening Ryde Initiative – Telecommunication on Council Property to be deferred and reviewed again in 12 months.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Pickering and Pendleton)

- (a) (4) That Council endorse the Strengthening Initiative - Review of Fees and Charges to be explored and progressed.

Record of Voting:

For the Motion: Councillors Etmekdjian, Li, Perram, Pendleton, Pickering, Stott and Yedelian OAM.

Against the Motion: The Mayor, Councillor Laxale and Councillors Maggio and Simon.

RESOLUTION: (Moved by Councillors Pickering and Stott)

- (a) (5) Integrated Transport Strategy
That Council endorse the Strengthening Ryde Initiative – Parking Stations, Parking Meters and On Street Parking Fees to be deferred pending Council’s adoption of the Integrated Transport Strategy.

Record of Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Etmekdjian, Maggio, Perram, Pendleton, Pickering, Stott and Yedelian OAM

Against the Motion: Councillors Li and Simon

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) (6) That Council endorse the Strengthening Ryde Initiative - Advertising on Council’s Website to be deferred and reviewed in 12 months.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) (7) Outdoor Advertising - That Council note that it has endorsed this matter at its meeting on 25 August 2015.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Yedelian OAM and Simon)

- (a) (8) That Council endorse the Strengthening Ryde Initiative – Intellectual Property (IP) Development to be deferred and reviewed again in 12 months.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Maggio and Pendleton)

- (a) (9) That Council endorse the Strengthening Ryde Initiative - Opportunities in Parks and Open Space be deferred pending Council's endorsement of the Draft Sport and Recreation Strategy.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Pickering and Maggio)

- (a) (10) That Council endorse the Strengthening Ryde Initiative - Approaches by Developers be progressed in accordance with the Voluntary Planning Agreement Policy and the upcoming suite of policies and strategies that provide community benefit such as Key Worker Housing, Sport and Recreation Strategy, Road Safety Plan, etc.

Record of Voting:

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

Against the Motion: Councillor Perram

RESOLUTION: (Moved by Councillors Simon and Maggio)

- (a) (11) That Council endorse the Strengthening Ryde Initiative – Centres of Excellence / Shared Services to be deferred and reviewed again in 12 months or following the outcome of the Joint Fit for the Future submission.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Simon and Maggio)

- (a) (12) That Council endorse the Strengthening Ryde Initiative – Charge Out of Specialists to be deferred and reviewed again in 12 months.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Simon and Pendleton)

- (a) (13) That Council endorse the Strengthening Ryde Initiative – Joint Tenders be progressed on a case by case basis, as is the current practice.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Maggio and Pendleton)

- (a) (14) That Council endorse the Strengthening Ryde Initiative – Best Value Reviews be progressed within the agreed schedule.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Maggio and Pendleton)

- (a) (15) That Council endorse the Strengthening Ryde Initiative – Sport and Recreation Strategy be separately reported to Council.

Record of Voting:

For the Motion: Councillors Etmekdjian, Li, Maggio, Pendleton, Perram, Pickering, Stott and Yedelian OAM

Against the Motion: The Mayor, Councillor Laxale and Simon

RESOLUTION: (Moved by Councillors Pendleton and Simon)

- (b) That these priority areas be reported back to Council, through the Finance and Governance Committee.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Pendleton and Stott)

- (c) That a quarterly update report on the overall progress of these priority areas, be included in each Quarterly Review report.

Record of Voting:

For the Motion: Unanimous

MOTION: (Moved by Councillors Pendleton and Li)

- (d) That Council defer the Loan Borrowing Policy, pending discussion at a Councillor Workshop.

AMENDMENT: (Moved by Councillors Pickering and Etmekdjian)

- (d) That Council endorse the Loan Borrowing Policy, as a policy of Council, as attached to this report.

On being put to the Meeting, the voting on the Amendment was seven (7) For and three (3) Against. The Amendment was **CARRIED** and then became the Motion.

Record of Voting:

For the Amendment: Councillors Etmekdjian, Maggio, Perram, Pickering, Simon, Stott and Yedelian OAM.

Against the Amendment: The Mayor, Councillor Laxale and Councillors Li and Pendleton

RESOLUTION: (Moved by Councillors Pickering and Etmekdjian)

- (d) That Council endorse the Loan Borrowing Policy, as a policy of Council, as attached to this report.

Record of Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Etmekdjian, Li, Maggio, Perram, Pickering, Simon, Stott and Yedelian OAM.

Against the Motion: Councillor Pendleton

RESOLUTION:

- (a) (1) That Council endorse the Strengthening Ryde Initiative - Property Strategy to be explored and progressed.
- (a) (2) That Council endorse the Strengthening Ryde Initiative – Laneways to be explored and progressed.
- (a) (3) That Council endorse the Strengthening Ryde Initiative – Telecommunication on Council Property to be deferred and reviewed again in 12 months.
- (a) (4) That Council endorse the Strengthening Initiative - Review of Fees and Charges to be explored and progressed.
- (a) (5) Integrated Transport Strategy
That Council endorse the Strengthening Ryde Initiative – Parking Stations, Parking Meters and On Street Parking Fees to be deferred pending Council’s adoption of the Integrated Transport Strategy.
- (a) (6) That Council endorse the Strengthening Ryde Initiative - Advertising on Council’s Website to be deferred and reviewed in 12 months.
- (a) (7) Outdoor Advertising - That Council note that it has endorsed this matter at its meeting on 25 August 2015.
- (a) (8) That Council endorse the Strengthening Ryde Initiative – Intellectual Property (IP) Development to be deferred and reviewed again in 12 months.
- (a) (9) That Council endorse the Strengthening Ryde Initiative - Opportunities in Parks and Open Space be deferred pending Council’s endorsement of the Draft Sport and Recreation Strategy.
- (a) (10) That Council endorse the Strengthening Ryde Initiative - Approaches by Developers be progressed in accordance with the Voluntary Planning Agreement Policy and the upcoming suite of policies and strategies that provide community benefit such as Key Worker Housing, Sport and Recreation Strategy, Road Safety Plan, etc.
- (a) (11) That Council endorse the Strengthening Ryde Initiative – Centres of Excellence / Shared Services to be deferred and reviewed again in 12 months or following the outcome of the Joint Fit for the Future submission.
- (a) (12) That Council endorse the Strengthening Ryde Initiative – Charge Out of Specialists to be deferred and reviewed again in 12 months.

- (a) (13) That Council endorse the Strengthening Ryde Initiative – Joint Tenders be progressed on a case by case basis, as is the current practice.
- (a) (14) That Council endorse the Strengthening Ryde Initiative – Best Value Reviews be progressed within the agreed schedule.
- (a) (15) That Council endorse the Strengthening Ryde Initiative – Sport and Recreation Strategy be separately reported to Council.
- (b) That these priority areas be reported back to Council, through the Finance and Governance Committee.
- (c) That a quarterly update report on the overall progress of these priority areas, be included in each Quarterly Review report.
- (d) That Council endorse the Loan Borrowing Policy, as a policy of Council, as attached to this report.

9 STRENGTHENING RYDE - MACQUARIE PARK STAGED REVIEW OF CAR PARKING RATES

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

10 INVESTMENT REPORT - August 2015

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

That Council endorse the report of the Chief Financial Officer dated 2 September 2015 on Investment Report – August 2015.

Record of Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Etmekdjian, Li, Maggio, Perram, Pickering, Simon, Stott and Yedelian OAM.

Against the Motion: Councillor Pendleton

11 POLICY ON EXPENSES AND FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS

Note: Councillor Simon left the meeting at 9.10pm and was not present for the consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pickering and Stott)

- (a) That Council endorse the public exhibition of the revised 'Policy on Expenses and Facilities for the Mayor and other Councillors', as **ATTACHED** for a period of at least 28 days.
- (b) That the draft policy be sent to the Office of Local Government seeking their feedback by close of the exhibition period.
- (c) That after the exhibition period a further report be provided to Council detailing any submissions received, and seeking the adoption of the draft 'Policy on Expenses and Facilities for the Mayor and other Councillors'.

Record of Voting:

For the Motion: Unanimous

12 REPORTS DUE TO COUNCIL

Note: Councillor Simon was not present for the consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Stott and Pickering)

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Etmekdjian, Li, Pendleton, Perram, Pickering, Stott and Yedelian OAM.

Against the Motion: Councillor Maggio

PRECIS OF CORRESPONDENCE

1 **PRECIS OF CORRESPONDENCE - FINANCIAL ASSISTANCE GRANTS TO LOCAL GOVERNMENT**

Note: Councillor Simon was not present for the consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pickering and Stott)

That Council endorse the Mayor, on behalf of the City of Ryde write to the Deputy Prime Minister and Minister for Infrastructure and Regional Development, the Hon Warren Truss MP, highlighting the importance of Financial Assistance Grants and seeking the Minister to support the restoration of the indexation of Financial Assistance Grants, as soon as possible.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Simon returned to the meeting at 9.12pm.

**2 EXECUTION OF PLANNING AGREEMENT - NORTH RYDE STATION
PRECINCT - REGIONAL ROAD UPGRADES**

RESOLUTION: (Moved by Councillors Stott and Maggio)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

3 STRATEGIC INVESTIGATION OF MACQUARIE PARK

RESOLUTION: (Moved by Councillors Maggio and Pickering)

(a) That the correspondence be received and noted.

(b) That Council accept the invitation to partner with the NSW Department of Planning and Environment to undertake a strategic investigation of Macquarie Park.

Record of Voting:

For the Motion: Unanimous

4 STREET LIGHT REFORM - PRIVATISATION OF AUSGRID

RESOLUTION: (Moved by Councillors Maggio and Pickering)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

LATE PRECIS OF CORRESPONDENCE

5 PROPOSED PARK - 45-61 WATERLOO ROAD, MACQUARIE PARK

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That the correspondence be received and noted.
- (b) That the General Manager's actions and progress on this matter be noted.

Record of Voting:

For the Motion: Unanimous

CLOSED SESSION

ITEM 13 - ADVICE ON COURT ACTIONS

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 Pickering and Stott)

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

Record of Voting:

For the Motion: Unanimous

Note: The Council closed the meeting at 9.15pm. The public and media left the chamber.

13 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Simon)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION

RESOLUTION: (Moved by Councillors Yedelian OAM and Stott)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 9.27pm.

RESOLUTION: (Moved by Councillors Simon and Yedelian OAM)

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

NATIONAL ANTHEM

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

The meeting closed at 9.27pm.

CONFIRMED THIS 27TH DAY OF OCTOBER 2015

Chairperson