

Meeting Date: Tuesday 22 July 2014

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

Time: 7.30pm

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

Note: Councillor Salvestro-Martin arrived at the meeting at 8.04pm during Public Participation on Items Listed on the Agenda.

Apologies: Councillors Chung and Pickering.

Absent: Councillor Petch (currently suspended).

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Manager – Governance, Risk and Audit, Manager – Operations, Team Leader – Design and Development, Section Manager – Natural Areas and Urban Forest, Section Manager – Properties, Coordinator – Digital Communications and Section Manager – Governance.

ONE MINUTE SILENCE

A one minute silence was observed in recognition of the loss of two Council employees, Darren Ward and Victor Oreshkin. The 298 passengers and their families from Malaysian Airlines Flight MH17 were also remembered.

PRAYER

Councillor Laxale offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Public Exhibition of Draft Eastwood Master Plan - Submissions for the reason that the proponent was a donor to the Liberal Federal Election Campaign.

Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Public Exhibition of Draft Eastwood Master Plan - Submissions for the reason that she attended a community grants event organised by the proponent.

Councillor Li disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Public Exhibition of Draft Eastwood Master Plan - Submissions for the reason that he attended a community grants function organised by the proponent.

TABLING OF PETITIONS

Councillor Pendleton requested to table a petition dated 11 April 2014 from 14 local residents regarding the need for a pedestrian crossing and speed humps to be built in Thistle Street, Ryde.

Councillor Perram requested to table a petition from 154 local residents opposing the height increases proposed in the Draft Eastwood Master Plan.

RESOLUTION: (Moved by Councillors Pendleton and Perram)

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

That the petition dated 11 April 2014 from 14 local residents regarding the need for a pedestrian crossing and speed humps to be built in Thistle Street, Ryde and the petition from 154 local residents opposing the height increases proposed in the Draft Eastwood Master Plan be tabled.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Laxale and Yedelian OAM)

That the late request to address Council on Items Listed on the Agenda and any members of the public who wished to address Council on Items Listed on the Agenda be allowed to address the meeting, the time being 7.45pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Vic Tagg (on behalf of Eastwood Chamber)	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions
Eric Roozendaal (on behalf of the Yuhu Group – owners of the Eastwood Shopping Centre)	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions

Name	Topic
David (Young Shik) Kwon	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions
Allen But	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions
Simone But	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions
Jim Willett	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions
Suzanne Bravery	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions
Jason Koh (on behalf of the Korean Chamber of Commerce in Eastwood, Ryde and Epping Inc.)	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions
Lilian Lau	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions
Ian Sheffield	Item 4 – Public Exhibition of Draft Eastwood Master Plan – Submissions

Note: The Mayor called on registered speaker Mark Shepard from David Lock Associates (representing the Yuhu Group) to address the Meeting. Mr Shepard was not present and did not speak.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Perram)

That Council now consider the following Item, the time being 8.19pm:

- **Item 4** – Public Exhibition of Draft Eastwood Master Plan – Submissions.

Record of Voting:

For the Motion: Unanimous

4 PUBLIC EXHIBITION OF DRAFT EASTWOOD MASTER PLAN - SUBMISSIONS

Note: Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that the proponent was a donor to the Liberal Federal Election Campaign.

Note: Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she attended a community grants event organised by the proponent.

Note: Councillor Li disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he attended a community grants function organised by the proponent.

Note: Vic Tagg (on behalf of Eastwood Chamber), Eric Roozendaal (on behalf of the Yuhu Group – owners of the Eastwood Shopping Centre), David (Young Shik) Kwon, Allen But, Simone But, Jim Willett, Suzanne Bravery, Jason Koh (on behalf of the Korean Chamber of Commerce in Eastwood, Ryde and Epping Inc.), Lilian Lau and Ian Sheffield addressed the meeting in relation to this Item.

Note: A document from David (Young Shik) Kwon was tabled in relation to this Item and a copy is ON FILE.

Note: A document from David Lock Associates (on behalf of the Yuhu Group) was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Perram and Yedelian OAM)

- (a) That Council adopt the public domain recommendations of the draft Eastwood master plan as a guide for consideration when next undertaking public domain works in Eastwood shopping centre;
- (b) That owing to strong community opposition and unresolved traffic and parking issues, no action be taken to increase allowable building heights or introduce floor space ratios in Eastwood shopping centre;
- (c) That investigations be undertaken to identify opportunities to improve the management of the existing car spaces in the centre to increase the availability of public parking;
- (d) That an amount of \$15,000 be allocated from the Property Investment Reserve for the purpose of preparing a redevelopment concept for the Glen Street and Rowe Street East car parks and that the amount be consolidated into the next Quarterly Review;
- (e) That a further report be presented to Council regarding progressing the outstanding works recommended in the Eastwood Transport Management and Access Plan 2008 (TMAP) and all associated costs as quickly as practicable;
- (f) That Council's Environmental and Enforcement team continue to address public cleanliness issues within the Eastwood Town Centre.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY

Councillor Laxale advised that he wished to raise a Matter of Urgency regarding the closing date for submissions concerning the Herring Road Urban Activation Precinct Consultation.

Note: Councillor Yedelian OAM left the meeting at 8.51pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Laxale and Pendleton)

That Council consider a Matter of Urgency regarding the closing date for submissions concerning the Herring Road Urban Activation Precinct Consultation, the time being 8.52pm.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Yedelian OAM returned to the meeting at 8.53pm.

MATTER OF URGENCY – HERRING ROAD URBAN ACTIVATION PRECINCT CONSULTATION

RESOLUTION: (Moved by Councillors Laxale and Simon)

That the Acting General Manager write to the Planning Minister and the Department of Planning requesting an extension of at least three weeks to the submission period for the Herring Road Urban Activation Precinct.

Record of Voting:

For the Motion: Unanimous

MAYORAL MINUTES

26/14 INAUGURAL SYDNEY HARBOUR AND COASTAL WALK - The Mayor, Councillor Roy Maggio

Note: Councillor Li left the meeting at 8.57pm and was not present for consideration or voting on this Item.

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

- (a) That Council support this initiative by inviting interested Councillors to join the inaugural walk when it enters the local area on Wednesday, 27 August 2014 and that Council promote this event through the Mayor's message, website and other normal channels.

- (b) That the Acting General Manager provide the walk organisers with a list of sites for them to promote and which may be of interest to the walk participants.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Li returned to the meeting at 8.59pm.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 24 June 2014

RESOLUTION: (Moved by Councillors Pendleton and Simon)

That the Minutes of the Council Meeting 10/14, held on 24 June 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/14 held on 15 July 2014

RESOLUTION: (Moved by Councillors Etmekdjian and Laxale)

That Council note that all items of the Planning and Environment Committee Meeting 6/14 held on 15 July 2014 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 8/14 held on 15 July 2014

RESOLUTION: (Moved by Councillors Perram and Simon)

That Council determine Item 2 of the Works and Community Committee report 8/14 held on 15 July 2014, noting that Items 1 and 3 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

2 UPDATE ON SMALLS ROAD PLAYING FIELDS

Note: Councillor Salvestro-Martin left the meeting at 9.04pm and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Perram and Simon)

With respect to the Smalls Road playing fields:

- (a) That Council prepare 1 senior soccer and 1 junior soccer field for winter season and 1 senior / junior cricket field for summer season.
- (b) That Council approach the Northern Districts Cricket Association and the Inner West Harbour Cricket Association to fund installation of cricket pitches.
- (c) That Council allocate the amount of \$30,425 from Working Capital in the 2014/2015 financial year for maintenance of the Smalls Road Reserve and that the amount be consolidated into the next Quarterly Review.
- (d) That Council allocate the amount of \$31,000 from working capital in the 2014/2015 financial year to establish the Smalls Road Reserve for active recreation use and that the amount be consolidated into the next Quarterly Review.
- (e) That the fees and charges for use of Smalls Road reserve be consistent with those applied to level 2 Sports Fields as outlined in Council's 2014/15 Fees and Charges schedule.
- (f) That Council allocate the amount of \$4,000 as income from hire of the Smalls Road Reserve and that the amount be consolidated into the next Quarterly Review.
- (g) That Council include an amount of \$30,425 per annum from Working Capital for the purpose of maintenance of the Smalls Road Reserve for the following two years (2015/16 and 2016/17), subject to the annual budget process.
- (h) That Council write to the Government Property NSW seeking a seven year extension to the current three year licence agreement.
- (i) That Council write to the Local State Member seeking support for Council's request for a seven year extension.

Record of Voting:

For the Motion: Unanimous

4 PUBLIC EXHIBITION OF DRAFT EASTWOOD MASTER PLAN - SUBMISSIONS

Note: This matter was dealt with earlier in the meeting as outlined in these Minutes.

5 S94 DEVELOPMENT CONTRIBUTIONS PLAN 2007 - INTERIM UPDATE

Note: Councillor Salvestro-Martin and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Perram and Yedelian OAM)

- (a) That Council endorses the improvements to the existing S.94 Development Contributions Plan 2007.
- (b) That Council adopts the S.94 Plan improvements in the form of a S.94 Development Contribution Plan 2007 – Interim Update (2014).
- (c) That Council delegates authority to the Acting General Manager to advertise and publish the S.94 Development Contribution Plan 2007 – Interim Update (2014) in order to inform all residents and potential developers in Ryde.

Record of Voting:

For the Motion: Unanimous

6 INVESTMENT REPORT - June 2014

Note: Councillor Salvestro-Martin and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Pendleton)

That Council endorse the report of the Chief Financial Officer dated 3 July 2014 on Investment Report – June 2014.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Salvestro-Martin returned to the meeting at 9.08pm.

**7 2014 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - Coffs Harbour
- 19 to 21 October 2014**

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Council endorse the attendance of The Mayor, Councillor Maggio and Councillors Chung and Yedelian OAM at the 2014 Local Government NSW Annual Conference as voting delegates, noting that Councillor Pickering will also attend the Conference in his capacity as a board member of Local Government NSW.
- (b) That Council note that the Acting General Manager will select staff to attend the Conference as appropriate.
- (c) That Council endorse the Motions for inclusion on the 2014 Local Government NSW Annual Conference business paper as set out in Attachment 2 of the Report.

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

**1 31-33 WATERLOO ROAD, MACQUARIE PARK - RESPONSE FROM
DEPARTMENT OF PLANNING & ENVIRONMENT**

RESOLUTION: (Moved by Councillors Simon and Laxale)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

**2 DEPARTMENT OF PLANNING AND ENVIRONMENT - TENNIS WORLD SITE
ZONING**

RESOLUTION: (Moved by Councillors Etmekdjian and Laxale)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

3 PARRAMATTA RIVER FORESHORE

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

CLOSED SESSION

ITEM 8 – REQUEST FOR TENDER - COR-RFT-04/14 - PROVISION OF BUSH REGENERATION SERVICES - SUPPLEMENTARY REPORT

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: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

ITEM 9 - WALKLEY PATHWAY

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: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

ITEM 10 - 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 Simon and Yedelian OAM)

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

Record of Voting:

For the Motion: Unanimous

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

8 REQUEST FOR TENDER - COR-RFT-04/14 - PROVISION OF BUSH REGENERATION SERVICES - SUPPLEMENTARY REPORT

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Perram)

- (a) That the information provided in this report be received and noted.
- (b) That Council accepts the tenders for Bush Regeneration Services to the City of Ryde from the companies outlined in **ATTACHMENT 3 - CONFIDENTIAL** for a three (3) year period with an option to extend for a further one (1) year.
- (c) That the Acting General Manager be delegated the authority to execute all contract documents for the Bush Regeneration Services to the City of Ryde.
- (d) That Council advises all the respondents of Council's decision.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

9 WALKLEY PATHWAY

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Laxale)

That Council continue to explore its options with respect to Walkley Pathway and present a further report to Council.

Record of Voting:

For the Motion: Unanimous

10 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Simon and Etmekdjian)

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 Etmekdjian)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 9.48pm.

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

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 9.50pm.

CONFIRMED THIS 12TH DAY OF AUGUST 2014

Chairperson