

Meeting Date: Tuesday 22 August 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.00pm

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

Apologies: Nil.

Absent: Councillor Salvestro-Martin.

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Acting Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, General Counsel, Manager – Project Development, Acting Manager – City Planning, Acting Manager – Community Services, Acting Manager – Business Infrastructure, Senior Coordinator – Communications, Senior Coordinator – Community Engagement, Senior Coordinator – Ranger and Parking Services, Research and Insights Coordinator, Temporary Digital Communications Coordinator, Senior Coordinator – Governance, Governance, Risk and Audit Coordinator and Administration Officer – Councillor Support.

PRAYER

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

DISCLOSURES OF INTEREST

Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in relation to Item 5(6) – Licence to Putney Tennyson Bowling and Community Club Ltd – Part Morrison Bay Park for the reason that he is a member of the Putney Tennyson Bowling Club and does not hold any Executive Board Position.

Councillor Stott disclosed a Less than Significant Non-Pecuniary Interest in relation to Item 5(6) – Licence to Putney Tennyson Bowling and Community Club Ltd – Part Morrison Bay Park for the reason that she is a member of the Putney Tennyson Bowling and Community Club Ltd and has no decision making powers.

Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in Item 3 – Report of the Ryde Central Committee Meeting 6/17 held on 8 August 2017 for the reason that her continued and consistent opposition to the sale/redevelopment of the Civic Centre public land with the inclusion of high rise residential development, the loss of the bus interchange and internal performance auditorium and other community amenity is consistent with her core commitment made to the electorate at the 2012 elections.

TABLING OF PETITIONS

Councillor Laxale tabled a petition with 96 signatures from residents regarding the Rezoning of Dunbar Park Estate from R3 – Medium Density to R2 – Low Density and a copy is ON FILE.

Councillor Pendleton tabled a petition with 28 signatures from residents objecting to the Proposed Skate Park in Meadowbank Park and a copy is ON FILE.

Councillor Li tabled a petition with 64 signatures from residents regarding traffic control on Abuklea Road, Marsfield and a copy is ON FILE.

Councillor Perram tabled a petition with over 1400 signatures from residents objecting to any part of Eastwood Park being used as a commuter car park and a copy is ON FILE.

PRESENTATION OF GOLD AWARD FOR 2016/2017 ANNUAL REPORT

The Acting General Manager presented the Mayor, Councillor Pickering with the Gold Award for Council's 2015/2016 Annual Report. This is the seventh year in a row that the City of Ryde has won the Gold Award for its Annual Report at the Australasian Reporting Awards (ARA).

PRESENTATION OF 2017 AUSTRALIAN BUSINESS AWARD FOR EMPLOYER OF CHOICE

The Acting General Manager presented the Mayor, Councillor Pickering with the 2017 Australian Business Award for Employer of Choice. This Award recognises organisations which have developed leading workplaces that maximise the full potential of their workforce through practices that demonstrate effective employee recruitment, engagement and retention.

PRESENTATION OF LOCAL GOVERNMENT NSW RH DOUGHERTY AWARD FOR EXCELLENCE IN COMMUNICATION FOR THE DESIGN OUR RYDE INTERNATIONAL DESIGN COMPETITION

The Acting General Manager presented the Mayor, Councillor Pickering with the Highly Commended Local Government NSW RH Dougherty Award for the Design Our Ryde International Design Competition. This category recognises a communication and public relations campaign that was produced to a standard of excellence.

SUSPENSION OF STANDING ORDERS

Councillor Simon requested a Suspension of Standing Orders to defer the Presentation to Councillors to allow Public Participation and consideration of all Items on which there were speakers to occur prior to the Presentation to Councillors.

RESOLUTION: (Moved by Councillors Simon and Maggio)

That Standing Orders be Suspended to defer the Presentation to Councillors to allow Public Participation and consideration of all Items on which there were speakers to occur prior to the Presentation to Councillors, the time being 7.24pm.

Record for the Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Buckley Findlay	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Paul Azizi (representing Raymond Azizi)	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Sharon Bejjani	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Brad Powe	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Penny Pedersen	Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
Melanie Marcellino	Item 11 – Deferred Report – Acquisition of Private Land – Request from adjoining owner
Peter Raptis	Notice of Motion 3 – Dunbar Park Estate Zoning
Oliver Sheehan	Notice of Motion 3 – Dunbar Park Estate Zoning
Gary Pilgrim	Notice of Motion 3 – Dunbar Park Estate Zoning
Peter Aylett	Notice of Motion 3 – Dunbar Park Estate Zoning

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Stott and Maggio)

That the speaker who submitted a Request to Address Council on Items Listed on the Agenda on an Item previously considered by the Planning and Environment Committee Meeting 6/17 held on 8 August 2017 and the speaker who submitted a late Request to Address Council on Items Listed on the Agenda on an Item previously considered by the Planning and Environment Committee Meeting 6/17 held on 8 August 2017 be allowed to address the meeting, the time being 7.52pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons then addressed the Council:-

Name	Topic
Sarah Horsfield (representing AMP Capital and Jo Fleming from AMP Capital)	Item 2(5) – Planning Proposal – 197-223 Herring Road, Macquarie Park – Macquarie Shopping Centre Advertising Sign
Nigel White (representing the applicant)	Item2(2) – 6 Lexcen Place, Marsfield – LDA2017/0167

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Des Sibraa	Ryde Outdoor Youth and Family Recreation Space
Rossie Vasilev	Ratepayer vs Council's Tree
Fletcher Simpkins	Against the Development Proposal for 2-14 Tennyson Road currently open for public comment
Jeff Hayes	2-14 Tennyson Road Development
Kate Scotland (representing Narelle Matley)	Removal of Ryde Council's Caveat on 10 Cooper Street, Marsfield. The Caveat was lodged in 1973 to prevent the property from being used as a dual occupancy, however today it is antiquated, lacks legal merit, unduly burdens the property and potentially prevents the registered proprietor from selling the property

Name	Topic
Doug Matley (representing Narelle Matley)	Removal of Ryde Council's Caveat on 10 Cooper Street, Marsfield. The Caveat was lodged in 1973 to prevent the property from being used as a dual occupancy, however today it is antiquated, lacks legal merit, unduly burdens the property and potentially prevents the registered proprietor from selling the property
Peter Bradley	Car parking on the ovals

Note: Tosko Vasilev was called to address Council, however he was not present in the Chamber.

Note: Des Sibraa handed some photographs of parked cars and traffic congestion surrounding Meadowbank Park around for Councillors to view and a copy of the photographs are ON FILE.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

That Council now consider the following Items, the time being 8.23pm:-

- Item 7 – Planning Proposal – Community Consultation – 86 Blenheim Road and 12A and 14 Epping Road, North Ryde
- Item 11 - Deferred Report – Acquisition of Private Land – Request from adjoining owner
- Item 2(2) – 6 Lexcen Place, Marsfield – LOT 70 DP 718680 - Development Application – LDA2017/0167
- Notice of Motion 3 - Dunbar Park Estate Zoning
- Item 2(5) – Planning Proposal – 197-223 Herring Road, Macquarie Park – Macquarie Shopping Centre Advertising Sign

Record for the Voting:

For the Motion: Unanimous

COUNCIL REPORT

7 PLANNING PROPOSAL - COMMUNITY CONSULTATION - 86 BLENHEIM ROAD AND 12A AND 14 EPPING ROAD NORTH RYDE

Note: Buckley Findlay, Paul Azizi (representing Raymond Azizi), Sharon Bejjani, Brad Powe and Penny Pedersen addressed the Meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

- (a) That Council endorse that Ryde LEP 2014, as it relates to 86 Blenheim Road, 12A and 14 Epping Road North Ryde (LOTS C, D, E in DP 410408) be amended as follows:
- i. Ryde LEP 2014 Land Zoning Map amended to rezone the land to RE1 Public Recreation
 - ii. Ryde LEP 2014 Floor Space Ratio Map be amended to remove the FSR control from the land;
 - iii. Ryde LEP 2014 Height of Building Map be amended to remove the Height control from the subject land;
 - iv. Ryde LEP 2014 Lot Size Map be amended to remove the controls from the subject land ; and
 - v. Ryde LEP 2014 Land Reservation Acquisition Map be amended to identify the subject site as "Local Open Space" (coloured in yellow on the map).
- (b) That Council endorse forwarding the Planning Proposal – 86 Blenheim Road, 12A and 14 Epping Road North Ryde to the Department of Planning and Environment with a request that the Plan be made and notified on the NSW Legislation Website.
- (c) That Council endorse the amendments to the Integrated Open Space Plan
- (d) That Council notify all community members who made a submission regarding the planning proposal.

Record of the Voting:

For the Motion: Unanimous

LATE COUNCIL REPORT

11 DEFERRED REPORT: ACQUISITION OF PRIVATE LAND – REQUEST FROM ADJOINING OWNER

Note: Melanie Marcellino addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Laxale and Yedelian OAM)

- (a) That Council undertake further investigations, to a maximum value of \$50,000, to establish whether there are any living successors of William Star and if none make an application to the Registrar General (subject to compliance with any relevant statutory requirements) to declare the Land as Public Road with Council being the relevant roads authority. The ultimate aim of this motion would be to sell the acquired land to adjoining land owners for a sum which would recover costs of this process.
- (b) That if there are any living successors of William Star, Council facilitate a meeting between the successors and adjoining land owners and assist in resolving the matter.

Record of the Voting:

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

Against the Motion: Councillor Perram and Pendleton

COUNCIL REPORT

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/17 held on 8 August 2017

- 2 6 LEXCEN PLACE, MARSFIELD. LOT 70 DP 718680. Development Application – Demolition, new residential apartment building comprising 4 x 3 bedroom apartments over a semi-basement parking level for 6 vehicles - under the State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2017/0167**

Note: Nigel White (representing the applicant) addressed the meeting in relation to this Item.

Note: A Memorandum the Acting Director – City Planning and Development dated 18 August 2017 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

- (a) That Local Development Application No. LDA2017/0167 be refused for the following reasons:

Section 79C(1)(a)(i) of the Act The proposal is considered to be inconsistent with Clause 16A 'Character of the Local Area' of *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

The proposal is unsatisfactory in terms of the following Design Quality Principles Contained within Schedule 1 of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*:

- Principle 1: Context and neighbourhood character
- Principle 2: Built form and scale
- Principle 3: Density
- Principle 5: Landscape
- Principle 6: Amenity
- Principle 8: Housing diversity and social interaction
- Principle 9: Aesthetics

The proposal is unsatisfactory in terms of the following provisions of the *Apartment Design Guide*:

- Part 3D – Communal and Public Open Space
- Part 4C – Floor to Floor Heights
- Part 4D – Apartment Size and Layout
- Part 4H – Acoustic Privacy
- Part 4K – Apartment Mix
- Part 4M – Facades
- Part 4Q – Universal Design

The proposal is unsatisfactory in terms of Development Engineering and Waste Disposal issues regarding the design of the basement carpark, namely:

- drainage disposal (uncertainty as to whether or not a pipe exists within the drainage easement to the rear of the site);
- design of basement car park;
- driveway gradients;
- lack of waste storage areas (both garbage and recycling bins storage areas required).

Section 79C(1)(b) of the Act of The likely impacts of the proposal on the built environment are unsatisfactory due to the proposal introducing a discordant building typology to the street. The resultant impact is a proposal that will unduly impact on the amenity of adjoining property by way of visual and acoustic privacy.

Section 79C(1)(c) of the Act of The significant inconsistencies with the relevant planning controls are considered to be manifestations of the underlying unsuitability of the site for residential use.

Section 79C(1)(e) of the Act of The significant public objection to the proposal, along with unjustifiable non-compliances with the provisions of *State Environmental Planning Policy (Affordable Rental Housing) 2009*, *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*, and the *Apartment Design Guide* are evidence the proposal is not in the public interest.

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

Record of Voting:

For the Motion: Unanimous

NOTICE OF MOTION

3 NOTICE OF MOTION - DUNBAR PARK ESTATE ZONING – Councillor Jerome Laxale

Note: Peter Raptis, Oliver Sheehan, Gary Pilgrim and Peter Aylett addressed the meeting in relation to this Item.

Note: A Dunbar Park Estate Zoning Map from Ryde LEP 2014 from Councillor Laxale was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Laxale and Simon)

That Council prepare and submit to the NSW Department of Planning and Environment for Gateway Determination, a Planning Proposal for the “Dunbar Park Estate R3 Zone” in Marsfield.

The effect of the Planning Proposal is to amend Ryde Local Environmental Plan 2014 to rezone the land from R3 Medium Density Residential to R2 Low Density Residential in order to harmonise zonings in this area and ensure it's character and amenity is maintained.

Record of the Voting:

For the Motion: Unanimous

COUNCIL REPORT

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
6/17 held on 8 August 2017**

**5 PLANNING PROPOSAL - 197-223 HERRING ROAD MACQUARIE
PARK - MACQUARIE SHOPPING CENTRE ADVERTISING SIGN**

Note: Sarah Horsfield (representing AMP Capital and Jo Fleming from AMP Capital) addressed the Meeting in relation to this Item.

Note: A Memorandum the Acting Director – City Planning and Development dated 18 August 2017 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Stott and Li)

- (a) That Council accept an amendment to the PP relating to the sign at 197-223 Herring Road - Macquarie Shopping Centre (LOT 100 in DP1190494) to increase the advertising time provided as public benefit from 5% to 10% and that the PP be forwarded for a gateway determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979* and that Council request delegation from the Minister to implement the Plan.
- (b) That Council, in the event of a gateway determination being issued pursuant to Section 56 of the *Environmental Planning and Assessment Act 1979*, place the proposal on public exhibition and that Council consider a further report following the completion of the exhibition period advising of the outcomes and next steps.

Record of Voting:

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

Against the Motion: Councillors Laxale and Simon

MATTER OF URGENCY

The Mayor, Councillor Pickering advised the meeting that he wished to raise a Matter of Urgency regarding the Potential Removal of a tree outside the property at 28 Tarrants Avenue, Eastwood.

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

That Council consider a Matter of Urgency raised by The Mayor, Councillor Pickering regarding the potential removal of a tree outside the property at 28 Tarrants Avenue, Eastwood, the time being 9.05pm.

Record of the Voting:

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

Against the Motion: Councillor Perram

MATTER OF URGENCY – POTENTIAL REMOVAL OF TREE OUTSIDE 28 TARRANTS AVENUE, EASTWOOD.

Note: A Structural Report from Michael Ell Consulting Engineers Pty Ltd dated 4 April 2017 together with photographs of the tree outside the property at 28 Tarrants Avenue, Eastwood from Rossie Vasilev was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by The Mayor, Councillor Pickering and Councillor Stott)

That Council conduct an immediate investigation into the feasibility for a masonry root barrier as one solution which if not practicable then undertake the removal of the tree outside the property at 28 Tarrants Avenue, Eastwood.

Record of the Voting:

For the Motion: Unanimous

MATTER OF URGENCY

Councillor Maggio advised the meeting that he wished to raise a Matter of Urgency regarding the Removal of a Caveat on the Title of the property at 10 Cooper Street, Marsfield.

The Mayor, Councillor Pickering accepted this matter as an Urgent Item.

MATTER OF URGENCY – REMOVAL OF CAVEAT FROM TITLE ON THE PROPERTY AT 10 COOPER STREET, MARSFIELD

Note: Documentation including a copy of a Deed and Caveat from Kate Scotland (representing Doug and Narelle Matley) was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Maggio and Stott)

That the Acting General Manager be delegated authority on behalf of the Council to, upon his review of all necessary documentation, to determine the request to remove the Caveat on the title of the property at 10 Cooper Street, Marsfield and consider the release of the Covenants and the subject of the Deed of Covenant dated 24 September 1973.

AMENDMENT: (Moved by Councillors Yedelian OAM and Laxale)

That Council officers investigate the caveat on the property and that the Acting General Manager be delegated authority to resolve the matter.

On being put to the Meeting, the voting on the Amendment was four (4) for and five (5) against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of the Voting:

For the Amendment: Councillors Laxale, Pendleton, Simon and Yedelian OAM

Against the Amendment: The Mayor, Councillor Pickering and Councillors Li, Maggio Perram and Stott

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the Acting General Manager be delegated authority on behalf of the Council to, upon his review of all necessary documentation to determine the request to remove the caveat on the title of the property at 10 Cooper Street, Marsfield and consider the release of the covenants and the subject of the Deed of Covenant dated 24 September 1973.

Record of the Voting:

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

Against the Motion: Councillor Simon

PRESENTATION TO CURRENT SERVING COUNCILLORS OF THE CITY OF RYDE

The Acting General Manager, Mr George Dedes thanked and congratulated the current serving Councillors for their contribution and dedication to their role during their tenure with the City of Ryde and presented each Councillor with a Certificate in Recognition of their Service.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 25 July 2017

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That the Minutes of the Council Meeting 6/17, held on 25 July 2017 be confirmed.

Record for the Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/17 held on 8 August 2017

RESOLUTION: (Moved by Councillors Yedelian OAM and Pendleton)

That Council determine Item 4 of the Planning and Environment Committee report 6/17, held on 8 August 2017 noting that Items 1, 3 and 6 were dealt with by the Committee within its delegated powers and Items 2 and 5 were considered earlier in the Meeting as detailed in these Minutes.

Record for the Voting:

For the Motion: Unanimous

- 2 6 LEXCEN PLACE, MARSFIELD. LOT 70 DP 718680. Development Application – Demolition, new residential apartment building comprising 4 x 3 bedroom apartments over a semi-basement parking level for 6 vehicles - under the State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2017/0167**

Note: This matter was dealt with earlier in the Meeting as detailed in these Minutes.

4 SUITE 102 / 25 ANGUS STREET, MEADOWBANK. LOT 174 SP 76502. Development Application – Conversion of existing commercial space to a residential apartment and home office. LDA2016/0189

RESOLUTION: (Moved by Councillors Yedelian OAM and Pendleton)

- (a) That the application be deferred for a mediation meeting with the applicant and the objectors to resolve issues raised in the assessing officers report and specifically to endeavour to improve the amenity of the proposed residential unit.
- (b) That any amended plans or additional information provided by the applicant are renotified.
- (c) That a further report be submitted to Council.

Record of Voting:

For the Motion: Unanimous

5 PLANNING PROPOSAL - 197-223 HERRING ROAD MACQUARIE PARK - MACQUARIE SHOPPING CENTRE ADVERTISING SIGN

Note: This matter was dealt with earlier in the Meeting as detailed in these Minutes.

3 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 6/17 held on 8 August 2017

Note: Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that her continued and consistent opposition to the sale/redevelopment of the Civic Centre public land with the inclusion of high rise residential development, the loss of the bus interchange and internal performance auditorium and other community amenity is consistent with her core commitment made to the electorate at the 2012 elections.

RESOLUTION: (Moved by Councillors Stott and Maggio)

That Council determine all Items 1 and 2 of the Ryde Civic Hub Committee Meeting 6/17, held on 8 August 2017 in accordance with the Ryde Civic Hub Committee Terms of Reference.

Record for the Voting:

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

Against the Motion: Councillor Pendleton

1 CONFIRMATION OF MINUTES - Ryde Civic Hub Committee Meeting held on 13 June 2017

RESOLUTION: (Moved by Councillors Stott and Maggio)

That the Minutes of the Ryde Civic Hub Committee 5/17, held on 13 June 2017, be confirmed.

Record for the Voting:

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

Against the Motion: Councillor Pendleton

2 STATUS REPORT 20 - JULY 2017

RESOLUTION: (Moved by Councillors Stott and The Mayor, Councillor Pickering)

That the Committee receives and notes the content of this report.

Record of Voting:

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

Against the Motion: Councillor Pendleton

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 6/17 held on 15 August 2017

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council determine Item 2 of the Works and Community Committee report 6/17, held on 15 August 2017 noting that Items 1 and 3 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

2 BILL MITCHELL CLUB HOUSE (PIGEON CLUB)

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council endorse the demolition of the building previously occupied by the Ryde and District Racing Pigeon Club and return the site to the park.
- (b) That Council allocate the amount of \$15,000 from working capital for the purpose of demolition of the Bill Mitchell Club building and that the amount be consolidated into the 2017/18 Quarter 1 review.

Record of Voting:

For the Motion: Unanimous

5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 7/17 held on 15 August 2017

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council determine all Items 1, 2, 3, 4, 5, 6, 7 and 8 of the Finance and Governance Committee Meeting 7/17, held on 15 August 2017 in accordance with the Finance and Governance Committee Terms of Reference.

Record for the Voting:

For the Motion: Unanimous

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 18 July 2017

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the Minutes of the Finance and Governance Committee 6/17, held on 18 July 2017, be confirmed.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

2 INVESTMENT REPORT AS AT 31 JULY 2017

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council endorse the Investment Report as at 31 July 2017.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

3 JUNE QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PLAN 2016-2020 AND 2016/2017 OPERATIONAL PLAN

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That the report of the Chief Financial Officer on the 2017 June Quarterly Review Report - Four Year Delivery Plan 2016-2020 and One Year Operational Plan 2016/2017 be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net increase of \$0.04 million to Council's Working Capital for a projected balance as at 30 June 2017 of \$4.85 million, be endorsed and included in the 2016/2017 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Transfers to Reserves of \$2.29 million, be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer, dated 1 August 2017 be endorsed.
- (e) That Council endorse the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as outlined in this Report.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

4 CITY OF RYDE END OF TERM REPORT UPDATE

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council endorse this End of Term Report 2012-2017; and
- (b) That Council publishes a copy of the End of Term Report 2012-2017 on its website from October 2017 in line with the OLG guidelines.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

5 THE NEW PARKED BOAT TRAILER LEGISLATION

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council at this stage adopts not to enforce the parking of boat trailers within the City of Ryde under the changes to the “Impounding Act 1993 No 31”.
- (b) That this matter be reviewed by the Manager Community Services in August 2018 and reported back to Council should there be significant changes in the level of reported incidents relating to parked boat trailers within the City of Ryde.
- (c) That Council notify all people who participated in the community consultation process and advise the community via Council’s media channels.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

6 LICENCE TO PUTNEY TENNYSON BOWLING AND COMMUNITY CLUB LTD - PART MORRISON BAY PARK

Note: Councillor Pickering disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is a member of the Putney Tennyson Bowling Club and does not hold any Executive Board Position.

Note: Councillor Stott disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she is a member of the Putney Tennyson Bowling and Community Club Ltd and has no decision making powers.

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That subject to no objections being received following the statutory advertising of the proposal, a five(5) year licence of part of Morrison Bay Park (aka 68 Frances Road), Putney comprising some 8880 square metres be granted to the Putney Tennyson Bowling and Community Club Ltd on the key terms outlined within this Report.
- (b) That should any submission objecting to the licence proposal be received following the statutory advertising, a further report be submitted for consideration of Council.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

7 REQUEST FOR TENDER - COR-RFP-04/17 REQUEST FOR PROPOSAL: TRANSACTIONAL CUSTOMER SATISFACTION RESEARCH PROGRAM

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council accept the tender from Micromex Research for the City of Ryde Transactional Research Program for a 12 month contract with 2 x 1 year option. The cost of commissioning this program is \$85,502.38 (excl. GST) in year 1, \$86,835.38 (excl. GST) in year 2 and \$90,641.91 (excl. GST) in year 3. The total amount tendered for the works over three (3) years will therefore be \$262,979.68 (excl. GST).
- (b) That Council delegate to the General Manager the authority to enter into a contract with Micromex Research on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents to the Request for Proposal of Council's decision.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

8 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the report of the General Counsel be received.

Record of the Voting:

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

Against the Motion: Councillor Pendleton

6 DRAFT 2016/17 FINANCIAL STATEMENTS

RESOLUTION: (Moved by Councillors Stott and Perram)

- (a) That pursuant to the provisions of Section 413 of the Local Government Act 1993, Council hereby declares that it has prepared General Purpose Financial Statements for the 2016/2017 financial year ending 30 June 2017 and has formed an opinion, based on the advice of Council officers, that these reports:
- i. Have been prepared in accordance with:
 - The Local Government Act 1993 (as amended) and the Regulations made thereunder
 - The Australian Accounting Standards and professional pronouncements
 - The Local Government Code of Accounting Practice and Financial Reporting.
 - ii. Present fairly the operating result and financial position of the City of Ryde for the year ended 30 June 2017.
 - iii. Accords with Council's accounting and other records and policies.
- (b) That the Special Purpose Financial Statements have been drawn up in accordance with the Local Government Code of Accounting Practice and Financial Reporting.

- (c) That the General and Special Purpose Financial Statements be certified by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer (Chief Financial Officer) in accordance with section 413 (2)(c) of the Local Government Act 1993.
- (d) That pursuant to the provisions of Section 413 of the Local Government Act 1993, Council hereby declares that the Financial Statements (including General Purpose and Special Purpose Reports) for the year ending 30 June 2017 be referred for audit.
- (e) That under delegated authority and with endorsement from the Audit and Risk Committee, the Mayor, Deputy Mayor, Acting General Manager and the Responsible Accounting Officer resign the Statement for lodgement to the audit team following the Councillor elections.
- (f) That Tuesday, 24 October 2017 be fixed as the date for the public meeting to present the audited financial statements and auditor's report for the year ended 30 June 2017 as required by section 419 of the Local Government Act 1993 and that the Council's external auditors be present.
- (g) That \$4 million be transferred to the Investment Property Reserve.

Record of the Voting:

For the Motion: Unanimous

7 PLANNING PROPOSAL - COMMUNITY CONSULTATION - 86 BLENHEIM ROAD AND 12A AND 14 EPPING ROAD NORTH RYDE

Note: This matter was dealt with earlier in the Meeting as detailed in these Minutes.

8 PLANNING PROPOSAL - AFFORDABLE HOUSING

RESOLUTION: (Moved by Councillors Yedelian OAM and Stott)

- (a) That Council prepare a Local Strategic Planning Statement related to Affordable Housing and submit to the Minister for Planning for adoption. This will set the strategic direction for the Ryde Local Government Area for key worker housing.
- (b) That Council prepare a Planning Proposal for the inclusion of affordable housing provisions in Ryde Local Environmental Plan and forward for it to the Minister for Planning with a request for a gateway determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*. The Planning Proposal will involve the following amendments to Ryde Local Environmental Plan 2014:

Introduce new Clause 6.12 Affordable housing.

- 1) *The consent authority may, when granting development consent to a development containing a residential component impose a condition requiring a contribution equivalent to the affordable housing contribution levy being:-*
 - a. *for development within an R3 Medium Density Residential zone, R4 High Density Residential zone and/or a Town Centre identified on Ryde Local Environmental Plan 2014 Centres Map, 2% of the total floor area of the residential component.*
 - b. *for development resulting from a change in the zoning of the land on or after the day Ryde Local Environmental Plan 2014 (Amendment No 15) commences 7% of so much of the total floor area of the residential component.*
 - c. *for development resulting from a change in the maximum height and floor space permissible, 7% of the additional residential component.*
- 2) *The consent authority may, when granting consent to a development, exclude from floor space ratio calculations the gross floor area of the affordable housing to be dedicated to Council.*

Note: A financial contribution will be required in accordance with Development Control Plan 2014 Part 3.6 Affordable Housing when the required affordable housing contribution levy results in part of a dwelling being required.

- (c) That Council, in the event of a Gateway Determination being issued pursuant to Section 56 of the *Environmental Planning and Assessment Act 1979*, place the Planning Proposal on public exhibition and a further report be presented to Council following the completion of the exhibition period advising of the outcomes and next steps.
- (d) That Council prepare a new draft Part 3.6 to Ryde Development Control Plan 2014 (**ATTACHED**) and exhibit the draft concurrently with the abovementioned Planning Proposal. The Development Control Plan will provide detailed guidance to the Local Environmental Plan and include provisions relating to the minimum size of affordable housing (50sqm) and a monetary contribution calculator.
- (e) That the Acting General Manager write to the Minister for Planning requesting that the City of Ryde be included in *State Environmental Planning Policy 70 - Affordable Housing* providing evidence of the identified need for affordable housing in the City of Ryde, a copy of *City of Ryde Affordable Housing Policy 2016-2031*, this report and Council's resolutions.

- (f) That all monetary contributions obtained under the Ryde Affordable Housing Controls, including any surplus rental funds, are hypothecated to the delivery, maintenance and management of affordable housing and that a Reserve is established for this purpose.

Record of the Voting:

For the Motion: Unanimous

9 LAND CLASSIFICATION - AFFORDABLE HOUSING DWELLING - 9/6 MOOLTAN AVENUE MACQUARIE PARK

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That Council endorses that the land known as Unit 9/6 Mooltan Avenue Macquarie Park (being LOT 8 in SP 91339) be classified as operational land.

Record of the Voting:

For the Motion: Unanimous

10 LAND CLASSIFICATION - AFFORDABLE HOUSING DWELLING - 16/21 BAY DRIVE MEADOWBANK

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That Council endorses that the land known as Unit 16/21 Bay Drive, Meadowbank (being LOT 16 in SP 95518) be classified as operational land.

Record of the Voting:

For the Motion: Unanimous

LATE COUNCIL REPORTS

11 DEFERRED REPORT: ACQUISITION OF PRIVATE LAND – REQUEST FROM ADJOINING OWNER

Note: This matter was dealt with earlier in the Meeting as detailed in these Minutes.

12 DISABILITY INCLUSION ACTION PLAN (DIAP): 2017-2021

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

- (a) That Council endorse the adoption of the Disability Inclusion Action Plan 2017-2021 for the effective coordination and delivery of programs and services to facilitate disability inclusion across the City of Ryde.
- (b) That Council write to the members of the community who wrote submissions and participated in the process, advising them of Council's decision and thanking them for their contribution.

Record of the Voting:

For the Motion: Unanimous

LATE PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 NSW GOVERNMENT DECISION NOT TO PROCEED WITH MERGER

RESOLUTION: (Moved by Councillors Stott and Li)

That the correspondence be received and noted.

Record of the Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 NSW GOVERNMENT MERGER BACKFLIP – Councillor Jerome Laxale

RESOLUTION: (Moved by Councillors Laxale and Maggio)

- (a) That the Acting General Manager immediately commence recruitment for a General Manager for the City of Ryde.
- (b) That the Acting General Manager prepare a report identifying all costs associated with complying with the Government's Local Government Reform / Merger processes, dating back to the Government's Destination 2036 document.

These costs would include, but not be limited to;

- Staff Time
- Workshops and Council Meetings held on the matter
- Legal Fees

- Consultants Fees
- Printing and Design Costs

Record of the Voting:

For the Motion: Unanimous

**2 MEMBERSHIP FOR THE COMMUNITY HARMONY REFERENCE GROUP -
Councillor Sarkis Yedelian OAM**

RESOLUTION: (Moved by Councillors Yedelian OAM and Pendleton)

That Council accept these expressions of interest, to join the Community Harmony Reference Group effective immediately:-

- Mahboba Rawi – Mahboba’s Promise founder and active in community and social inclusion projects.
- Lesley Tomasulo – Experienced in community organisations and community management committees.

Record of the Voting:

For the Motion: Unanimous

3 DUNBAR PARK ESTATE ZONING – Councillor Jerome Laxale

Note: This matter was dealt with earlier in the Meeting as detailed in these Minutes.

NATIONAL ANTHEM

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

The meeting closed at 11.08pm.

CONFIRMED THIS DAY OF 24TH OCTOBER 2017

Chairperson