

Minutes of the Ordinary Meeting of the Council of the City of Ryde held in the Council Chambers, Ryde on Tuesday, 28 September 2004, at 7.30 pm.

**MIN.NO.177 MAYORAL MINUTE DATED 24 SEPTEMBER 2004
RE REVIEW OF ON-STREET PARKING RESTRICTIONS
EASTWOOD SHOPPING CENTRE**

It was resolved on the motion of The Mayor, Councillor Perram and Councillor Petch -
THAT THE MAYORAL MINUTE BE ADOPTED.

**MIN.NO.178 PUBLIC FACILITIES & SERVICES COMMITTEE'S
REPORT NO.13/04**

It was resolved on the motion of Councillors Wilde OAM and Yedelian -

THAT THE PUBLIC FACILITIES & SERVICES COMMITTEE'S REPORT NO.13/04, DATED 21 SEPTEMBER 2004, COMPRISING ITEMS 8, 9 AND 11 INCLUSIVE BE RECEIVED AND ADOPTED AS RESOLUTIONS OF COUNCIL WITHOUT ANY ALTERATION OR AMENDMENT THERETO.

MIN.NO.179 DEVELOPMENT COMMITTEE'S REPORT NO.13/04

It was resolved on the motion of Councillors Campbell and Petch -

THAT THE DEVELOPMENT COMMITTEE'S REPORT NO.13/04, DATED 21 SEPTEMBER 2004, COMPRISING ITEMS 5 AND 9 INCLUSIVE, BE RECEIVED AND ADOPTED AS RESOLUTIONS OF COUNCIL WITHOUT ANY ALTERATION OR AMENDMENT THERETO, WITH THE EXCEPTION OF ITEM 9.

Item 5 - 31 HIGGINBOTHAM ROAD, GLADESVILLE. LOT: 7 DP: 6914. Local Development Application for Change of use to car storage/maintenance & car wash facility. LDA 339/2004. Applicant: The Turnbull Group Pty Ltd.

NOTE: An e-mail dated 24 September 2004 from Kate Curtis, 60A Higginbotham Road, representing the Higginbotham Action Group (now part of the Boronia/North Gladesville Action Group) was considered in conjunction with this item.

Item 9 - 90 CHARLES STREET PUTNEY. Lot 72 in DP 19827. Local Development Application for Tables & Chairs on the Footpath. LDA No. 498/2004. Applicant: D Salmeri. Owner: City of Ryde.

It was moved by Councillors Campbell and Petch –

THAT THE COMMITTEE'S RECOMMENDATION BE ADOPTED.

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MIN.NO.179 CONTINUED

An AMENDMENT was moved by Councillors Tagg and Butterworth –

That the Acting General Manager report to Council on the exact measurements from the kerb to shopfront at this location.

On being put to the meeting, the AMENDMENT WAS LOST AND THE MOTION IN THE NAMES OF COUNCILLORS CAMPBELL AND PETCH WAS CARRIED.

Councillor Tagg recorded his name against this resolution.

MIN.NO.180 ACTING GENERAL MANAGER'S REPORT NO.14/04

It was resolved on the motion of Councillors Petch and Netterfield -

THAT THE ACTING GENERAL MANAGER'S REPORT NO.14/04, DATED 24 SEPTEMBER 2004, COMPRISING ITEMS 1 - 6 INCLUSIVE, BE RECEIVED AND ADOPTED AS RESOLUTIONS OF COUNCIL WITHOUT ANY ALTERATION OR AMENDMENT THERETO, WITH THE EXCEPTION OF ITEM 6.

Item 6 - RYDE AQUATIC LEISURE CENTRE – PARKING & TRAFFIC MANAGEMENT PLAN WORKING GROUP

It was resolved on the motion of Councillors Petch and McCosker –

- (A) THAT ALL EAST WARD COUNCILLORS BE APPOINTED MEMBERS OF THE RYDE AQUATIC LEISURE CENTRE PARKING & TRAFFIC MANAGEMENT PLAN WORKING GROUP.
- (B) THAT ALL SIX (6) NOMINATIONS FOR THE WORKING GROUP IN THE LIST WITHIN THE REPORT, BE ACCEPTED.
- (C) THAT ALL NOMINEES BE INFORMED OF COUNCIL'S DECISION AND ADVISED OF THE DETAILS OF THE FIRST MEETING.

CORRESPONDENCE

MIN.NO.181 (1) Epping to Chatswood Rail Line. Letter from John Barraclough, Chief Executive Officer, Transport Infrastructure Development Corporation (TIDC), Level 13, Macquarie Tower, 10 Valentine Avenue, Parramatta, dated 13 September 2004. It was resolved on the motion of Councillors Petch and Netterfield -

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MIN.NO.181 CONTINUED

THAT THE LETTER BE RECEIVED AND NOTED.

MIN.NO.182 (2) Proposed telecommunications facility within Byron Park-Lane Cove Road, Ryde. Letter from Carly Mellor, Property Consultant, Optus Mobile Project, 116 Military Road, Neutral Bay, dated 23 September 2004. It was resolved on the motion of Councillors O'Donnell and Petch -

THAT THE LETTER BE CONSIDERED IN CONJUNCTION WITH THE NOTICE OF RESCISSION IN THE NAMES OF COUNCILLORS CAMPBELL, BUTTERWORTH AND O'DONNELL (SEE MIN. NO. 185).

NOTICES OF MOTION

MIN.NO.183 (1) Notice of Motion in the name of Councillor Petch.

"That during the construction of the new Woolworths shopping centre at West Ryde, Council approve the display of goods on footpaths for the shops on Chatham Road, Graf Ave and West Pde provided:

- The use is restricted until the opening of the new Woolworths Store
- food is wrapped/packaged and placed at a height of not less than 800mm above the footpath
- the area is under an awning and protected from the elements
- pedestrian access is not impeded
- that such temporary permission in no way enable a right to seek a permanent approval and that shop owners acknowledge it was a temporary right only
- use of the footpath be at no cost to the shop owners other than the required public liability insurance."

It was moved by Councillors Petch and Ryan –

That the Notice of Motion be adopted.

An AMENDMENT was moved by Councillors O'Donnell and Tagg –

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MIN.NO.183 CONTINUED

That Council establish a working party including representatives of the West Ryde Chamber of Commerce and Council Officers to monitor business activities during the construction of the new Woolworths shopping centre.

On being put to the meeting, the AMENDMENT WAS LOST.

At the request of the mover, the NOTICE OF MOTION WAS WITHDRAWN AND IT WAS RESOLVED ON THE MOTION OF COUNCILLORS PETCH AND NETTERFIELD

- (A) THAT DURING THE CONSTRUCTION OF THE NEW WOOLWORTHS SHOPPING CENTRE AT WEST RYDE, COUNCIL APPROVE THE DISPLAY OF GOODS ON FOOTPATHS FOR THE SHOPS ON CHATHAM ROAD, GRAF AVE AND WEST PDE PROVIDED:
- THE USE IS RESTRICTED UNTIL THE OPENING OF THE NEW WOOLWORTHS STORE
 - FOOD IS WRAPPED/PACKAGED AND PLACED AT A HEIGHT OF NOT LESS THAN 800MM ABOVE THE FOOTPATH
 - THE AREA IS UNDER AN AWNING AND PROTECTED FROM THE ELEMENTS
 - PEDESTRIAN ACCESS IS NOT IMPEDED
 - THAT SUCH TEMPORARY PERMISSION IN NO WAY ENABLE A RIGHT TO SEEK A PERMANENT APPROVAL AND THAT SHOP OWNERS ACKNOWLEDGE IT WAS A TEMPORARY RIGHT ONLY
 - USE OF THE FOOTPATH BE AT NO COST TO THE SHOP OWNERS OTHER THAN THE REQUIRED PUBLIC LIABILITY INSURANCE.
- (B) THAT COUNCIL ESTABLISH A WORKING PARTY INCLUDING REPRESENTATIVES OF THE WEST RYDE CHAMBER OF COMMERCE AND COUNCIL OFFICERS TO MONITOR BUSINESS ACTIVITIES DURING THE CONSTRUCTION OF THE NEW WOOLWORTHS SHOPPING CENTRE.

MIN.NO.184 (2) Notice of Motion in the name of Councillor Wilde OAM.

“That Council write to all of the Bennelong candidates in the federal election to indicate whether or not they support the provision of federal funding for the restoration of Brush Farm House.”

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MIN.NO.184 CONTINUED

NOTE: Councillor Campbell disclosed a non-pecuniary interest in this Notice of Motion for the reason that she is the Labor Party candidate for the seat of Bennelong in the forthcoming federal election.

With the concurrence of the Mover, the NOTICE OF MOTION WAS AMENDED to read:-

- (A) THAT COUNCIL WRITE TO ALL OF THE BENNELONG CANDIDATES IN THE FEDERAL ELECTION TO INDICATE WHETHER OR NOT THEY SUPPORT THE PROVISION OF FEDERAL FUNDING FOR THE RESTORATION OF BRUSH FARM HOUSE.
- (B) THAT THE OUTCOME OF COUNCIL'S REPRESENTATIONS REFERRED TO IN (A) ABOVE BE PUBLICISED IN THE LOCAL PRESS AND ON COUNCIL'S WEBSITE.

It was resolved on the motion of Councillors Wilde OAM and Petch –

THAT THE NOTICE OF MOTION, AS AMENDED, BE ADOPTED.

MIN.NO.185 Notice of Rescission in the names of Councillors Campbell, Butterworth and O'Donnell.

“THAT COUNCIL'S RESOLUTION MINUTE NO. 133, COUNCIL MEETING 10 AUGUST 2004, ITEM 9, PUBLIC FACILITIES AND SERVICES COMMITTEE NO. 10/04, BYRON PARK, RYDE – PROPOSED LEASE OF PART OF BYRON PARK BY OPTUS MOBILE PTY LTD READING –

THAT A 5 YEAR LEASE BE GRANTED TO OPTUS MOBILE PTY LIMITED, AT A COMMENCING ANNUAL RENTAL OF \$17,500, GST EXCLUSIVE, SUBJECT TO AN ANNUAL 3% COMPOUNDING INCREASE, TO COVER THE FUTURE PRESENCE OF A TELECOMMUNICATIONS EQUIPMENT SHELTER TO BE ESTABLISHED WITHIN BYRON PARK AT LANE COVE ROAD, RYDE.

BE, AND IS HEREBY, RESCINDED.”

NOTE: This item was considered in conjunction with a letter dated 23 September 2004 from Optus Mobile Project listed in the Correspondence (see Min. No. 182).

Council also received an address on this matter from Mr Ronnie Kennedy of Byron Avenue, Ryde, representing the Byron Park Residents Action Group, earlier in this meeting (see Min. No. 176).

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MIN.NO.185 CONTINUED

It was resolved on the motion of Councillors Campbell and O'Donnell –

THAT THE NOTICE OF RESCISSION BE ADOPTED.

The matter was now AT LARGE.

It was resolved on the motion of Councillors Petch and Netterfield –

THAT THE REQUEST BY OPTUS MOBILE PTY LIMITED TO LEASE A PART OF BYRON PARK TO LOCATE A TELECOMMUNICATIONS EQUIPMENT SHELTER BE REFUSED.

MIN.NO.186 URGENT ITEM AS SUBMITTED BY THE MAYOR

LANE COVE TUNNEL FILTRATION

The Mayor, Councillor Perram, advised that he was in receipt of a joint media release dated 28 September 2004 by Senator Hon Ian Campbell, Minister for the Environment and Heritage and the Hon Joe Hockey MP, Minister for Small Business and Tourism announcing that a re-elected Howard Government would contribute to the costs of filtration to improve air quality around the new Lane Cove traffic tunnel.

QUESTIONS WITH NOTICE BY COUNCILLORS AS PER POLICY

There were no questions.

**MIN.NO.187 PUBLIC PARTICIPATION ON ITEMS
NOT LISTED ON THE AGENDA**

The following person addressed the Council:-

No.	Name	Address	Topic
1	Ms Kath Fowler representing Putney Residents for Appropriate Development (PRAD)	Stanley Street, Putney	Opposition to removal of parking at Putney Shopping Village

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MIN.NO.187 CONTINUED

NOTE: Ms Fowler had previously arranged for the distribution to Councillors of a 67 page petition with 960 signatures (approximately) in support of her address to Council (on file).

The meeting closed at 8.31pm.

Chairperson

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Acting General Manager

Chairperson

CONFIRMED THIS

DAY OF

2004

Chairperson

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Acting General Manager

Chairperson