

Minutes of the Ordinary Meeting of the Council of the City of Ryde held in the Council Chambers, Ryde on Tuesday, 8 May 2007, at 7.30 pm.

COUNCILLORS PRESENT: The Mayor, Councillor I J Petch (Chairperson) and Councillors M P Butterworth, N B Campbell, T P McCosker, M Melhem, C M Netterfield, G O'Donnell, T W Perram, T D A Ryan, V J Tagg, E M Wilde OAM and S Yedelian.

STAFF PRESENT: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager Councillor Services, Corporate Communications Manager, Client Manager, Senior Strategic Planner and Executive Assistant – Environment and Planning.

PRAYER

Reverend Chris Ridings of North Ryde Community Church, was present and offered prayer prior to the commencement of the meeting.

MINUTES

MIN.NO.71 [The Minutes of the Ordinary Meeting of Council held on 26 April 2007, copies of which were circulated to the Councillors, were taken as read and confirmed on the motion of Councillors Ryan and Yedelian.](#)

MIN.NO.72 DISCLOSURES OF INTEREST

Councillor Yedelian disclosed a non-pecuniary interest in Item 4 of the General Manager's Report No. 07/07 – Draft Gladesville and Victoria Road Corridor – Planning Controls, for the reason that he operates a business in the Gladesville Shopping Centre.

MIN.NO.73 PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No addresses were made to Council.

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**MIN.NO.74 PUBLIC FACILITIES & SERVICES COMMITTEE'S
REPORT NO. 06/07**

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

THAT THE PUBLIC FACILITIES & SERVICES COMMITTEE'S REPORT NO.06/07, DATED 1 MAY 2007, COMPRISING ITEMS 5 AND 7 INCLUSIVE BE RECEIVED AND ADOPTED AS RESOLUTIONS OF COUNCIL WITHOUT ANY ALTERATION OR AMENDMENT THERETO, WITH THE EXCEPTION OF ITEM 5.

Item 5 – TOWN CENTRE UPGRADES – Putney Village Final Design Approval

NOTE: Councillor Tagg tabled a petition of 43 signatures titled "Sign the Petition for Safety – No trees planted in front of the shops".

It was resolved on the motion of Councillors Tagg and Yedelian:-

- (A) THAT THE TOWN CENTRE UPGRADE PROPOSAL FOR PUTNEY VILLAGE BE ADOPTED EXCLUDING THE THREE (3) TREES PROPOSED TO BE LOCATED IN THE ROADWAY IN CHARLES STREET.
- (B) THAT A FURTHER REPORT BE SUBMITTED TO COUNCIL ON THE PLANTING OPTIONS FOR TREES IN CHARLES STREET.

MIN.NO.75 DEVELOPMENT COMMITTEE'S REPORT NO. 06/07

It was resolved on the motion of Councillors Netterfield and Yedelian:-

THAT THE DEVELOPMENT COMMITTEE'S REPORT NO. 06/07, DATED 1 MAY 2007, COMPRISING ITEM 6, BE RECEIVED AND ADOPTED AS A RESOLUTION OF COUNCIL WITHOUT ANY ALTERATION OR AMENDMENT THERETO.

MIN.NO.76 GENERAL MANAGER'S REPORT NO. 07/07

It was resolved on the motion of Councillors Yedelian and O'Donnell:-

THAT THE GENERAL MANAGER'S REPORT NO. 07/07, DATED 4 MAY 2007, COMPRISING ITEMS 1 - 9 INCLUSIVE, BE RECEIVED AND ADOPTED AS RESOLUTIONS OF COUNCIL WITHOUT ANY ALTERATION OR AMENDMENT THERETO, WITH THE EXCEPTION OF ITEMS 3, 5, 6 AND 7.

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MIN. NO. 77 SUSPENSION OF STANDING ORDERS

NOTE: At this stage it was moved by The Mayor, Councillor Petch and Councillor Yedelian for the Suspension of Standing Orders, which was CARRIED.

It was resolved on the motion of Councillors Yedelian and Netterfield:-

THAT THE COUNCIL RESOLVE ITSELF INTO COMMITTEE OF THE WHOLE TO ENABLE MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE IN RELATION TO ITEM 3 OF THE GENERAL MANAGER'S REPORT NO: 07/07 – TOP RYDE SHOPPING CENTRE DEVELOPMENT APPLICATIONS – DA 671/2006 AND 672/2006.

COMMITTEE OF THE WHOLE

The Committee of the Whole meeting commenced at 7.45pm with all Councillors and staff in attendance from the Council meeting, being present.

ITEM 3 - GENERAL MANAGER'S REPORT NO: 07/07 – TOP RYDE SHOPPING CENTRE DEVELOPMENT APPLICATIONS – DA 671/2006 AND 672/2006.

Report: The Committee received an address from the following people:-

- Mr Peter Bell, Ryde Epping Greens
- Ms Jill Hartley – Ryde Epping Greens
- Mr Mitchell Corn – Beville Group
- Ms Felicity Rourke – Beville Group
- Reverend Richard Green – Ryde Christian City Church

It was resolved on the motion of the Mayor, Councillor Petch and Councillor Netterfield:-

THAT THE PRESENTATIONS TO THE COMMITTEE OF THE WHOLE BE RECEIVED AND NOTED.

It was resolved on the motion of Councillors Yedelian and Tagg:-

THAT STANDING ORDERS BE RESUMED.

The Council Meeting resumed at 8.10pm.

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MIN.NO.76 CONTINUED

Item 3 - TOP RYDE SHOPPING CENTRE DEVELOPMENT APPLICATIONS – DA 671/2006 AND 672/2006

NOTE: The following correspondence was considered in conjunction with this item and is ON FILE.

- Letter from Hones Lawyers, dated 3 May 2007.
- Letter from the Beville Group, dated 7 May 2007.
- Email from Peter Bell, dated 8 May 2007.

It was resolved on the motion of Councillors Tagg and Butterworth:-

- (A) THAT LDA NO. 671/2006 AT 115 BLAXLAND ROAD, RYDE – LOT 1 DP618154 (EXISTING TOP RYDE SHOPPING CENTRE), 2 DEVLIN STREET, RYDE – LOT 2 DP618154, 2 DEVLIN STREET, RYDE – LOT 3 DP618154 (NOW DEDICATED AS PUBLIC ROAD AS PART OF DEVLIN STREET), 129 BLAXLAND ROAD, RYDE – LOT 1 DP795810 , 127 BLAXLAND ROAD, RYDE – LOT 1 DP130689 , 123 BLAXLAND ROAD, RYDE – LOT 1 DP655601, 113 BLAXLAND ROAD, RYDE – LOT A DP104409, 111 BLAXLAND ROAD, RYDE – LOT B DP104409 , 109 BLAXLAND ROAD, RYDE – LOT C DP104409 RYDE BE APPROVED SUBJECT TO THE CONDITIONS OF CONSENT AS RECOMMENDED IN THE ASSESSMENT REPORT OF ARCHITECTUS DATED APRIL 2007.
- (B) THAT LDA NO. 672/2006 115 BLAXLAND ROAD, RYDE – LOT 1 DP618154 (EXISTING TOP RYDE SHOPPING CENTRE), 2 DEVLIN STREET, RYDE – LOT 2 DP618154, 2 DEVLIN STREET, RYDE – LOT 3 DP618154 (NOW DEDICATED AS PUBLIC ROAD AS PART OF DEVLIN STREET), 129 BLAXLAND ROAD, RYDE – LOT 1 DP795810 , 127 BLAXLAND ROAD, RYDE – LOT 1 DP130689 , 123 BLAXLAND ROAD, RYDE – LOT 1 DP655601, 113 BLAXLAND ROAD, RYDE – LOT A DP104409, 111 BLAXLAND ROAD, RYDE – LOT B DP104409 , 109 BLAXLAND ROAD, RYDE – LOT C DP104409, RYDE BE APPROVED SUBJECT TO THE CONDITIONS OF CONSENT AS RECOMMENDED IN THE ASSESSMENT REPORT OF ARCHITECTUS DATED APRIL 2007 SUBJECT TO THE FOLLOWING AMENDMENTS AND CONDITIONS OF CONSENT AS RECOMMENDED IN THE IHAP REPORT OF 24 APRIL 2007:-

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MIN.NO.76 CONTINUED

- (I) THAT CONDITION 198, AS RECOMMENDED BY ARCHITECTUS BE AMENDED TO READ:

PRIOR TO THE FINAL OCCUPATION OF THE SITE, FULL DETAILS WHICH INCLUDE A BREAKDOWN OF THE ALLOCATION OF PARKING TO EACH LAND USE IDENTIFIED BY THE STATEMENT OF ENVIRONMENTAL EFFECTS DATED NOVEMBER 2006, INCLUDING NUMBER OF SPACES AND THE ALLOCATION OF THE PROPOSED 12% DISCOUNT TO THE DIFFERENT LANDUSES CONSISTENT WITH THE PARKING MANAGEMENT STRATEGY REQUIRED BY CONDITION 233, SHALL BE SUBMITTED TO AND APPROVED BY THE COUNCIL.

- (II) THE FOLLOWING FOUR ADDITIONAL CONDITIONS TO BE INCLUDED:

1. APPLICATIONS FOR FUTURE STAGES OF THE DEVELOPMENT MUST BE ACCOMPANIED BY REPORTS FROM SUITABLY QUALIFIED PERSONS THAT DEMONSTRATE TO THE SATISFACTION OF THE COUNCIL, THAT THE WIND IMPACTS OF THESE FUTURE STAGES WILL BE ADEQUATELY MITIGATED THROUGH APPROPRIATE DESIGN SOLUTIONS.
2. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE, FURTHER INVESTIGATION IS REQUIRED AS PROPOSED IN THE STATEMENT OF ENVIRONMENTAL EFFECTS, TO DEVELOP A GEOTECHNICAL PROGRAM AND PLAN OUTLINING THE EXCAVATION SUPPORT SYSTEM, FOUNDATION ATTRIBUTES AND TUNNELLING AND RAMP REQUIREMENTS. THIS FURTHER INVESTIGATION AND PLAN SHOULD THEN BE REVIEWED BY A SUITABLE TECHNICAL CONSULTANT, NOMINATED BY COUNCIL AND PAID AT THE APPLICANT'S EXPENSE, TO CONFIRM THE SUITABILITY OF THE PROPOSED PROGRAM AND PLAN.
3. PRIOR TO THE ISSUE OF THE FIRST CONSTRUCTION CERTIFICATE THE APPLICANT SHALL UNDERTAKE FURTHER INVESTIGATION TO THE SATISFACTION OF THE COUNCIL TO THE POSSIBLE EXISTENCE OF UNDERGROUND STORAGE TANKS. IF THESE TANKS EXIST, THESE SHALL BE REMOVED IN ACCORDANCE WITH A PLAN TO BE PREPARED TO THE SATISFACTION OF THE COUNCIL.

MIN.NO.76 CONTINUED

4. PRIOR TO THE ISSUE OF THE FIRST CONSTRUCTION CERTIFICATE THE DEVELOPER SHALL AMEND THE LANDSCAPE AND ARCHITECTURAL DRAWINGS TO PROVIDE FOR MATURE GROWTH TREES ALONG DEVLIN STREET, SOUTH OF THE CARPARK ENTRANCE RAMP NEAR POPE STREET. SOIL DEPTHS SHOULD BE ADEQUATE FOR OPTIMUM MATURE GROWTH OF THESE TREES IN ORDER TO ACHIEVE THEIR INTENDED PURPOSE AS BOULEVARD PLANTINGS. IF NECESSARY AMENDED PLANS SHOULD BE SUPPORTED BY A REPORT PREPARED BY A QUALIFIED ARBORIST CONFIRMING THAT SOIL DIMENSIONS ARE ADEQUATE TO ACHIEVE GROWTH TO SPECIFIED HEIGHTS. THIS FURTHER DOCUMENTATION MUST BE TO THE SATISFACTION OF THE COUNCIL.
- (C) THAT COUNCIL ACCEPT THE VOLUNTARY PLANNING AGREEMENT PROPOSED BY BELLIVESTA PTY LIMITED AND COUNCIL ENTER INTO THIS AGREEMENT AND THE GENERAL MANAGER BE AUTHORISED TO TAKE THE NECESSARY STEPS TO GIVE EFFECT TO THIS DECISION.
- (D) THAT PERSONS WHO MADE SUBMISSIONS BE THANKED FOR THEIR CONTRIBUTION AND BE ADVISED OF COUNCIL'S DECISION.
- (E) THAT COUNCIL OFFICERS BE THANKED FOR THEIR EFFORTS IN WORKING ON THE ASSESSMENT OF THESE DEVELOPMENT APPLICATIONS.

NOTE: Councillor Melhem recorded her name against this resolution.

Item 4 - DRAFT GLADESVILLE AND VICTORIA ROAD CORRIDOR - Planning Controls

NOTE: Councillor Yedelian disclosed a non-pecuniary interest in this item for the reason that he operates a business in the Gladesville Shopping Centre.

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MIN.NO.76 CONTINUED

Item 5 – 2006 DRAFT EASTWOOD MASTERPLAN REVIEW

It was resolved on the motion of Councillors Ryan and O'Donnell:-

- (A) THAT THIS MATTER BE FURTHER CONSIDERED AT A COUNCILLOR WORKSHOP ON 22 MAY 2007.
- (B) THAT THE STATUS OF THE EASTWOOD SHOPPING CENTRE DEVELOPMENT APPLICATION BE NOTED AND REPRESENTATIONS BE MADE TO THE RTA TO FINALISE ITS RESPONSE ON THE EASTWOOD CENTRE DEVELOPMENT APPLICATION IN AN EXPEDITIOUS MANNER.

Item 6 – UPGRADING SOLAR LIGHTING IN PARKS

It was resolved on the motion of Councillors O'Donnell and Ryan:-

- (A) THAT THE REPORT ON UPGRADING SOLAR LIGHTING IN COUNCIL PARKS BE RECEIVED AND NOTED.
- (B) THAT FIVE (5) NEW SOLAR LIGHTS BE INSTALLED AT BLENHEIM PARK AND APPROPRIATE FUNDS BE ALLOCATED IN THE DRAFT MANAGEMENT PLAN 2007/2008 FOR THIS PROJECT.

Item 7 – ALCOHOL FREE ZONE AT MEADOWBANK WHARF

It was resolved on the motion of Councillors Yedelian and Campbell:-

THAT THE REPORT ON THE ESTABLISHMENT OF AN ALCOHOL FREE ZONE IN THE VICINITY OF MEADOWBANK WHARF BE RECEIVED AND NOTED AND A FURTHER REPORT BE SUBMITTED TO COUNCIL RELATING THE STATUS OF DISCUSSIONS WITH THE LOCAL AREA POLICE COMMANDER ON THE RESOURCING CAPACITY TO ENFORCE ALCOHOL FREE ZONES THROUGHOUT THE CITY OF RYDE.

Item 8 – KOTARA PARK - Proposed Telecommunications Facility

NOTE: Councillors Campbell and Yedelian recorded their names against this resolution.

MIN.NO. 78

CORRESPONDENCE

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THERE WERE NO ITEMS OF CORRESPONDENCE.

NOTICES OF MOTION

MIN.NO.79 (1) Notice of Motion in the name of Councillor Tagg:-

“THAT THE GENERAL MANAGER DRAFT AN OFFENSIVE NOISE POLICY (IN LINE WITH THE LOCAL GOVERNMENT NOISE GUIDE) FOR THE CITY OF RYDE AND REPORT BACK TO THE COUNCIL FOR APPROVAL AND IMPLEMENTATION BY OUR RANGERS, ESPECIALLY ON WEEKENDS.”

It was resolved on the motion of Councillors Tagg and Yedelian:-

THAT THE NOTICE OF MOTION BE ADOPTED.

MIN.NO.80 (2) Notice of Motion in the name of Councillor Tagg:-

“THAT COUNCIL INVITE REPRESENTATIVES FROM THE RYDE SPORTS FOUNDATION TO ATTEND THE RYDE SPORTS COUNCIL MEETINGS “

It was resolved on the motion of Councillors Tagg and Netterfield:-

THAT THE NOTICE OF MOTION BE ADOPTED.

MIN.NO.81 (3) Notice of Motion in the name of Councillor McCosker:-

“That Council advertise World Environment Day, June 5th, as widely as possible. This should include but is not limited to placing a banner on the Devlin Street frontage of Council. The banner should also advertise places or websites connected with Council that can provide advice for residents to create a more environmentally sustainable lifestyle.”

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MIN.NO.81 CONTINUED

With the concurrence of the mover, the Notice of Motion was amended to read:-

“THAT COUNCIL ADVERTISE WORLD ENVIRONMENT DAY, JUNE 5TH, AS WIDELY AS POSSIBLE. THIS SHOULD INCLUDE BUT IS NOT LIMITED TO PLACING A BANNER ON THE DEVLIN STREET FRONTAGE OF COUNCIL. THE BANNER SHOULD ALSO ADVERTISE PLACES OR WEBSITES CONNECTED WITH COUNCIL THAT CAN PROVIDE ADVICE FOR RESIDENTS TO CREATE A MORE ENVIRONMENTALLY SUSTAINABLE LIFESTYLE. ADVERTISING SHOULD ALSO PROMOTE COUNCIL INITIATIVES ON THE ENVIRONMENT TO THE COMMUNITY.”

It was resolved on the motion of Councillors McCosker and Melhem:-

THAT THE NOTICE OF MOTION AS AMENDED BE ADOPTED.

MIN.NO.82 QUESTIONS WITH NOTICE BY COUNCILLORS AS PER POLICY

There were no questions.

**MIN.NO.83 PUBLIC PARTICIPATION ON ITEMS
NOT LISTED ON THE AGENDA**

No addresses were made to Council.

The meeting closed at 9.44pm.

Chairperson

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General Manager

Chairperson

CONFIRMED THIS 22ND DAY OF MAY 2007

Chairperson

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General Manager

Chairperson