

Meeting Date: Tuesday 11 November 2014

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

Time: 7.30pm

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

Apologies: Nil.

Absent: Councillor Petch (currently suspended).

Note: Councillor Salvestro-Martin arrived at the meeting at 7.46pm during Public Participation on Items Listed on the Agenda.

Note: Councillor Li left the meeting at 11.42pm and did not return. He was not present for consideration or voting on Notice of Motion 5, Item 2(3) and Item 9.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, General Counsel, Chief Financial Officer, Manager – Asset Systems, Manager – Communications and Media, Project Manager, Web Communications Coordinator and Section Manager – Governance.

REMEMBRANCE DAY – ONE MINUTE’S SILENCE

Councillors, staff and members of the gallery observed a one Minute’s Silence for Remembrance Day.

PRAYER

Pastor Robyn Peebles of the Church of the Good Shepherd, West Ryde was present and offered prayer prior to the commencement of the meeting.

LEAVE OF ABSENCE

Note: Councillor Laxale advised that he wished to correct a clerical error with regards to his Leave of Absence that was granted at the Council Meeting held on 23 September 2014. Councillor Laxale confirmed that his Leave of Absence commenced from after tonight’s Council Meeting, 11 November 2014 until 12 December 2014 inclusive.

Councillor Li requested a Leave of Absence for the Council Meeting to be held on 25 November 2014.

Councillor Perram request a Leave of Absence for the period 28 November 2014 to 7 December 2014 inclusive.

LEAVE OF ABSENCE

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

RESOLUTION: (Moved by Councillors Maggio and Pendleton)

- (a) That Councillor Li's Leave of Absence for the Council Meeting to be held on 25 November 2014 be approved.
- (b) That Councillor Perram's Leave of Absence for the period 28 November 2014 to 7 December 2014 inclusive be approved.

Record of Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

Councillor Simon disclosed a Significant Non-Pecuniary Interest in the Matter of Urgency – Pedestrian Safety in Angas Street, Meadowbank for the reason that his home backs onto Angas Street.

TABLING OF PETITIONS

No Petitions were tabled.

MATTER OF URGENCY

Councillor Maggio advised that he wished to raise a Matter of Urgency regarding the passing of Shirley McLachlan.

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

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

RESOLUTION: (Moved by Councillors Maggio and Chung)

That Council consider a Matter of Urgency regarding the passing of Shirley McLachlan, the time being 7.40pm.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – THE PASSING OF SHIRLEY McLACHLAN

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

RESOLUTION: (Moved by Councillors Maggio and Chung)

That Council write to the family of Shirley McLachlan expressing their condolences on her passing.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Rocky Tassone	Item 5 – Ryde LEP 2014 Planning Proposal – Submissions
Buckley Findlay	Notice of Motion 1 – Remember Mike and Save a Life Committee
Isabella Laguzza	Notice of Motion 4 – Beauty Pageant and Teen Queen Competitions in the City of Ryde
Johanna Sciancalepore	Notice of Motion 4 – Beauty Pageant and Teen Queen Competitions in the City of Ryde
Julia Farquharson	Item 5 – Ryde LEP 2014 Planning Proposal - Submissions
Philip Peake	Notice of Motion 3 – Ryde Bowling Club Site
Penny Pedersen	Notice of Motion 4 – Beauty Pageant and Teen Queen Competitions in the City of Ryde
Vicki Chan	Item 5 – Ryde LEP 2014 Planning Proposal - Submissions
Vince Barbaro	Notice of Motion 1 – Remember Mike and Save a Life Committee

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Perram and Maggio)

That the speaker who submitted a request to address Council on Item 3(5) – Request by the Bushland and Environment Advisory Committee for Council to seek Exemption from 10.50 Vegetation Clearing Code from the report of the of the Works and Community Committee Meeting 12/14 held on 4 November 2014, and also the speaker who lodged a late request to address Council on Notice of Motion 4 – Beauty Pageants and Teen Queen Competitions in the City of Ryde be allowed to address the meeting, the time being 8.12pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons then addressed the Council:-

Name	Topic
David Thomas	Item 3(5) – Request by the Bushland and Environment Advisory Committee for Council to Seek Exemption from 10.50 Vegetation Clearing Code
Amy Smith	Notice of Motion 4 – Beauty Pageant and Teen Queen Competitions in the City of Ryde

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Areg Grigorian	The erection of signs in Yamble Reserve for pedestrian safety

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Salvestro-Martin and Pendleton)

That Council now consider the following Items, the time being 8.22pm:

- **Item 3(5)** – Request by the Bushland and Environment Advisory Committee for Council to Seek Exemption from 10.50 Vegetation Clearing Code
- **Item 5** – Ryde LEP 2014 Planning Proposal - Submissions
- **Notice of Motion 1** – Remember Mike and Save a Life Committee
- **Notice of Motion 3** – Ryde Bowling Club Site
- **Notice of Motion 4** – Beauty Pageant and Teen Queen Competitions in the City of Ryde

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 12/14 held on 4 November 2014

RESOLUTION: (Moved by Councillors Maggio and Pendleton)

That Council determine Items 2, 3 and 5 of the Works and Community Committee report 12/14 held on 4 November 2014, noting that Items 1, 4 and 6 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

2 TREE MANAGEMENT REVIEW - 9 JOPLING STREET, NORTH RYDE

RESOLUTION: (Moved by Councillors Maggio and Perram)

That Council approve the conditional removal of the Indian Cedar *Cedrus deodara* located at the front of the property 9 Jopling Street, North Ryde, subject to the replacement of two plantings of a suitably sized species of approximately 50 litres.

Record of Voting:

For the Motion: Unanimous

3 FOUR YEAR DELIVERY PLAN 2014-2018 AMENDMENT LANE COVE ROAD UPGRADE

RESOLUTION: (Moved by Councillors Maggio and Pendleton)

- (a) That Council 'defer' projects Public Domain Upgrade Lane Cove Road and Multi Function Poles in Lane Cove Road Macquarie Park in the Four Year Delivery Plan 2014-2018.
- (b) That Council endorse the Footpath Upgrade Delhi Road project be brought forward to 2014/15 to deliver a shared granite footpath between North Ryde Station and the National Park.
- (c) That Council reallocate \$825,000, allocated to projects Public Domain Upgrade Lane Cove Road and Multi Function Poles in Macquarie Park in the Four Year Delivery Plan 2014-2018, to the Footpath Upgrade Delhi Road identified in the Four Year Delivery Plan for 2017/18.
- (d) That Council review the status of projects Public Domain Upgrade Lane Cove Road and Multi Function Poles in Macquarie Park once the decision regarding the planning proposal for 269-271 Lane Cove Road is determined.

Record of Voting:

For the Motion: Unanimous

5 REQUEST BY THE BUSHLAND AND ENVIRONMENT ADVISORY COMMITTEE FOR COUNCIL TO SEEK EXEMPTION FROM 10.50 VEGETATION CLEARING CODE

Note: David Thomas addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Maggio and Pendleton)

That Council adopt BEAC recommendation and prepare a submission to the Rural Fire Service and the Minister for Emergency Services, the Hon. Stuart Ayres, MP that acknowledges the review and seeks an exemption from the 10.50 Vegetation Clearing Code for the City of Ryde.

AMENDMENT: (Moved by Councillors Etmekdjian and Yedelian OAM)

(a) That consideration of this matter be deferred until the completion of the review period.

(b) That Council pursue the report from the RFS.

On being put to the Meeting, the voting on the Amendment was five (5) votes For and six (6) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio and Salvestro-Martin

Against the Amendment: Councillors Laxale, Li, Pendleton, Perram, Simon and Yedelian OAM

RESOLUTION: (Moved by Councillors Maggio and Pendleton)

That Council adopt BEAC recommendation and prepare a submission to the Rural Fire Service and the Minister for Emergency Services, the Hon. Stuart Ayres, MP that acknowledges the review and seeks an exemption from the 10.50 Vegetation Clearing Code for the City of Ryde.

Record of Voting:

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

Against the Motion: Councillor Chung

5 RYDE LEP 2014 PLANNING PROPOSAL - SUBMISSIONS

Note: Julia Farquharson, Vicki Chan and Rocky Tassone addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Council endorse that Ryde LEP 2014 Planning Proposal be amended in accordance with ATTACHMENT 3 - Amendments to Ryde LEP 2014 Planning Proposal.
- (b) That Council adopt Ryde LEP 2014 Planning Proposal as amended and the Planning Proposal be forwarded to the Department of Planning and Environment with a request that the Plan be notified on the NSW Legislation website.
- (c) That Council endorse that submissions relating to 2 Nile Close Marsfield be forwarded to the Roads & Maritime Services (RMS) with a request that the RMS address the issues identified.
- (d) That Council endorse that all persons who made submissions be advised accordingly.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 REMEMBER MIKE AND SAVE A LIFE COMMITTEE - Deputy Mayor, Councillor Roy Maggio

Note: Buckley Findlay and Vince Barbaro addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Maggio and Laxale)

- (a) That Council acknowledges the **Remember Mike and Save a Life (defibrillator committee)** contributing towards the funding of 5 defibrillator units to be provided and installed across the City of Ryde sportsgrounds and Council facilities at no cost to the City of Ryde.
- (b) That Council facilitates and provides assistance to the **Remember Mike and Save a Life** committee by permitting the defibrillator units to be installed at Meadowbank-Norma Woods Netball Courts, ELS Hall (RCSC), Morrison Bay Park, Ryde Aquatic Leisure Centre and the Ryde Library at no cost to the City of Ryde.

- (c) That Council facilitate a meeting with the **Remember Mike and Save a Life** committee to discuss and provide assistance for a morning tea launch to acknowledge their generous contribution of 5 defibrillator units to the Ryde community. As part of this occasion, Councillors, Local Parliamentary Members, Local Sporting Clubs, Local Sporting Associations, Sporting Bodies, Contributors, Local Media be invited to attend the launch with promotion of the initiative through Council's media outlets.
- (d) That Council permits a plaque to be funded by the **Remember Mike and Save a Life** committee placed at the locations where the defibrillator units are to be installed and that the guidelines of the City of Ryde plaque policy are considered.
- (e) That Council endorse an introduction of a defibrillator grant scheme with the funding provided by the **Remember Mike and Save a Life** committee to roll out defibrillator units across the City of Ryde sporting clubs, sportsgrounds, parks, Council facilities, schools and community groups. As part of their commitment, Council should provide assistance to the **Remember Mike and Save a Life** committee in promoting widespread awareness of the campaign Defib your club for life initiative to all our sporting, school, business and community groups.

AMENDMENT: (Moved by Councillor Salvestro-Martin and Yedelian OAM)

That a report be brought back to Council addressing the wider requirement of our community for defibrillators across the City of Ryde Local Government area, including the total costs of the equipment, liability, installation and additional needs for training.

On being put to the Meeting, the voting on the Amendment was eight (8) votes For and three (3) votes Against. The Amendment was **CARRIED**. The Amendment then became the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Li, Pendleton, Perram, Salvestro-Martin and Yedelian OAM

Against the Amendment: Councillors Laxale, Maggio and Simon

RESOLUTION: (Moved by Councillor Salvestro-Martin and Yedelian OAM)

That a report be brought back to Council addressing the wider requirement of our community for defibrillators across the City of Ryde Local Government area, including the total costs of the equipment, liability, installation and additional needs for training.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Perram, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillor Maggio

3 RYDE BOWLING CLUB SITE - Councillor Terry Perram

Note: Philip Peake addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Perram and Etmekdjian)

- (a) That Council consult the community to ascertain their preferences for the future use of the Argyle Centre.
- (b) That Council consult the community to ascertain their preferences for the future use of the Ryde Bowling Club site before seeking expressions of interest for this property.
- (c) That in relation to the Ryde Bowling Club site, the consultation document is to enable respondents to provide a response to at least the following concepts or questions:-
 - 1. Should the Bowling Club site remain part of Ryde Park.
 - 2. Should the land be used primarily for recreational purposes and remain zoned for recreation.
 - 3. Should the use provide for public access to the site at all times when the facility is open or in use.
 - 4. Are commercial or community uses acceptable provided the above three conditions are met.

MOTION: (Moved by councillors Chung and Yedelian OAM)

That this matter be dealt with in Seriatim.

On being put to the Meeting, the voting on the Matter being dealt with in Seriatim was four (4) votes For and seven (7) votes Against. The Motion was **LOST**. The matter was not dealt with in Seriatim and the original Motion was then put in its entirety and **CARRIED**.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Li and Yedelian OAM

Against the Motion: Councillors Etmekdjian, Laxale, Maggio, Pendleton, Perram, Salvestro-Martin and Simon

RESOLUTION: (Moved by Councillors Perram and Etmekdjian)

- (a) That Council consult the community to ascertain their preferences for the future use of the Argyle Centre.
- (b) That Council consult the community to ascertain their preferences for the future use of the Ryde Bowling Club site before seeking expressions of interest for this property.
- (c) That in relation to the Ryde Bowling Club site, the consultation document is to enable respondents to provide a response to at least the following concepts or questions:-
 - 1. Should the Bowling Club site remain part of Ryde Park.
 - 2. Should the land be used primarily for recreational purposes and remain zoned for recreation.
 - 3. Should the use provide for public access to the site at all times when the facility is open or in use.
 - 4. Are commercial or community uses acceptable provided the above three conditions are met.

Record of Voting:

For the Motion: Councillors Etmekdjian, Li, Maggio, Pendleton, Perram, Salvestro-Martin and Yedelian OAM

Against the Motion: The Mayor, Councillor Pickering and Councillors Chung, Laxale and Simon

4 BEAUTY PAGEANT AND TEEN QUEEN COMPETITIONS IN THE CITY OF RYDE - Councillor George Simon

Note: Isabella Laguzza, Johanna Sciancalepore, Penny Pedersen and Amy Smith addressed the meeting in relation to this Item.

Note: Correspondence from Mrs Christina Trimble, College Principal from Marist Sisters' College, Woolwich dated November 2014 was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Simon and Laxale)

- (a) That all Councillors affirm their commitment as civic leaders to building an inclusive and contemporary society which does not discriminate, directly or indirectly, in its operations and through its community programs.
- (b) That all Ryde Councillors commit to a policy that they will only play an official role at ceremonies, events or other media opportunities when the event is inclusive and non-discriminatory.

AMENDMENT: (Moved by Councillors Maggio and Etmekdjian)

That the matter be presented to the Granny Smith Sub-Committee for consideration and reporting to the Eastwood Events and Promotions Committee, on how to improve and promote the Teen Queen Competition.

On being put to the Meeting, the voting on the Amendment was six (6) votes For and five (5) votes Against. The Amendment was **CARRIED**. The Amendment then became the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Salvestro-Martin and Yedelian OAM

Against the Amendment: Councillors Laxale, Li, Pendleton, Perram and Simon

MOTION: (Moved by Councillors Maggio and Etmekdjian)

That the matter be presented to the Granny Smith Sub-Committee for consideration and reporting to the Eastwood Events and Promotions Committee, on how to improve and promote the Teen Queen Competition.

On being put to the Meeting, the voting on the Motion was five (5) votes For and six (6) votes Against. The Motion was **LOST**.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Etmekdjian, Maggio, Salvestro-Martin and Yedelian OAM

Against the Motion: Councillors Chung, Laxale, Li, Pendleton, Perram and Simon

MAYORAL MINUTES

MM34/14 FIT FOR THE FUTURE MEETING – The Mayor, Councillor Bill Pickering

Note: Councillor Maggio left the meeting at 10.29pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by The Mayor, Councillor Pickering and Councillor Salvestro-Martin)

That Councillors:

- 1) acknowledge the cooperation of Hunters Hill, Willoughby, Mosman, North Sydney, Lane Cove, and Ku-Ring-Gai Councils;
- 2) reaffirm Council's opposition to the proposal of the Independent Local Government Review Panel to split and amalgamate the City of Ryde; and
- 3) reaffirm Council's support for consideration of a shared services model.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY

Councillor Salvestro-Martin advised that he wished to raise a Matter of Urgency regarding Pedestrian Safety in Angas Street, Meadowbank.

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

Note: Councillors Laxale and Li left the meeting at 10.32pm and were not present for consideration or voting on this Item.

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

RESOLUTION: (Moved by Councillor Salvestro-Martin and the Mayor, Councillor Pickering)

That Council consider a Matter of Urgency regarding Pedestrian Safety in Angas Street, Meadowbank the time being 10.32pm.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Pendleton, Perram, Salvestro-Martin and Yedelian OAM

Against the Motion: Councillor Simon

Note: Councillor Laxale returned to the meeting at 10.33pm.

**MATTER OF URGENCY – PEDESTRIAN SAFETY IN ANGAS STREET,
MEADOWBANK**

Note: Councillor Simon disclosed a Significant Non-Pecuniary Interest in this Item for the reason that his home backs onto Angas Street. He left the meeting at 10.35pm and was not present for consideration of this Item.

Note: Councillor Maggio returned to the meeting at 10.36pm.

Councillor Salvestro-Martin advised that he would like an update as to the progress regarding addressing the safety of residents in the vicinity of the TAFE and Angas Street, Meadowbank.

The Acting General Manager confirmed that Council staff would take this matter on notice and provide a report back to the next Council Meeting.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 28 October 2014

Note: Councillors Li and Simon were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

That the Minutes of the Council Meeting 17/14, held on 28 October 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Li returned to the meeting at 10.38pm.

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
11/14 held on 4 November 2014**

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

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

That Council determine Items 2 and 3 of the Planning and Environment Committee report 11/14 held on 4 November 2014, noting that Item 1 was dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Simon returned to the meeting at 10.39pm.

- 2 46-48 GLADSTONE AVENUE, RYDE. LOTS F and G DP 32873. Local Development Application for demolition of existing structures and construction of a 3 storey residential flat building containing 12 apartments and car parking for 16 vehicles. LDA2013/0173.**

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

- (a) That consideration of LDA2013/0173 at 46-48 Gladstone Avenue, Ryde be deferred for the Acting Group Manager – Environment and Planning to undertake a mediation between the applicant and the objectors.
- (b) That the matter then be reported back to the Planning and Environment Committee.

Record of Voting:

For the Motion: Unanimous

- 3 492 BLAXLAND ROAD, DENISTONE. Development Application for a multi dwelling housing development comprising four (4) dwellings pursuant to the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2014/0220.**

RESOLUTION: (Moved by Councillors Laxale and Maggio)

That consideration of this Item be dealt with in Closed Session.

Record of Voting:

For the Motion: Unanimous

- 3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 12/14 held on 4 November 2014**

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

4 DEFERRED REPORT: SPECIAL RATING VARIATION (SRV) APPLICATION INCLUDING UPDATED INFORMATION RELATING TO COUNCIL'S INFRASTRUCTURE ASSETS

Note: A Supplementary Report from the Group Manager – Corporate Services dated 5 November 2014 was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Chung and Salvestro-Martin)

- (a) That Council note the updated information and results relating to the Community consultation on a possible SRV application and the updated information relating to Council's infrastructure assets.
- (b) That Council endorse IPART being notified of Council's intentions to make an SRV application, confirming its preferred option for an SRV application for 7% inclusive of the rate peg, as detailed in Option B in this report and also in the recent community consultation program.
- (c) That Council note that the revised Delivery Plan and Operational Plan will be reported back to Council on 9 December 2014.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Maggio and Pendleton)

That Standing Orders be suspended in order to allow all Councillors who wish speak on this Item, be allowed to speak, the time being 10.56pm.

Record of Voting:

For the Motion: Councillors Chung, Laxale, Li, Maggio, Pendleton, Perram, Simon and Yedelian OAM

Against the Motion: The Mayor, Councillor Pickering and Councillors Etmekdjian and Salvestro-Martin

RESUMPTION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

That Standing Orders be resumed, the time being 11.25pm.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Chung and Salvestro-Martin)

- (a) That Council note the updated information and results relating to the Community consultation on a possible SRV application and the updated information relating to Council's infrastructure assets.
- (b) That Council endorse IPART being notified of Council's intentions to make an SRV application, confirming its preferred option for an SRV application for 7% inclusive of the rate peg, as detailed in Option B in this report and also in the recent community consultation program.
- (c) That Council note that the revised Delivery Plan and Operational Plan will be reported back to Council on 9 December 2014.
- (d) That Council note that an annual \$2.5 million in efficiency savings, including a reduction in Council's staff establishment, will be achieved by Council in managing Council's income and expenditure, as detailed in the public Supplementary Report.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Pendleton, Perram, Salvestro-Martin and Yedelian OAM

Against the Motion: Councillors Laxale, Li and Simon

EXTENSION OF TIME

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

That the meeting time be extended to allow Council to complete all Items of business on the Agenda, the time being 11.26pm.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

5 RYDE LEP 2014 PLANNING PROPOSAL - SUBMISSIONS

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

6 S94 DEVELOPMENT CONTRIBUTIONS PLAN 2007 (UPDATE 2014) - PUBLIC EXHIBITION OUTCOME**RESOLUTION:** (Moved by Councillors Perram and Pendleton)

- (a) That Council endorse the amendments to parts of section 2.12 of the existing S94 Development Contributions Plan 2007 relating to land values and an incorrect CPI reference and for those improvements to become part of the changes incorporated in the S94 Development Contributions Plan 2007 – Interim Update (2014).
- (b) That Council adopts the S94 Development Contributions Plan 2007 – Interim Update including the amendments endorsed on 22 July 2014 and amendments of those parts of section 2.12 of the existing S94 Development Contributions Plan 2007 relating to land values and an incorrect CPI reference.
- (c) That Council delegates authority to the Acting General Manager to publish the S94 Development Contributions Plan 2007 – Interim Update (2014) as amended by this report on Council’s website and in the print media, bringing the adopted Plan into effect on the date of publication.
- (d) That Council amend Ryde Development Control Plan (DCP) Part 9.3 Parking Clause 2.6 to delete the reference to the Small Centres map as being within Ryde Local Environmental Plan 2014 and replace that with a reference to the map being contained within Council’s adopted Ryde Local Planning Study. The amendment is to be publicly exhibited in accordance with relevant legislation.

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

7 CIVIC CENTRE - MAINTENANCE SCHEDULE - UPDATE AND REVISED ESTIMATE OF WORKS**RESOLUTION:** (Moved by Councillors Etmekdjian and Li)

- (a) That Council note the report and require the Acting General Manager to ensure all necessary maintenance is undertaken on the Civic Centre and Civic Hall as required.
- (b) That Council maintain a budget of \$1 million in each year to allow for any required works to be undertaken funded from Council’s Investment Property Reserve.

- (c) That Council review its position in respect of this matter following the outcomes and advice from the State Government in respect of the Fit for the Future process.

Record of Voting:

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

Against the Motion: Councillors Maggio and Salvestro-Martin

8 INDEPENDENT HEARING AND ASSESSMENT PANEL - RESULTS OF COUNCILLOR WORKSHOP

MOTION: (Moved by Councillors Pendleton and Perram)

That Council notes the report and does not pursue an IHAP at this time.

AMENDMENT: (Moved by Councillors Laxale and Simon)

- (a) That Council establish a fully-delegated IHAP to consider selected Development Applications and all Planning Proposals for a trial period of six months.
- (b) That Council adopt the City of Ryde Independent Hearing and Assessment Panel Terms of Reference.
- (c) That Council seek Expressions of Interest from suitable candidates.
- (d) That Council allocate the amount of \$45,000 from (working capital) for the purpose of an IHAP and that the amount be consolidated into the next Quarterly Review.
- (e) That a further report with a list of candidates for the IHAP and nominating a commencement date be provided to Council.

On being put to the Meeting, the voting on the Amendment was four (4) votes For and seven (7) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: Councillors Etmekdjian, Laxale, Maggio and Salvestro-Martin

Against the Amendment: The Mayor, Councillor Pickering and Councillors Chung, Li, Pendleton, Perram, Simon and Yedelian OAM

RESOLUTION: (Moved by Councillors Pendleton and Perram)

That Council notes the report and does not pursue an IHAP at this time.

Record of Voting:

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

Against the Motion: Councillors Laxale, Maggio, Salvestro-Martin and Simon

NOTICES OF MOTION

1 REMEMBER MIKE AND SAVE A LIFE COMMITTEE – Deputy Mayor, Councillor Roy Maggio

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

2 WINE AND MUSIC BY THE RIVER - Deputy Mayor, Councillor Roy Maggio

RESOLUTION: (Moved by Councillors Maggio and Simon)

- (a) That Council staff investigate options for an additional major community event in East Ward named, Wine and Music by the River as a major public community celebration in our City each year.
- (b) That an expression of interest be promoted for a working party to review, develop and adopt a strategy for a Music Festival budgeting with defined guidelines that ensures any and all expenses incurred can be paid for with certainty.
- (c) That Council investigate conducting a major community event at Kissing Point Park.
- (d) That the Chambers of Commerce, Rotary, local business and other interested stakeholders be approached for input with these options to be presented for Council's consideration in March 2015.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Salvestro-Martin, Simon and Yedelian OAM

Against the Motion: Councillors Pendleton and Perram

3 RYDE BOWLING CLUB SITE – Councillor Terry Perram

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

4 BEAUTY PAGEANT AND TEEN QUEEN COMPETITIONS IN THE CITY OF RYDE – Councillor George Simon

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

5 LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2014 - Councillor George Simon

Note: Councillor Li left the meeting at 11.42pm and did not return. He was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Simon and Laxale)

- (a) That Ryde Council is strongly opposed to proposed changes to the Local Government Act that would allow for exclusive postal voting elections in local government.
- (b) That Council determines to write to the NSW Minister for Local Government, Paul Toole, as well as the Local State MPs expressing our opposition to the Bill.

On being put to the Meeting, the voting on the Motion was five (5) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Laxale, Pendleton and Simon

Against the Motion: Councillors Etmekdjian, Maggio, Perram, Salvestro-Martin and Yedelian OAM

CLOSED SESSION

ITEM 9 - 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.

ITEM 2(3) - REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 11/14 held on 4 November 2014 - 492 BLAXLAND ROAD, DENISTONE. Development Application for a multi dwelling housing development comprising four (4) dwellings pursuant to the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2014/0220.

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 Chung and Maggio)

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 11.49pm. The public and media left the chamber.

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 11/14 held on 4 November 2014

3 492 BLAXLAND ROAD, DENISTONE. Development Application for a multi dwelling housing development comprising four (4) dwellings pursuant to the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2014/0220.

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

RECOMMENDATION: (Moved by Councillors Chung and Salvestro-Martin)

- (a) That Local DA No. 2014/0220 at 492 Blaxland Road, Denistone (LOT 36 Section 4 In DP 7997) be refused for the following reasons:
- 1) The proposed development is incompatible with the character of the local area, and as per clause 16A of State Environmental Planning Policy (Affordable Rental Housing) 2009 cannot be supported.
 - 2) The proposed development provides an unacceptable dwelling size for Dwelling 4, such that it will fail to provide an adequate level of amenity to occupants of this dwelling.

- 3) The proposed development fails to achieve consistency with the provisions of the Seniors Living Policy: Urban Design Guidelines for Infill Development as required by clause 15 of the ARHSEPP.
- 4) The proposed development is considered to be contrary to the objectives of the R2 Low Density Residential zoning of the site under the Ryde Local Environmental Plan 2010;
- 5) The proposed development fails to achieve compliance with the principal development standards contained within clause 4.3 - 'Height of Buildings', and clause 4.5A – 'Density Controls for Zone R2 Low Density Residential' of the Ryde Local Environmental Plan 2010. No written request has been submitted pursuant to clause 4.6 of the Ryde Local Environmental Plan 2010.
- 6) The proposed development is inconsistent with the applicable development controls for multi dwelling housing development as prescribed by Part 3.5 of the Ryde Development Control Plan 2014;
- 7) The proposed development will have an unacceptable impact on the built environment;
- 8) The proposed development is unsuitable for the site;
- 9) The proposed development 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

9 ADVICE ON COURT ACTIONS

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

RECOMMENDATION: (Moved by Councillors Simon and Perram)

That the report of the General Counsel be received.

Record of Voting:

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

Against the Motion: Councillors Maggio and Salvestro-Martin

OPEN SESSION

RESOLUTION: (Moved by Councillors Pendleton and Salvestro-Martin)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 11.54pm.

RESOLUTION: (Moved by Councillors Pendleton and Salvestro-Martin)

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 11.56pm.

CONFIRMED THIS 25TH DAY OF NOVEMBER 2014

Chairperson