

**Meeting Date:** Tuesday 15 December 2015  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 8.00pm

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

**Apologies:** Nil.

**Leave of Absence:** Councillors Li and Pendleton.

**Staff Present:** General Manager, Acting Chief Operating Officer, Acting Director – Corporate and Community Services, Acting Director – City Strategy and Planning, Director – City Works and Infrastructure, General Counsel, Manager – Assessment, Acting Manager – Strategic City, Manager – Operations, Senior Coordinator – Development Assessment, Senior Strategic Planner, Senior Development Engineer, Planning Consultant (Creative Planning Solutions), Senior Coordinator – Property and Development, Senior Coordinator – Sportsgrounds and Recreation, Acting Senior Coordinator – Open Space Planning and Assets, Digital Communications Coordinator, Senior Coordinator – Governance and Governance, Risk and Audit Coordinator.

### **PRAYER**

Reverend Michael Smith of St. Phillips Anglican Church, Eastwood was present and offered prayer prior to the commencement of the meeting.

### **ONE MINUTE OF SILENCE**

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

That Council observe a one minute silence in recognition of the one year Anniversary of the Sydney Lindt Café Siege.

### **Record of Voting:**

For the Motion: Unanimous

### **LEAVE OF ABSENCE**

Councillor Perram advised the meeting that Councillor Li has requested a Leave of Absence for tonight's Council Meeting, 15 December 2015.

**RESOLUTION:** (Moved by Councillors Perram and Maggio)

That Councillor Pendleton's Leave of Absence for tonight's Council Meeting, 15 December 2015 be approved.

**Record of Voting:**

For the Motion: Unanimous

### **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

### **TABLING OF PETITIONS**

No Petitions were tabled.

### **CERTIFICATE FOR 2000 POPPIES PROJECT**

The Mayor, Councillor Laxale advised the meeting that Council's Ryde Library Service has been presented with an Award for the 2000 Poppies Project. The Mayor, Councillor Laxale presented the Certificate to the General Manager and advised that it was for the category of Marketing Awards for Public Libraries, which recognises successful marketing projects from across the State.

### **PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Perram)

That the all speakers who submitted a Request to Address Council after the midday deadline and the speakers who submitted a Request to Address Council on Item 2(2) – 95 Balaclava Road, Eastwood (LDA2015/11), Item 2(3) – 38 Conrad Street, North Ryde (MOD2015/77) and Item 2(9) – Tree Management Review from the report of the Planning and Environment Committee Meeting 16/15 held on 8 December 2015, be allowed to address the meeting, the time being 8.16pm.

**Record of Voting:**

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

Against the Motion: Councillor Pickering

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

The following persons addressed the Council:-

<b>Name</b>	<b>Topic</b>
Rachel Bailes (representing Australian Monarchist League)	<b>Notice of Motion 1</b> – Australia Becoming a Republic with an Australian Head of State
Peter FitzSimons (representing The Australian Republican Movement)	<b>Notice of Motion 1</b> – Australia Becoming a Republic with an Australian Head of State
Gavin Carrier (representing Holdmark Property Group)	<b>Notice of Rescission 1</b> – Planning Proposal – 66-82 Talavera Road, Macquarie Park
Philip Benwell	<b>Notice of Motion 1</b> – Australia Becoming a Republic with an Australian Head of State
Pooja Chugh	<b>Item 2(2)</b> – 95 Balaclava Road, Eastwood – LDA2015/11
Louise Barton	<b>Item 2(2)</b> – 95 Balaclava Road, Eastwood – LDA2015/11
Robyn Slothouber (representing Bob and Milia Slothouber)	<b>Item 2(3)</b> – 38 Conrad Street, North Ryde – MOD2015/77
Ian Falconer (representing Mr and Mrs Slothouber)	<b>Item 2(3)</b> – 38 Conrad Street, North Ryde – MOD2015/77
Robert Carbone	<b>Item 2(3)</b> – 38 Conrad Street, North Ryde – MOD2015/77
Jennie Minifie (representing Ryde Community Alliance)	<b>Item 2(9)</b> – Tree Management Review
Satyajeet Marar	<b>Notice of Motion 1</b> – Australia Becoming a Republic with an Australian Head of State

**PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

The following persons addressed the Council:-

<b>Name</b>	<b>Topic</b>
Colin Dunlop	Responsibility of Council for downstream flood damage in relation to modification or obstruction of a permanent water course
Guy Coleman	North West Sydney Koalas Field Allocation
Eliza Coleman and Alice Clark (representing North West Sydney Koalas)	North West Sydney Koalas Football, ELS Hall Ground and support for ELS Training Field Use

Name	Topic
David Clark (representing North West Sydney Koalas)	North West Sydney Koalas in support of ELS Hall Allocation for Training Fields

## **ORDER OF BUSINESS**

**RESOLUTION:** (Moved by Councillors Simon and Pickering)

That Council now consider the following Items, the time being 8.56pm:

- Item 2(2) – 95 Balaclava Road, Eastwood – LDA2015/11.
- Item 2(3) – 38 Conrad Street, North Ryde – MOD2015/77.
- Notice of Rescission 1 – Planning Proposal – 66-82 Talavera Road, Macquarie Park.
- Notice of Motion 2 – Planning Proposal – 66-82 Talavera Road, Macquarie Park.
- Item 2(9) – Tree Management Review.
- Item 4(3) – Synthetic Sports Surfaces Action Plan.
- Notice of Motion 1 – Australia Becoming a Republic with an Australian Head of State.
- Mayoral Minute MM11/15 – Club 6 Max Potential Leadership Program.

### **Record of Voting:**

For the Motion: Unanimous

## **COUNCIL REPORTS**

### **2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 16/15 held on 8 December 2015**

- 2 95 BALACLAVA ROAD, EASTWOOD - LOT 6 DP 35226 Development Application for a new two storey boarding house comprising twelve (12) boarding rooms under State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2015/11.**

Note: Pooja Chugh and Louise Barton addressed the meeting in relation to this Item.

**MOTION:** (Moved by Councillors Simon and Salvestro-Martin)

- (a) That Local Development Application No. LDA2015/011 at 95 Balaclava Road, Eastwood being LOT 6 DP 35226 be approved via a Deferred Commencement consent subject to the **ATTACHED** conditions (**Attachment 1**).
- (b) That the persons who made submissions be advised of Council's decision.

On being put to the Meeting, the voting on the Motion was three (3) For and seven (7) Against. The Motion was **LOST**. A further Motion was then put and **CARRIED**.

**Record of Voting:**

For the Motion: The Mayor, Councillor Laxale and Councillors Salvestro-Martin and Simon

Against the Motion: Councillors Chung, Etmekdjian, Maggio, Perram, Pickering, Stott and Yedelian OAM

**RESOLUTION:** (Moved by Councillor Etmekdjian and Maggio)

- (a) That the Local Development Application No. LDA2015/011 at 95 Balaclava Road, Eastwood being LOT 6 DP35226 be refused for the following reasons;
1. Unsatisfactory traffic and parking arrangements for the development; and
  2. The proposal is inconsistent with the character of the locality in terms of the streetscape presentation; and
  3. Unacceptable impact on the neighbouring residential properties in regard to privacy and acoustic impacts due to design and setbacks; and
  4. Concern regarding the management of the boarding house in regard to noise and waste and the impacts on the neighbouring residential properties; and
  5. The proposal is not in the public interest due to the objections received from the local community.
- (b) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Councillors Chung, Etmekdjian, Maggio, Perram, Pickering, Stott and Yedelian OAM

Against the Motion: The Mayor, Councillor Laxale and Councillors Salvestro-Martin and Simon

**3 38 CONRAD STREET, NORTH RYDE - LOT 23 DP 222878. Section 96(1A) Application to modify consent for alterations and additions to dwelling. LDA2011/343 (MOD2015/77)**

Note: Robyn Slothouber (representing Bob and Milia Slothouber), Ian Falconer (representing Mr and Mrs Slothouber) and Robert Carbone addressed the meeting in relation to this Item.

Note: Documentation from Brett Daintry dated 13 December 2015 was tabled in relation to this Item and a copy is ON FILE.

Note: Documentation from Robyn Slothouber was tabled in relation to this Item and a copy is ON FILE.

Note: A document titled Section 96 Fact Sheet, was tabled by Ian Falconer in relation to this Item and a copy is ON FILE.

Note: A marked up photograph was tabled by Robert Carbone in relation to this Item and a copy is ON FILE.

Note: A set of Comparison Plans of the Approved Development Application and the Current Section 96 Application were tabled by Council staff in relation to this Item and a copy is ON FILE.

**RESOLUTION:** (Moved by Councillors Pickering and Stott)

- (a) That consideration of this matter be deferred to allow the applicant to submit amended plans to address Items (a) to (e) of the staff recommendation which was put to the Planning and Environment Committee;
  - (a) Revised BASIX commitments.
  - (b) Deleting the proposed carport.
  - (c) An additional privacy screen on the Northern boundary.
  - (d) A revised landscaping plan.
  - (e) A provision of a pedestrian pathway to separate the driveway from the pedestrian entry.
- (b) That a further report be presented to a future Planning and Environment Committee Meeting, no later than March 2016.

**Record of Voting:**

For the Motion: Unanimous

## **NOTICE OF RESCISSION**

### **1 NOTICE OF RESCISSION: PLANNING PROPOSAL - 66-82 TALAVERA ROAD, MACQUARIE PARK - Councillor Craig Chung, Councillor Bill Pickering and Councillor George Simon**

Note: Gavin Carrier (representing Holdmark Property Group) addressed the meeting in relation to this Item.

**RESOLUTION:** (Moved by Councillors Simon and Chung)

That Council rescind the previous resolution in relation to Item 5 – PLANNING PROPOSAL – 66-82 TALAVERA ROAD, MACQUARIE PARK, passed at the Planning and Environment Committee Meeting held on 8 December 2015, namely:-

- (a) *That Council defers the determination of the Planning Proposal for 66 – 82 Talavera Road Macquarie Park until the Macquarie Park Strategic Review and the supporting draft Plan outlining the future direction for Macquarie Park in terms of land use, urban design and infrastructure provision and delivery is completed (approx. June 2016). Council supports further discussion with the applicant on this issue.*
- (b) *That upon completion of the Macquarie Park Strategic Review and the supporting draft Plan for the future direction for Macquarie Park an amended Planning Proposal and a Voluntary Planning Agreement be submitted for 66 – 82 Talavera Road Macquarie Park based on that draft Plan.*
- (c) *That the General Manager write to the Minister for Planning seeking clarification of the interim approach to deal with Planning Proposals that do not comply with the current planning controls, while the strategic review of Macquarie Park is being undertaken (to ensure the strategic direction that will be developed for the Corridor will not be undermined and that critical infrastructure will be delivered to meet the growing population demands in the Corridor in an appropriate and timely manner).*

On being put to the Meeting, the voting on the Motion was nine (9) votes For and one (1) vote Against. The Motion was **CARRIED**.

#### **Record of Voting:**

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

Against the Motion: Councillor Perram

The matter was then **AT LARGE**.



**RESOLUTION:** (Moved by Councillors Chung and Simon)

- (a) That Council provides in-principle support for the proposed amendments outlined in the Planning Proposal for 66-82 Talavera Road, Macquarie Park subject to the proponent providing an appropriate level of community benefit to the City of Ryde via a Voluntary Planning Agreement.
- (b) That determination of the planning proposal be deferred to enable negotiations to occur with the proponent regarding the extent and nature of the community benefit including, but not limited to, matters such as Affordable (Key Worker) Housing, Recreation Facilities, Open Space and Public Infrastructure.
- (c) That subject to the General Manager being generally satisfied that the proponent is offering an appropriate community benefit (VPA terms), the outcomes of the negotiations and the Planning Proposal be reported to the next available meeting of Council in 2016.

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

Against the Motion: Councillor Perram

**NOTICE OF MOTION**

**2 PLANNING PROPOSAL - 66-82 TALAVERA ROAD, MACQUARIE PARK - Councillor Craig Chung**

Note: This Item was dealt with in conjunction with the Notice of Rescission: Planning Proposal – 66-82 Talavera Road, Macquarie Park as detailed earlier in these Minutes.

**COUNCIL REPORTS**

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 16/15 held on 8 December 2015**

**9 TREE MANAGEMENT REVIEW**

Note: Jennie Minifie (representing Ryde Community Alliance) addressed the meeting in relation to this Item.

Note: A Memorandum from the Acting Director – City Strategy and Planning dated 15 December 2015 was tabled in relation to this Item and a copy is ON FILE.



**Note:** Documentation from Ryde-Hunter's Hill Flora and Fauna Preservation Society dated 6 December 2015 was tabled in relation to this Item and a copy is ON FILE.

**MOTION:** (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council endorse the amendments to Ryde Development Control Plan 2014 Part 9.5 Tree Preservation as shown at **ATTACHMENT 1**, and that the amended DCP be placed on public exhibition in accordance with the provisions of the NSW Environmental Planning and Assessment Act.
- (b) That the outcomes of the exhibition are reported back to Council following the exhibition period.
- (c) That Council endorse the proposed amendments to the appeal process for Tree Management Applications, information for applicants, and procedures for tree works on public land and affected by infrastructure construction and maintenance, as outlined in **ATTACHMENT 2**.
- (d) That Council amend the 2015/16 Schedule of Fees and Charges for "Request for review of determination of Tree Permit Applications" from \$65.50, to \$25.00 for a Stage 1 Review (by an alternative Council officer) and \$40.00 for a Stage 2 Review (by Council's Internal Review Panel);
- (e) That Council amend the 2015/16 Schedule of Fees and Charges for "Request for review of determination of Tree Permit Applications-Eligible pensioner discount" from \$33.00, to \$12.50 for a Stage 1 Review (by an alternative Council officer) and \$20.00 for a Stage 2 Review (by Council's Internal Review Panel);
- (f) That the new fees be advertised for 28 days, and should there be no objections, the new fees will commence.

**AMENDMENT:** (Moved by Councillor Simon and The Mayor, Councillor Laxale)

- (a) That Council endorse the amendments to Ryde Development Control Plan 2014 Part 9.5 Tree Preservation as shown at **ATTACHMENT 1**, with one (1) change, that the exemption controls for trees works near dwellings and outbuildings in the Draft Development Control Plan remain at 3 metres, and that the amended DCP be placed on public exhibition in accordance with the provisions of the NSW Environmental Planning and Assessment Act.
- (b) That the outcomes of the exhibition are reported back to Council following the exhibition period.

- (c) That Council endorse the proposed amendments to the appeal process for Tree Management Applications, information for applicants, and procedures for tree works on public land and affected by infrastructure construction and maintenance, as outlined in **ATTACHMENT 2**.
- (d) That Council amend the 2015/16 Schedule of Fees and Charges for “Request for review of determination of Tree Permit Applications” from \$65.50, to \$25.00 for a Stage 1 Review (by an alternative Council officer) and \$40.00 for a Stage 2 Review (by Council’s Internal Review Panel);
- (e) That Council amend the 2015/16 Schedule of Fees and Charges for “Request for review of determination of Tree Permit Applications- Eligible pensioner discount” from \$33.00, to \$12.50 for a Stage 1 Review (by an alternative Council officer) and \$20.00 for a Stage 2 Review (by Council’s Internal Review Panel);
- (f) That the new fees be advertised for 28 days, and should there be no objections, the new fees will commence.

On being put to the Meeting, the voting on the Amendment was three (3) votes For and seven (7) votes Against. The Amendment was **LOST**. The Motion was the put and **CARRIED**.

**Record of Voting:**

For the Amendment: The Mayor, Councillor Laxale and Councillors Etmekdjian and Simon

Against the Amendment: Councillors Chung, Maggio, Perram, Pickering, Salvestro-Martin, Stott and Yedelian OAM

**RESOLUTION:** (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council endorse the amendments to Ryde Development Control Plan 2014 Part 9.5 Tree Preservation as shown at **ATTACHMENT 1**, and that the amended DCP be placed on public exhibition in accordance with the provisions of the NSW Environmental Planning and Assessment Act.
- (b) That the outcomes of the exhibition are reported back to Council following the exhibition period.
- (c) That Council endorse the proposed amendments to the appeal process for Tree Management Applications, information for applicants, and procedures for tree works on public land and affected by infrastructure construction and maintenance, as outlined in **ATTACHMENT 2**.

- (d) That Council amend the 2015/16 Schedule of Fees and Charges for “Request for review of determination of Tree Permit Applications” from \$65.50, to \$25.00 for a Stage 1 Review (by an alternative Council officer) and \$40.00 for a Stage 2 Review (by Council’s Internal Review Panel);
- (e) That Council amend the 2015/16 Schedule of Fees and Charges for “Request for review of determination of Tree Permit Applications-Eligible pensioner discount” from \$33.00, to \$12.50 for a Stage 1 Review (by an alternative Council officer) and \$20.00 for a Stage 2 Review (by Council’s Internal Review Panel);
- (f) That the new fees be advertised for 28 days, and should there be no objections, the new fees will commence.

**Record of Voting:**

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

Against the Motion: Councillor Simon

**4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 16/15 held on 15 December 2015**

**3 SYNTHETIC SPORTS SURFACES ACTION PLAN (2016-2026)**

**RESOLUTION:** (Moved by Councillors Perram and Maggio)

- (a) That Council establish a Synthetic Surfaces Program for the period 2016-2026.
- (b) That Council endorse the draft Synthetic Surface Action Plan 2016-2026 fields to be converted as listed below in preference order as per the plan
  - 1) Christie Park No. 1
  - 2) Christie Park No. 2
  - 3) ELS Hall Park No. 1
  - 4) Meadowbank Park No. 2
  - 5) Magdala Park
  - 6) Meadowbank Park No. 3
- (c) That the General Manager immediately proceed to Tender on the first three (3) fields as listed in (b) above, with a view to awarding a contract(s) for construction of three (3) synthetic surfaces in 2016.

- (d) That the draft Synthetic Surface Action Plan 2016-2026 be included in the draft City of Ryde Sport and Recreation Strategy for public exhibition in February 2016.
- (e) That Council endorse a funding framework for the Synthetic Surfaces Program comprising of borrowings (establishment of a loan facility), Section 94 contributions, general rates (Asset Replacement Reserve) revenue and contributions from sporting/community groups/governing bodies to fund the implementation of the program.
- (f) That Council endorse the immediate implementation of the draft Synthetic Surfaces Action Plan by commencing construction of all short-term projects identified in the Action Plan (including the installation of synthetic surfaces at Christie Park No. 1 and 2 and ELS Hall Park No. 1) and a community engagement meeting to be held with users of the parks to provide any feedback.
- (g) That all affected user groups, especially North Ryde Hawks and NDCA, be immediately notified to ensure that Council prioritises any necessary relocations to other fields, as required.
- (h) That all costs arising from any necessary relocation of existing user groups, or the construction of new facilities to accommodate those groups at alternative grounds, be borne from the Synthetic Surfaces Program budget.
- (i) That in the development of the draft 2016-2020 Delivery Plan, additional funding be allocated to the sports lighting fields program in line with recommendations from the Draft Sport and Recreation Strategy. The new program is to then form the basis of a report to the Works and Community Committee Meeting for March 2016.
- (j) The installation of the new turf wicket at Marsfield Park be completed before any work commences at ELS Hall No. 1, thus ensuring that the premier competition is not interrupted. These works at Marsfield Park should commence in 2016 so that the turf wickets would be ready for the 2016/2017 cricket season.
- (k) That the following new facilities at Marsfield Park be constructed as part of the relocation of current users at ELS Hall Park No. 1;
  - 1) A new turf wicket
  - 2) An appropriate fence installed around the perimeter of the ground to assist in preventing lost balls, in line with current installation at ELS Hall No. 1
  - 3) Amenities and storage facilities upgrade to be built for wicket covers, other equipment and Council's plant and equipment
- (l) That subject to further investigation regarding cost and practicality, a synthetic wicket be installed at the new ELS Hall No. 1 facility so both lower grade senior and junior cricket can be played there in summer.

- (m) That the North Ryde Hawks be given a high priority when considering the future allocation of users at ELS Hall Park.
- (n) That the General Manager issue a Press Release on behalf of the Council briefly outlining the initiatives in the Synthetic Surfaces Action Plan.

**Record of Voting:**

For the Motion: Unanimous

**NOTICE OF MOTION**

**1 AUSTRALIA BECOMING A REPUBLIC WITH AN AUSTRALIAN HEAD OF STATE - Councillor George Simon**

Note: Rachel Bailes (representing Australian Monarchist League), Peter FitzSimons (representing The Australian Republican Movement), Philip Benwell and Satyajeet Marar addressed the meeting in relation to this Item.

**SUSPENSION OF STANDING ORDERS**

**RESOLUTION:** (Moved by Councillor Salvestro-Martin and Maggio)

That Standing Orders be suspended to allow a Radio Audio file to be played, the time being 10.19pm.

**Record of Voting:**

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

Against the Motion: Councillors Chung, Simon and Stott

Note: A Radio Audio File was then played to the Meeting.

**RESUMPTION OF STANDING ORDERS**

**RESOLUTION:** (Moved by Councillor Pickering and Maggio)

That Standing Orders be resumed, time being 10.25pm.

**Record of Voting:**

For the Motion: The Mayor, Councillor Laxale and Councillors Etmekdjian, Maggio, Perram, Pickering, Salvestro-Martin, Simon and Stott

Against the Motion: Councillors Chung and Yedelian OAM

**MOTION:** (Moved by Councillors Simon and The Mayor, Councillor Laxale)

The City of Ryde Council affirms it's commitment to Australia becoming a Republic and having an Australian Head of State. To express Council's support for this important cause, Council endorses the following:

- (a) registration of Council's formal support for the Australian Republican Movement;
- (b) use of Council communications channels to show support for the Australian Republican Movement, including the Mayoral column, social media, Council rate notices and the like; and
- (c) removal of the portrait of the Queen in the Council Chamber and the General Manager be delegated authority to relocate the portrait of the Queen to another part of the Civic Centre, outside the Council Chamber.

**AMENDMENT:** (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Ryde Council continues to honour Her Majesty, The Queen, as the Head of State of Australia.
- (b) That Council takes no side in the monarchist / republican debate, and provides no direct or indirect financial or advocacy support for either side.
- (c) That Ryde Council recognises constitutional reform as a matter for the Australian people and the Parliament of the Commonwealth of Australia, not for Local Government.

On being put to the Meeting, the voting on the Amendment was eight (8) votes For and two (2) votes Against. The Amendment was **CARRIED** and then became the Motion.

**Record of Voting:**

For the Amendment: Councillors Chung, Etmekdjian, Maggio, Perram, Pickering, Salvestro-Martin, Stott and Yedelian OAM

Against the Amendment: The Mayor, Councillor Laxale and Councillor Simon

**RESOLUTION:** (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Ryde Council continues to honour Her Majesty, The Queen, as the Head of State of Australia.
- (b) That Council takes no side in the monarchist / republican debate, and provides no direct or indirect financial or advocacy support for either side.
- (c) That Ryde Council recognises constitutional reform as a matter for the Australian people and the Parliament of the Commonwealth of Australia, not for Local Government.

**Record of Voting:**

For the Motion: Councillors Chung, Etmekdjian, Maggio, Perram, Pickering, Salvestro-Martin, Stott and Yedelian OAM

Against the Motion: The Mayor, Councillor Laxale and Councillor Simon

## **MAYORAL MINUTES**

### **MM11/15 CLUB 6 MAX POTENTIAL LEADERSHIP PROGRAM – The Mayor, Councillor Jerome Laxale**

**RESOLUTION:** (Moved by The Mayor, Councillor Laxale and Councillor Maggio)

- (a) That Council provide the opportunity for a City of Ryde Service Unit Manager to become a coach in the 2016 Max Potential Program.
- (b) That Council endorse an additional allocation of funding of \$2,000 from the existing 2015-2016 staff training budget to fund the coach participation fee.

**Record of Voting:**

For the Motion: Unanimous

## **COUNCIL REPORTS**

### **1 CONFIRMATION OF MINUTES - Council Meeting held on 24 November 2015**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Pickering)

That the Minutes of the Council Meeting 20/15, held on 24 November 2015 be confirmed.

**Record of Voting:**

For the Motion: Unanimous



**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING  
16/15 held on 8 December 2015**

**RESOLUTION:** (Moved by Councillors Simon and Yedelian OAM)

That Council determine Items 4 and 7 of the Planning and Environment Committee report 16/15, held on 8 December 2015 noting that Items 1, 5, 6 and 8 were dealt with by the Committee within its delegated powers and Items 2, 3 and 9 were considered earlier in the Meeting as detailed in these Minutes.

**Record of Voting:**

For the Motion: Unanimous

- 2 95 BALACLAVA ROAD, EASTWOOD - LOT 6 DP 35226  
Development Application for a new two storey boarding house  
comprising twelve (12) boarding rooms under State  
Environmental Planning Policy (Affordable Rental Housing) 2009.  
LDA2015/11.**

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

- 3 38 CONRAD STREET, NORTH RYDE - LOT 23 DP 222878. Section  
96(1A) Application to modify consent for alterations and additions  
to dwelling. LDA2011/343 (MOD2015/77)**

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

- 4 136A CRESSY ROAD, EAST RYDE - LOT 91 DP 579412. Section  
96(1A) Application to modify consent for approved multi-dwelling  
housing development. LDA2013/352 (MOD2015/94)**

**RESOLUTION** (Moved by Councillors Simon and Chung)

- (a) That consideration of this application be deferred for further discussions to be undertaken between the Acting Director – City Strategy and Planning and the applicant regarding alternate fencing designs.
- (b) That a further report be submitted to the Planning and Environment Committee as soon as practicable.

**Record of Voting:**

For the Motion: Unanimous

**7 CAR PARKING RATES IN MACQUARIE PARK: PLANNING PROPOSAL AND AMENDMENTS TO RYDE DEVELOPMENT CONTROL PLAN**

**RESOLUTION:** (Moved by Councillors Chung and Simon)

- (a) That Council defer consideration of the amendment to the parking meter rates in Macquarie Park Corridor until consultation occurs with landowners, tenants and key stakeholders as part of the strategic review of the parking in the Corridor.
- (b) That the General Manager report back to Council, the outcomes of the consultation by the end of April 2016.

**Record of Voting:**

For the Motion: Unanimous

**9 TREE MANAGEMENT REVIEW**

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

**3 REPORT OF THE RYDE CIVIC HUB COMMITTEE MEETING 6/15 held on 8 December 2015**

**RESOLUTION:** (Moved by Councillors Perram and Stott)

That Council determine Items 1 and 2 of the Ryde Civic Hub Committee Meeting 6/15, held on 8 December 2015 in accordance with the Ryde Civic Hub Committee Terms of Reference.

**Record of Voting:**

For the Motion: Unanimous

**1 CONFIRMATION OF MINUTES - Ryde Civic Hub Committee Meeting held on 10 November 2015**

**RESOLUTION:** (Moved by Councillors Perram and Stott)

That the Minutes of the Ryde Civic Hub Committee 5/15, held on 10 November 2015, be confirmed.

**Record of Voting:**

For the Motion: Unanimous

## **2 RYDE CIVIC HUB INTERNATIONAL DESIGN COMPETITION - STATUS REPORT 4 (DECEMBER 2015)**

Note: Councillor Simon left the meeting at 10.47pm and was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Pickering and Stott)

That the Civic Hub Committee receives and notes the content of Status Report 4 (December 2015).

### **Record of Voting:**

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

Against the Motion: Councillor Perram

## **4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 16/15 held on 15 December 2015**

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

**RESOLUTION:** (Moved by Councillors Perram and Maggio)

That Council determine Item 8 of the Works and Community Committee report 16/15, held on 15 December 2015 noting that Items 1, 2, 4, 5, 6, 7, 9 and 10 were dealt with by the Committee within its delegated powers and Item 3 was considered earlier in the Meeting as detailed in these Minutes.

### **Record of Voting:**

For the Motion: Unanimous

## **3 SYNTHETIC SPORTS SURFACES ACTION PLAN (2016-2026)**

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

Note: Councillor Simon returned to the meeting at 10.49pm.

## **8 BETTER WASTE AND RECYCLING FUND - EPA Projects**

**RESOLUTION:** (Moved by Councillors Perram and Maggio)

- (a) That Council notes receipt of the Funding from the EPA under the Better Waste and Recycling Fund.
- (b) That Council approves the two (2) new projects - Reduce Litter – Gladesville Catchment Litter Collection & Prevention Program with a cost of \$400,000 and Reduce Illegal Dumping – Illegal Dumping Surveillance & Reduction with a cost of \$30,300 funded by the Better Waste and Recycling Fund and the Stormwater Improvement Delivery Program, to be included in the 2015-16 Operational Plan and the 2015-2019 Delivery Plan.
- (c) That the necessary budget changes be incorporated in the next Quarterly Review to reflect the funding so that the projects can begin immediately to meet the 30 June 2016 deadline.

### **Record of Voting:**

For the Motion: Unanimous

## **5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 3/15 held on 15 December 2015**

**RESOLUTION:** (Moved by Councillors Perram and Maggio)

That Council determine Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of the Finance and Governance Committee Meeting 3/15, held on 15 December 2015 in accordance with the Finance and Governance Committee Terms of Reference.

### **Record of Voting:**

For the Motion: Unanimous

## **1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 17 November 2015**

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

That the Minutes of the Finance and Governance Committee 2/15, held on 17 November 2015, be confirmed.

### **Record of Voting:**

For the Motion: Unanimous

## **2 INVESTMENT REPORT - November 2015**

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

That Council endorse the report of the Chief Financial Officer dated 1 December 2015 on Investment Report – November 2015.

### **Record of Voting:**

For the Motion: Unanimous

## **3 STRENGTHENING RYDE - Quarterly update October 2015**

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

That Council note the progress and status of each project within the Strengthening Ryde initiative.

### **Record of Voting:**

For the Motion: Unanimous

## **4 2015/2016 CHRISTMAS NEW YEAR ARRANGEMENTS - DELEGATIONS TO THE MAYOR AND GENERAL MANAGER**

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

- (a) That during the period 16 December 2015 to 9 February 2016, the Mayor and General Manager be delegated any functions of the Council that may lawfully be delegated under Section 377 of the Local Government Act provided the functions are exercised in compliance with the relevant Council policy and where no such policy exists with all due caution.
- (b) That all decisions made by the Mayor and General Manager under this resolution, be communicated to all Councillors as soon as reasonably possible, in addition to a Mayoral Minute being submitted to Council's meeting on 23 February 2016, if required.

### **Record of Voting:**

For the Motion: Unanimous

## 5 REPORTS DUE TO COUNCIL

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

That the report on Outstanding Council Reports be endorsed.

### Record of Voting:

For the Motion: Unanimous

## 6 PROPERTY MATTER

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

- (a) That Council make an offer to purchase 255 Quarry Road Ryde by private treaty, up to the value as detailed in this report.
- (b) That Council resolves to purchase the property by private treaty, if the offer detailed in part (a) is accepted.
- (c) That Council delegates authority to the General Manager to execute all documents necessary to effect the purchase of the property by private treaty, as detailed in parts (a) and (b).
- (d) That in the event that Council is unsuccessful in purchasing the property by private treaty, Council resolves to compulsorily acquire 255 Quarry Road Ryde (Lot 2 DP 12918) with all mineral rights in line with the provisions of the Local Government Act 1993 for open space purposes to include within Santa Rosa Park.
- (e) That Council resolves to seek the Approval of the Minister for Local Government and/or the Governor for the compulsory acquisition of the land described in recommendation (a) above (including approval to issue any notice or do anything for such purpose).
- (f) That the General Manager be authorised to undertake relevant administrative requirements and execute relevant notices and an offer of compensation in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
- (g) That Council resolves to publicly notify in accordance with Section 34(1) of the Local Government Act 1993 its proposal to resolve to classify the land described in recommendation (a) above as Community in accordance with the provisions of Section 31(2) of the Local Government Act 1993.
- (h) That Council resolves to classify the land described in recommendation (a) as Community (following public notification) in accordance with Section 31 (2) of the Local Government Act 1993 and having regard to any submissions received.

- (i) That Council authorises the affixing of Council's Seal if required to effect the acquisition of this property.

**Record of Voting:**

For the Motion: Unanimous

**7 PROPERTY MATTER**

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

- (a) That Council resolves to compulsorily acquire the land being Barton Reserve R61079 (Lot 16 DP 841065) and the land being part of Porters Creek (from the Western Boundary of Lot 2 DP 1078026 to the Eastern boundary of Lot 3 DP 1078026 as shown by red and blue outline on the plan **ATTACHED** to the report) including all rights to minerals for the purposes of consolidation of the existing waste recycling facility and operational purposes associated with Porters Environmental Construction Materials Recycling Facility, in accordance with Section 187 of the Local Government Act 1993 (NSW).
- (b) That Council resolves to seek the Approval of the Minister for Local Government and/or the Governor for the compulsory acquisition of the land described in recommendation (a) above (including approval to issue any notice or do anything for such purpose).
- (c) That the General Manager be authorised to undertake relevant administrative requirements and execute relevant notices and an offer of compensation in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
- (d) That Council resolves to publicly notify in accordance with Section 34(1) of the Local Government Act 1993 its proposal to resolve to classify the land described in recommendation (a) above as Operational in accordance with the provisions of Section 31(2) of the Local Government Act 1993.
- (e) That Council resolves to classify the land described in recommendation (a) as Operational (following public notification) in accordance with Section 31 (2) of the Local Government Act 1993 and having regard to any submissions received.

**Record of Voting:**

For the Motion: Unanimous



## **8 PROPERTY MATTER**

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

That this matter be deferred for consideration in Closed Confidential Session.

### **Record of Voting:**

For the Motion: Unanimous

## **9 COR-RFT-11/14 - SUPPLEMENTARY TO PROVISION OF MINOR WORKS AND SERVICES TENDER**

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

- (a) That Council accept the tenders for Supplementary to Provision of Minor Works & Services on an 'as required' basis for the items outlined, up until 31 October 2016.
- (b) That Council delegate to the General Manager the authority to execute all contract documents for the Supplementary to Provision of Minor Works & Services Tender.
- (c) That the preferred contractors be advised that work will be allocated to them on as on 'as required' basis, following consideration at the time of the type of work, price, availability, previous workmanship, relevant expertise, previous service provided to the residents and previous compliance to safety requirements.
- (d) That Council advise all the respondents of Council's decision.

### **Record of Voting:**

For the Motion: Unanimous

## **10 TENDER REPORT COR-RFT - 11/15 PROVISION OF SPECIALIST CLEANING SERVICES TO THE RALC**

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

- (a) That Council accept the tender submitted by Tiara & H Holdings Pty Ltd for the contract COR-RFT-11/15, for a 3 year period, with a further 2 year extension being at Council's option, at a tendered amount of \$137,900 per annum.
- (b) That Council delegate to the General Manager the authority to execute all contract documents for the Provision of Specialist Cleaning Services to the Ryde Aquatic Centre.

- (c) That Council advise all tenderers of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

**11 ADVICE ON COURT ACTIONS**

Note: Councillor Maggio left the meeting at 10.55pm and was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

That the report of the General Counsel be received.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Maggio returned to the meeting at 10.57pm.

**LATE ITEMS**

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

**1 2-14 TENNYSON ROAD GLADESVILLE - COUNCIL AS RELEVANT PLANNING AUTHORITY**

Note: Councillor Salvestro-Martin left the meeting at 10.57pm and was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Stott and Maggio)

- (a) That the correspondence be received and noted.
- (b) That Council endorse being the relevant planning authority with respect to the Planning Proposal 2- 14 Tennyson Road Gladesville and that the Department of Planning and Environment be advised accordingly.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Salvestro-Martin returned to the meeting at 10.59pm.

## **2 FINANCIAL ASSISTANCE GRANT PROGRAMME**

**RESOLUTION:** (Moved by Councillors Simon and Maggio)

That the correspondence be received and noted.

**Record of Voting:**

For the Motion: Unanimous

## **EXTENSION OF TIME – COMPLETION OF BUSINESS**

**RESOLUTION:** (Moved by Councillors Simon and Maggio)

That Council extend the meeting closing time to allow the completion of all business, the time being 10.59pm.

**Record of Voting:**

For the Motion: Unanimous

## **CLOSED SESSION**

### **ITEM 8 - PROPERTY MATTER**

#### **Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**RESOLUTION:** (Moved by Councillors Simon and Pickering)

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

**Record of Voting:**

For the Motion: Unanimous

Note: The Council closed the meeting at 11.00pm. The public and media left the chamber.

**5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING  
3/15 held on 15 December 2015**

**8 PROPERTY MATTER**

**RECOMMENDATION:** (Moved by Councillors Perram and Simon)

- (a) That Council make an offer to purchase 100-104 Rowe Street, Eastwood by private treaty, up to the value as detailed in this report.
- (b) That Council resolve to purchase the property by private treaty, if the offer detailed in part (a) is accepted.
- (c) That Council delegate authority to the General Manager to execute all documents necessary to effect the purchase of the property by private treaty, as detailed in parts (a) and (b).
- (d) That the purchase be funded from an internal reserve.
- (e) That Council authorise the affixing of Council's Seal if required, to effect the acquisition of this property.

**Record of Voting:**

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

Against the Motion: Councillor Maggio

**OPEN SESSION**

**RESOLUTION:** (Moved by Councillors Simon and Pickering)

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 11.26pm.

**RESOLUTION:** (Moved by Councillors Simon and Pickering)

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 11.29pm.

CONFIRMED THIS 23RD DAY OF FEBRUARY 2016

Chairperson