

Meeting Date: Tuesday 28 July 2015
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, Simon, Stott and Yedelian OAM.

Apologies: Nil.

Leave of Absence: Councillor Salvestro-Martin.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, Acting Group Manager – Public Works, Acting General Counsel, Manager – Communications and Media, Manager – Community and Culture, Section Manager – Traffic, Transport and Developments, Chief Financial Officer, Executive Officer – Ryde Civic Hub, Section Manager – Governance and Governance, Risk and Audit Coordinator.

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.

DISCLOSURES OF INTEREST

Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Report of the Ryde Civic Hub Committee Meeting 2/15 held on 14 July 2015, for the reason that her opposition to the redevelopment of the Civic Centre public land with the inclusion of high-rise residential development will negatively impact local amenity and access to community services at Top Ryde and this is consistent with her core commitment made to the electorate at the 2012 elections.

Councillor Chung disclosed a Less than Significant Non-Pecuniary Interest in Item 2(2) – 37 Pennant Avenue, Denistone – LDA2015/0005, for the reason that his wife and the applicant's wife worked together more than 15 years ago and he met the applicant socially at that time.

Councillor Maggio disclosed a Significant Non-Pecuniary Interest in Item 1 – Confirmation of Minutes – Council Meeting held on 14 July 2015 (Council meeting 12/15), for the reason that he is not a member of NWSWF or GHFA and not a member of any local football clubs. Councillor Maggio is a member of NSW Referees.

Councillor Maggio disclosed a Significant Non-Pecuniary Interest in Notice of Motion 2 – North West Sydney Koalas – ELS Hall Park, for the reason that that he is not a member of NWSWF or GHFA and not a member of any local football clubs. Councillor Maggio is a member of NSW Referees.

TABLING OF PETITIONS

There were no petitions tabled.

PRESENTATION OF DONATION TO THE OAKTREE FOUNDATION ON BEHALF OF HOLLY FRASER

The Mayor, Councillor Pickering presented Holly Fraser with a cheque for \$500 which was donated by Council to the Oaktree Foundation on Holly's behalf for her participation in the "Living Below the Line" Challenge to raise awareness about global poverty and to raise money for the Oaktree Foundation.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Helen Crouch (representing North Ryde Community Aid and Information Centre Inc.)	Item 5 – Community Grants Policy Review – Historical Grants
Anna Buddo (representing Hunter's Hill Ryde Community Services)	Item 5 – Community Grants Policy Review – Historical Grants
Adrian Jones (representing North West Sydney Koalas)	Notice of Motion 2 – North West Sydney Koalas – ELS Hall Park

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Chung and Simon)

That the speakers who submitted late Requests to Address Council be allowed to address the meeting, the time being 8.02pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Heather Pinto (representing Christian Community Aid)	Item 5 – Community Grants Policy Review – Historical Grants
Geoff Yallop (representing North West Sydney Koalas)	Notice of Motion 2 – North West Sydney Koalas – ELS Hall Park
Paul Woolford	Notice of Motion 2 – North West Sydney Koalas – ELS Hall Park

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Maggio and Chung)

That Council now consider the following Items, the time being 8.10pm:

- Item 5 – Community Grants Policy Review.
- Notice of Motion 2 – North West Sydney Koalas – ELS Hall Park.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORT

5 COMMUNITY GRANTS POLICY REVIEW - Historical Grants

Note: Helen Crouch (representing North Ryde Community Aid and Information Centre In.), Anna Buddo (representing Hunter's Hill Ryde Community Services) and Heather Pinto (representing Christian Community Aid) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Chung and Stott)

That this matter be referred back to Council staff for further consideration and a workshop to be held with Councillors.

Record of Voting:

For the Motion: Unanimous

NOTICE OF MOTION

2 NORTH WEST SYDNEY KOALAS - ELS Hall Park - Councillor George Simon

Note: Councillor Maggio disclosed a Significant Non-Pecuniary Interest in this Item, for the reason that that he is not a member of NWSWF or GHFA and not a member of any local football clubs. Councillor Maggio is a member of NSW Referees.

Note: Adrian Jones (representing North West Sydney Koalas), Geoff Yallop (representing North West Sydney Koalas) and Paul Woolford addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Simon and Laxale)

That Council:

- (a) Notes the ongoing success of the North West Sydney Koalas including the achievement of many of their players who have represented their State and country at elite levels.
- (b) Endorses the taking of immediate action to ensure that North West Sydney Koalas are provided with priority access to ELS Hall Park Field 1 in 2016 to enable the team to train twice a week and play games.
- (c) Undertakes the following improvements to the facilities at ELS Hall Park Field 1 in 2015-16 to ensure it is at the appropriate standard to reflect the team's ongoing success:
 - i. installation of an electronic scoreboard;
 - ii. provision of two extra male and female toilets;
 - iii. inclusion of a wet weather cover over the concourse for spectators to the ground to meet Football NSW requirements; and
 - iv. fast tracking of the synthetic turf installation.

AMENDMENT: (Moved by Councillors Perram and Etmekdjian)

That the General Manager provide a further report to the Works and Community Committee as soon as practicable.

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

Record of Voting:

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

Against the Amendment: Councillors Laxale, Maggio and Simon

RESOLUTION: (Moved by Councillors Perram and Etmekdjian)

That the General Manager provide a further report to the Works and Community Committee as soon as practicable.

Record of Voting:

For the Motion: Unanimous

MAYORAL MINUTES

MM5/15 EAST WARD BY-ELECTION FEBRUARY 2015 – PENALTY FOR FAILURE TO VOTE

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

That the information be received and noted.

Record of Voting:

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

Against the Motion: Councillors Laxale, Pendleton and Simon

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 14 July 2015

Note: Councillor Maggio disclosed a Significant Non-Pecuniary Interest in this Item, for the reason that he is not a member of NWSWF or GHFA and not a member of any local football clubs. Councillor Maggio is a member of NSW Referees.

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the Minutes of the Council Meeting 12/15, held on 14 July 2015 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 10/15 held on 21 July 2015

Note: Councillor Simon left the meeting at 9.28pm and was not present for the consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

That Council determine Item 2 and 3 of the Planning and Environment Committee report 10/15, held on 21 July 2015 noting that Item 1 was dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

2 37 PENNANT AVENUE, DENISTONE. LOT 1 DP 1005675. Local Development Application for Demolish pool, subdivide land into two lots, erect a new two storey dual occupancy with strata subdivision on one lot and retain the heritage item and outbuildings on the other lot. LDA2015/0005.

Note: Councillor Chung disclosed a Less than Significant Non-Pecuniary Interest in this Item, for the reason that his wife and the applicant's wife worked together more than 15 years ago and he met the applicant socially at that time.

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

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

- (a) That Local Development Application No. 2015/5 at 37 Pennant Avenue, Denistone, being LOT 1 DP 1005675 be deferred allowing the submission of amended plans / additional information and to minimise the impact to the heritage significance of 'Ben Lomond' House.

The additional information / amended plans shall include:

1. A redesign to reduce bulk and scale of the dual occupancy particularly in regard to the southern elevation in closest proximity to 'Ben Lomond' House and its driveway.
2. A Conservation Management Plan be prepared and submitted to Council.
3. Details of the construction methods, levels and gradients of the proposed driveways in relation to Tree 14 (*Angophora floribunda*) and Tree 24 (*Eucalyptus saligna*) and which reflect the comments and recommendations contained within the Arboricultural Impact Appraisal and Method Statement; and

4. Details of the location of each proposed driveway to the kerb with gradients that comply with AS 2890.1. Some excavation is foreseen therefore conceptual details of the driveways are required to allow Council's Consultant Landscape Architect to assess the potential impacts on trees to be retained in the verge.
- (b) That amended plans / additional information be renotified to all adjoining owners and those people who made submissions.
- (c) Subject to parts (a) and (b) above, the Acting Group Manager Environment and Planning be delegated to determine the application.

Record of Voting:

For the Motion: Unanimous

- 3 120-124A VICTORIA ROAD, GLADESVILLE. LOTS 1 and 2 DP 552766 and LOT A DP 439417. Local Development Application for construction of a six storey residential flat building with forty six (46) apartments and basement parking containing fifty six (56) car parking spaces. LDA2014/0379.**

Note: Councillor Simon was not present for the consideration of voting on this Item

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

That Local Development Application No 2014/0379 at 120-124A Victoria Road Gladesville, being LOTS 1 and 2 DP552766 and LOT A DP439417 be deferred for a further report in respect of the issues in the late submissions.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Simon returned to the meeting at 9.32pm.

- 3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 10/15 held on 21 July 2015**

RESOLUTION: (Moved by Councillors Maggio and Li)

That Council determine Items 2(h) and 3 of the Works and Community Committee report 10/15, held on 21 July 2015 noting that Items 1, 2(a), 2(b), 2(c), 2(d), 2(e), 2(f), 2(g), 2(i), 2(j), 2(k), 2(l), 2(m), 2(n), 2(o), 2(p), 2(q), 2(r) and 2(s) were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

**2 TRAFFIC AND PARKING MATTERS PRESENTED TO RYDE
TRAFFIC COMMITTEE held on 28 May 2015**

MOTION: (Moved by Councillors Maggio and Li)

(h) That no further action be taken in regard to this Item.

AMENDMENT: (Moved by Councillors Pendleton and Laxale)

(h) That a further report be referred back to the Ryde Traffic Committee on this matter, with particular attention to emergency vehicle access.

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

Record of Voting:

For the Amendment: Councillors Laxale, Pendleton and Simon

Against the Amendment: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Li, Maggio, Perram, Stott and Yedelian OAM

RESOLUTION: (Moved by Councillors Maggio and Li)

(h) That no further action be taken in regard to this Item.

Record of Voting:

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

Against the Motion: Councillors Laxale and Pendleton

3 EASTWOOD MURAL MOON FESTIVAL 2015

RESOLUTION: (Moved by Councillors Maggio and Stott)

(a) That Council support the creation of a mural on the Eastwood Library entrance to the value of up to \$7,100 plus GST from the Community Life budget to cover the shortfall of any sponsorship Ryde Community Forum obtain for the mural.

- (b) That Council engage the service of Yes Way acting for artist Heesco to develop a concept plan and create a mural on Eastwood Library.
- (c) That the Ryde Community Forum be consulted in the development of the concept for the proposed mural.
- (d) That the 2014 concept plans be considered in conjunction with the concept plans to be created for the latest mural.
- (e) That the concept design be reported back to Council for approval prior to the work commencing.

Record of Voting:

For the Motion: Unanimous

4 REPORT OF THE RYDE CIVIC HUB COMMITTEE MEETING 2/15 held on 14 July 2015

Note: Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in this Item, for the reason that her opposition to the redevelopment of the Civic Centre public land with the inclusion of high-rise residential development will negatively impact local amenity and access to community services at Top Ryde and this is consistent with her core commitment made to the electorate at the 2012 elections.

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

That Council determine all Items of the Ryde Civic Hub Committee Meeting 2/15, held on 14 July 2015 in accordance with the Ryde Civic Hub Terms of Reference.

Record of Voting:

For the Motion: Unanimous

1 CONFIRMATION OF MINUTES - Ryde Civic Hub Committee Meeting held on 9 June 2015

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

That the Minutes of the Ryde Civic Hub Committee 1/15, held on 9 June 2015, be confirmed.

Record of Voting:

For the Motion: Unanimous

2 CIVIC CENTRE - OVERVIEW OF WHS INCIDENTS AND MAINTENANCE EXPENDITURE

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

That the Committee note the information relating to the Civic Centre and Civic Hall detailed in this report, relating to expenditure for previous years since 2008/2009, the projected expenditure for 2015/2016 and the details relating to Work Health and Safety incident reports for the years 2012/2013 to 2014/2015.

Record of Voting:

For the Motion: Unanimous

5 COMMUNITY GRANTS POLICY REVIEW – Historical Grants

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

6 INVESTMENT REPORT - June 2015

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That Council endorse the report of the Chief Financial Officer dated 7 July 2015 on Investment Report – June 2015.

Record of Voting:

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

Against the Motion: Councillor Pendleton

7 2015 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - Rosehill Gardens Racecourse - 11 to 13 October 2015

RESOLUTION: (Moved by Councillors Pendleton and Maggio)

That this Item be dealt with in seriatim.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

- (a) That Council acknowledge the following expressions of interest to attend the 2015 Local Government NSW Annual Conference as voting delegates and two (2) additional Councillors as observers; noting that the voting delegates will be confirmed at the Council Meeting held on 8 September 2015, that includes the Mayoral Election;

The Mayor of the Day and Councillors Chung, Etmekdjian, Laxale, Maggio, Pickering, Salvestro-Martin, Stott and Yedelian OAM.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

- (b) That Council note that the General Manager will select staff to attend the Conference as appropriate.

Record of Voting:

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

Against the Motion: Councillor Maggio

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

- (c) That Council endorse Motion 1 for inclusion on the 2015 Local Government NSW Annual Conference business paper as detailed in this Report.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

- (d) That Council endorse Motion 2 for inclusion on the 2015 Local Government NSW Annual Conference business paper as detailed in this Report.

Record of Voting:

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

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

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

- (a) That Council acknowledge the following expressions of interest to attend the 2015 Local Government NSW Annual Conference as voting delegates and two (2) additional Councillors as observers; noting that the voting delegates will be confirmed at the Council Meeting held on 8 September 2015, that includes the Mayoral Election;

The Mayor of the Day and Councillors Chung, Etmekdjian, Laxale, Maggio, Pickering, Salvestro-Martin, Stott and Yedelian OAM.

- (b) That Council note that the General Manager will select staff to attend the Conference as appropriate.
- (c) That Council endorse Motion 1 for inclusion on the 2015 Local Government NSW Annual Conference business paper as detailed in this Report.
- (d) That Council endorse Motion 2 for inclusion on the 2015 Local Government NSW Annual Conference business paper as detailed in this Report.

LATE ITEM

10 CONFERENCE INVITATION - BIKE FUTURES SYDNEY CONFERENCE - Parramatta - 11 to 13 August 2015

Note: Councillor Stott left the meeting at 10.00pm and was not present for the consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Yedelian)

That Council endorse the attendance of Councillor Perram and relevant Council staff at the Bike Futures Sydney Conference to be held in Parramatta on 11 to 13 August 2015.

Record of Voting:

For the Motion: Unanimous

NOTE: Councillor Stott returned to the meeting at 10.04pm.

PRECIS OF CORRESPONDENCE

1 FEDERAL GOVERNMENT FINANCIAL COMMITMENT TO LOCAL GOVERNMENT

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That the correspondence be received and noted.

Record of Voting:

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

Against the Motion: Councillor Pendleton

NOTICES OF MOTION

1 RYDE-CHINA BUSINESS AND TRADE FORUM 2015 - Councillor Craig Chung

RESOLUTION: (Moved by Councillors Chung and Etmekdjian)

I move that Council:

- (a) Host a new event in the City of Ryde, the Ryde-China Business and Trade Forum 2015.
- (b) Seek sponsorship opportunities with interested stakeholders including, but not limited to, the Ryde Business Forum, members of the Macquarie Park Forum, local Chambers of Commerce, Ryde Economic Development Advisory Committee and Macquarie University.
- (c) Approach relevant China related groups and institutes such as the China Studies Centre (USYD) China Australian Forum, Chinese Consulate, CAMP and Confucius Institute to assist Council with the planning and delivery of the event.
- (d) Investigate hosting the event in early November 2015 to align with the annual Sydney-China Business Forum to attract visiting business and government delegations to Ryde.
- (e) Request the Economic Development Advisory Committee form a sub-committee to assist staff with developing the event.

Record of Voting:

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

Against the Motion: Councillor Simon

2 NORTH WEST SYDNEY KOALAS - ELS Hall Park - Councillor George Simon

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

CLOSED SESSION

ITEM 8 - LEGAL ACTION AGAINST RATEPAYER - SALE OF LAND FOR UNPAID RATES

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.

Legal action against an individual ratepayer.

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.

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

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 10.11pm. The public and media left the chamber.

8 LEGAL ACTION AGAINST RATEPAYER - SALE OF LAND FOR UNPAID RATES

RECOMMENDATION: (Moved by Councillors Maggio and Stott)

- (a) That Council approve the sale of land for unpaid rates in respect of the property at 61 Anzac Avenue, West Ryde, being LOT 12 DP 1134, at a public auction to be held at a place and on a date to be fixed by Council in accordance with Section 715 of the Local Government Act, 1993.
- (b) That a further report to Council be prepared when this matter is ready to proceed, by the end of October 2015.
- (c) That all other properties eligible for sale to be included in the report.
- (d) That Council write to the property owner informing them of Council's intention to proceed to the sale of their property for unpaid rates, unless the amount outstanding is paid in full prior to any sale.

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

9 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Pendleton and Stott)

That the report of the Acting General Counsel be received.

Record of Voting:

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

Against the Motion: Councillor Maggio

OPEN SESSION

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

That Council resolve itself into open Council.

Record of Voting:

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

Against the Motion: Councillor Maggio

Note: Open Council resumed at 10.44pm.

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

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

Against the Motion: Councillor Maggio

NATIONAL ANTHEM

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

The meeting closed at 10.46pm.

CONFIRMED THIS 11TH DAY OF AUGUST 2015

Chairperson