

Meeting Date: Tuesday 23 June 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, Salvestro-Martin, Simon, Stott and Yedelian OAM.

Note: Councillor Salvestro-Martin arrived at the meeting at 8.29pm, during consideration of Notice of Motion 4. He was not present for the consideration and voting on Item 7 and Notices of Motion 1 and 3.

Note: Councillor Yedelian OAM left the meeting at 10.27pm and did not return. He was not present for the consideration and voting on Notices of Motion 2 and 5 and Confidential Items 14 and 15.

Apologies: Nil.

Leave of Absence: Councillor Perram.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Chief Financial Officer, Manager – Communications and Media, Coordinator Digital Communications, Solicitor, Acting Manager – Urban Planning, Project Manager – Project Delivery, Section Manager – Traffic, Transport and Development, Section Manager – Program Delivery, Section Manager – Property and Development, Client Manager – Building and Advisory Services, Senior Catchments Engineer, Section Manager – Governance and Governance, Risk and Audit Coordinator.

PRAYER

Bishop Alex Tong of the Church of Jesus Christ of Latter-Day Saints, Ryde was present and offered prayer prior to the commencement of the meeting.

LEAVE OF ABSENCE

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

Councillor Etmekdjian requested a Leave of Absence for the period 24 June 2015 to 13 July 2015 (inclusive).

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council approve Councillor Etmekdjian's Leave of Absence for the period 24 June 2015 to 13 July 2015 (inclusive).

Record of Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Report of the Ryde Civic Hub Committee Meeting 1/15 held on 9 June 2015, for the reason that the proposed height increase and increased FSR to an inappropriate site for high rise residential which affects all residents, including most Councillors.

Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in Item 2(3) – 21 Winbourne Street, West Ryde (APL2015/0002), for the reason that he knows of the applicant through community involvement.

TABLING OF PETITIONS

A Petition from residents regarding landscaping behind 22 Ball Avenue, Eastwood was tabled by Councillor Li.

PRESENTATION OF GOLD AWARD FOR THE CITY OF RYDE'S 2013-2014 ANNUAL REPORT

The General Manager presented the Mayor, Councillor Pickering with the Gold Award for the City of Ryde's 2013-2014 Annual Report. This Award was won at the 65th Australasian Reporting Awards held in Melbourne last Thursday evening.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Tim Flett (representing Pirasta Pty Ltd)	Item 7 – Ryde Development Control Plan Part 4.5 – Macquarie Park Corridor
Anne Doring (representing Eastwood Ryde Netball Association)	Notice of Motion 1 – Installation of Netball Rings
Philip Towler	Notice of Motion 3 – Morrison Road Safety Initiative
Darryl Fung	Notice of Motion 3 – Morrison Road Safety Initiative
Ian Burton (representing Putney Public School P&C Association)	Notice of Motion 3 – Morrison Road Safety Initiative and Notice of Motion 4 – City of Ryde Road Safety Plan – Safety in School Zones

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

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

MOTION: (Moved by Councillors Laxale and Simon)

That the speakers who submitted a Request to Address Council on Item 2(3) – 21 Winbourne Street, West Ryde (APL2015/0002) from the report of the Planning and Environment Committee Meeting 9/15 held on 16 June 2015, be allowed to address the meeting, the time being 8.08pm.

Record of Voting:

For the Motion: Councillors Chung, Laxale, Pendleton and Simon

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

ORDER OF BUSINESS

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

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

That Council now consider the following Items, the time being 8.09pm:

- Item 7 – Ryde Development Control Plan Part 4.5 – Macquarie Park Corridor.
- Notice of Motion 1 – Installation of Netball Rings
- Notice of Motion 3 – Morrison Road Safety Initiative.
- Notice of Motion 4 – City of Ryde Road Safety Plan – Safety in School Zones.
- Item 2(3) - 21 Winbourne Street, West Ryde (APL2015/0002).

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

7 RYDE DEVELOPMENT CONTROL PLAN PART 4.5 - MACQUARIE PARK CORRIDOR

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

Note: Tim Flett (representing Pirasta Pty Ltd) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Chung and Yedelian)

- (a) That Council adopt the Draft Development Control Plan Part 4.5 Macquarie Park as amended in response to submissions and attached to this report.
- (b) That the General Manager is delegated to make minor changes (that do not alter intent) to the Draft Development Control Plan Part 4.5 Macquarie Park; prior to its coming into effect.
- (c) That Council give public notice in a local newspaper of its decision with respect to the Draft Amending Development Control Plan (DCP) Part 4.5 Macquarie Park Corridor within 28 days of the decision, and provide the Director-General with a copy of the plan in accordance with the Environmental Planning and Assessment Regulation 2000.
- (d) That Council notify all community members who made a submission regarding the planning proposal of its decision and thank them for taking the time to become involved in local planning.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 INSTALLATION OF NETBALL RINGS - Deputy Mayor, Councillor Roy Maggio

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

Note: Anne Doring (representing Eastwood Ryde Netball Association) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council officers investigate and identify parks within the LGA that would be suitable for installation of netball rings, and report to Council. The report should also include a budget for the installation of netball rings that could be considered in the next Council quarterly budget review.
- (b) That Council officers investigate installation of an additional netball court at Norma Woods netball courts Meadowbank.
- (c) That Council officers report back on the condition of the Brush Farm Park paved netball courts and what works would be required to bring these courts to the same standard as the Norma Woods courts at Meadowbank.

Record of Voting:

For the Motion: Unanimous

3 MORRISON ROAD SAFETY INITIATIVE - Deputy Mayor, Councillor Roy Maggio

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

Note: Philip Towler, Darryl Fung and Ian Burton addressed the meeting in relation to this Item.

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

RESOLUTION: (Moved by Councillors Maggio and Stott)

That arising from concerns raised during the current community consultation on the Morrison Road Safety Initiative, Council prior to finalising the package of traffic calming works, conduct a road safety review (between the hours of 8.00am to 9.30am and 2.30pm to 4.00pm) of the intersection of Morrison Road, Parry Street and Acacia Avenue (in close proximity to Putney Public School) to determine whether any additional traffic calming devices should be introduced at this intersection to improve safety for pedestrians, cyclists and vehicles.

Record of Voting:

For the Motion: Unanimous

4 CITY OF RYDE ROAD SAFETY PLAN - SAFETY IN SCHOOL ZONES - Deputy Mayor, Councillor Roy Maggio

Note: Councillor Salvestro-Martin arrived at the meeting at 8.29pm during the consideration of this Item.

Note: Ian Burton (representing Putney Public School P&C Association) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council, as part of the upcoming City of Ryde Road Safety Plan investigate:

- (a) The existing treatment of 'kiss and ride' zones adjoining all Ryde schools with a view to improving student safety; and

- (b) Increasing the area captured by the 40km/hr speed limit around City of Ryde schools.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
9/15 held on 16 June 2015**

- 3 21 WINBOURNE STREET, WEST RYDE. LOT 4 DP 39266.
Application under Section 82A of the EP&A Act 1979, to review
Council's determination of LDA2013/0420 for alterations and
additions and change of use of existing dwelling to a childcare
centre for 39 children. (APL2015/0002.)**

Note: A letter from the applicant, Garo Moskovian dated 26 May 2015 attaching letters in support of the development was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Simon and Laxale)

- (a) That Council resolves to confirm its determination by the refusal of consent to Local Development Application No. 2013/420 at 21 Winbourne Street, West Ryde, being LOT 4 DP 39266, by refusing APL2015/0002 for the following reasons as modified:
- i. The proposal will exacerbate existing traffic congestion along Winbourne Street in morning and afternoon peak periods.
 - ii. A high volume of children traverse Winbourne Street during weekday morning and afternoon peak periods. The number of vehicles that will be associated with the development is not appropriate for the locality and will put the safety of children at risk.
 - iii. The amenity of surrounding residential properties will be detrimentally impacted as exiting and entering their driveways will be more difficult.
 - iv. The proposal is unacceptable in terms of streetscape impacts as it involves removal of existing/possible landscaped areas within the front setback area of the existing dwelling and replaces these with hard surface area associated with the car parking spaces and driveways.

- v. In the circumstances of the case, approval of the development is not in the public interest.
- (b) That the persons who made submissions be advised of Council's decision.

AMENDMENT: (Moved by Councillors Etmekdjian and Salvestro-Martin)

That LDA2013/420 (APL2015/2) for alterations and additions and change of use of the existing dwelling to a child care centre for 35 children at 21 Winbourne Street, West Ryde **be approved as a deferred commencement** consent subject to the following deferred commencement conditions and other appropriate standard conditions of approval, as determined by the General Manager:

Deferred Commencement conditions:

1. **Traffic Calming – Traffic Management Plan Approval.** To facilitate safe and efficient vehicle access to and from the establishment, mindful of the pedestrian activity associated with the surrounding schools, the applicant is to engage a suitably qualified and practising traffic engineer to prepare a Traffic Management Plan. The Traffic Management Plan must incorporate traffic calming measures or works to be constructed prior to completion of the development, to facilitate safe and efficient access to the establishment whilst preserving the needs of the surrounding community. The Traffic Management Plan must:
 - (a) Investigate and identify the prevailing traffic and pedestrian issues in the roadway fronting the property, including relevant time periods, traffic volumes, traffic manoeuvres and patterns associated with the schools in the vicinity of the site. This is to be verified by at least site inspections of the morning and afternoon peak periods, conducted in the mid-term school period, on at least 2 separate occasions and is to include traffic and pedestrian count data conducted in both peak periods.
 - (b) Recommend measures to ameliorate these impacts. This can include (but not be limited to) alterations to the roadway geometry, provision of layby areas, pedestrian facilities, etc, seeking to reduce the risks associated with additional traffic movements to and from the establishment relative to the current pedestrian and traffic activity in this location.
 - (c) Conceptual design plans detailing the proposed measures. These plans must be to scale and clearly depict the existing traffic controls and facilities. The proposed measures are to be dimensioned and located clearly to existing traffic controls/ devices to be retained.

2. The Traffic Management Plan must be submitted to Council for review and approval. The measures adopted by the approved Traffic Management Plan must be presented to the Local Traffic Committee for approval. All design and construction costs required to implement the Traffic Management Plan is to be at the applicant's cost. The development consent will be activated when a full Council meeting has ratified the Local Traffic Committee's recommendation.

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

Record of Voting:

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

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

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

That LDA2013/420 (APL2015/2) for alterations and additions and change of use of the existing dwelling to a child care centre for 35 children at 21 Winbourne Street, West Ryde **be approved as a deferred commencement** consent subject to the following deferred commencement conditions and other appropriate standard conditions of approval, as determined by the General Manager:

Deferred Commencement conditions:

1. **Traffic Calming – Traffic Management Plan Approval.** To facilitate safe and efficient vehicle access to and from the establishment, mindful of the pedestrian activity associated with the surrounding schools, the applicant is to engage a suitably qualified and practising traffic engineer to prepare a Traffic Management Plan. The Traffic Management Plan must incorporate traffic calming measures or works to be constructed prior to completion of the development, to facilitate safe and efficient access to the establishment whilst preserving the needs of the surrounding community. The Traffic Management Plan must;
 - (a) Investigate and identify the prevailing traffic and pedestrian issues in the roadway fronting the property, including relevant time periods, traffic volumes, traffic manoeuvres and patterns associated with the schools in the vicinity of the site. This is to be verified by at least site inspections of the morning and afternoon peak periods, conducted in the mid-term school period, on at least 2 separate occasions and is to include traffic and pedestrian count data conducted in both peak periods.

- (b) Recommend measures to ameliorate these impacts. This can include (but not be limited to) alterations to the roadway geometry, provision of layby areas, pedestrian facilities, etc, seeking to reduce the risks associated with additional traffic movements to and from the establishment relative to the current pedestrian and traffic activity in this location.
 - (c) Conceptual design plans detailing the proposed measures. These plans must be to scale and clearly depict the existing traffic controls and facilities. The proposed measures are to be dimensioned and located clearly to existing traffic controls/ devices to be retained.
2. The Traffic Management Plan must be submitted to Council for review and approval. The measures adopted by the approved Traffic Management Plan must be presented to the Local Traffic Committee for approval. All design and construction costs required to implement the Traffic Management Plan is to be at the applicant's cost. The development consent will be activated when a full Council meeting has ratified the Local Traffic Committee's recommendation.

Record of Voting:

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

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

1 CONFIRMATION OF MINUTES - Council Meeting held on 9 June 2015

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the Minutes of the Council Meeting 10/15, held on 9 June 2015 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 9/15 held on 16 June 2015

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

That Council note that Items 1, 2 and 4 of the of the Planning and Environment Committee report 9/15, held on 16 June 2015 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

- 3 21 WINBOURNE STREET, WEST RYDE. LOT 4 DP 39266.
Application under Section 82A of the EP&A Act 1979, to review
Council's determination of LDA2013/0420 for alterations and
additions and change of use of existing dwelling to a childcare
centre for 39 children. (APL2015/0002.)**

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

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 9/15
held on 16 June 2015**

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

That Council determine Item 3, 4 and 5 of the Works and Community Committee report 9/15, held on 16 June 2015 noting that Items 1 and 2 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 GLEN STREET MURAL PANEL PROJECT

Note: A Memorandum from the Acting Group Manager – Community Life dated 23 June 2015 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Etmekdjian and Chung)

- (a) That Council approve the Mural Panel Project to be installed at Glen Street carpark, Eastwood.
- (b) That further consultation take place prior to any works commencing with key stakeholders in the Eastwood community.

Record of Voting:

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

Against the Motion: Councillor Simon

4 HERRING ROAD URBAN ACTIVATION PRECINCT

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

- (a) That Council endorse the embellishment and upgrade of the parkland along the Shrimptons Creek Corridor – being Elouera Reserve, Wilga Reserve, Quandong Reserve and the parkland adjoining the Creek.
- (b) That Council advise the Department of Planning and Environment of its intention to seek full cost recovery of the above embellishment under the Priority Precincts Program.

Record of Voting:

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

Against the Motion: Councillor Laxale

5 WEST RYDE URBAN VILLAGE - EXPENDITURE OF FUNDS UNDER DEED OF AGREEMENT WITH COLES

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

- (a) That Council:
 - (i) allocate the amount of \$58,248.30 from contributions for the purpose for the relocation of a utility pole at the corner of Chatham Road and Betts Street, West Ryde; and
 - (ii) allocate the amount of \$939.08 from contributions for the purpose of payment of an outstanding water bill for the West Ryde Village Square; and
 - (iii) consolidate these amounts into the next Quarterly Review.
- (b) The General Manager be authorised to expend funds for any works that may arise associated with the Deed of Agreement.

Record of Voting:

For the Motion: Unanimous

4 REPORT OF THE RYDE CIVIC HUB COMMITTEE MEETING 1/15 held on 9 June 2015

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

That Council determine all Items of the Ryde Civic Hub Committee Meeting 1/15 held on 9 June 2015, in accordance with the Ryde Civic Hub Terms of Reference.

Record of Voting:

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

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

1 RYDE CIVIC HUB COMMITTEE - CONFIRMATION OF MEMBERSHIP AND TERMS OF REFERENCE

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

(a) That the Committee note the Terms of Reference as adopted by Council on 12 May 2015 and the Committee's membership comprising the following:-

- Councillor Etmekdjian (Chairperson)
- Councillor Salvestro-Martin (Deputy Chairperson)
- The Mayor, Councillor Pickering (in his capacity as Mayor)
- Councillor Maggio
- Councillor Pendleton
- Councillor Perram
- Councillor Stott

(b) That the Committee endorse the amendment to the Terms of Reference as detailed in the report.

Record of Voting:

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

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

2 RYDE CIVIC HUB - OVERVIEW OF INTERNATIONAL DESIGN COMPETITION PROCESS

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

- (a) That Council endorse the site known as Ryde Civic Hub to be the subject of an International Architectural Design Competition.
- (b) That Council endorse the principles (outlined in this report) to inform the preparation of the brief for the International Architectural Design Competition, subject to the following amendments;
 - i. Inclusion of the provision of a bus interchange facility within the site; and
 - ii. Enhancing and improving the current pedestrian linkages and to explore new and additional options to further enhance the accessibility and intergration of pedestrian linkages to the surrounding precincts
- (c) That Council endorse the appointment of a Competition Advisor to coordinate and advise Council on the delivery of the International Architectural Design Competition.
- (d) That Council endorse the appointment of a Probity Advisor to provide the appropriate probity framework for this competition.
- (e) That Council note the actions taken by the General Manager in the appointment of the Executive Officer – Civic Hub and an additional Support Officer.
- (f) That Council endorse the program and timeframes (as outlined in this report) for the International Architectural Design Competition.
- (g) That Council allocate a budget of \$710,000 to the International Architectural Design Competition, funded from the Civic Centre Reserve with the balance of \$61,000 being transferred from the Fit for the Future Reserve to the Civic Centre Reserve.

Record of Voting:

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

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

Note: A Notice of Rescission signed by Councillors Laxale, Pendleton and Simon was received in relation to this Item at 9.04am on 24 June 2015 and will be considered by Council at its meeting to be held on 14 July 2015.

PRECIS OF CORRESPONDENCE

1 RYDE CIVIC PRECINCT PLANNING PROPOSAL - ALTERATION OF GATEWAY DETERMINATION

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

- (a) That the correspondence be received and noted.
- (b) That the matter of the deferral of the Ryde Civic Precinct from Ryde LEP 2014 be addressed at such time as the preferred design and use of the precinct is determined by Council as part of the International Design Competition process.

Record of Voting:

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

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

5 FIT FOR THE FUTURE - ADVOCACY PROGRAM

Note: A Supplementary Report was tabled and considered in conjunction with this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That Council endorse the proposed Fit For The Future Advocacy Program as outlined in this report.

Record of Voting:

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

Against the Motion: Councillors Laxale and Simon

6 741-747 VICTORIA ROAD - COMMUNITY CONSULTATION OUTCOMES AND NEXT STEPS

Note: Councillor Stott left the meeting at 9.51pm and was not present for consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Chung and Maggio)

- (a) That Council notes the outcomes of the community consultation process undertaken in respect of the proposal to provide a mixed use development on the site.

- (b) That Council provides a detailed report to the Office of Local Government on the proposal and receives any comments from the Office on that report.

Record of Voting:

For the Motion: Unanimous

7 RYDE DEVELOPMENT CONTROL PLAN PART 4.5 - MACQUARIE PARK CORRIDOR

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

8 EASTWOOD PLAZA - SMOKE FREE ZONE

Note: Councillor Stott was not present during consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Li and Etmekdjian)

- (a) That Council endorse the implementation of Eastwood Plaza as a 'Smoke Free Zone' on a six month trial basis, to commence 1 July 2015 (or as soon as practicable).
- (b) That Council implement a community awareness program (focused on Eastwood) to support this trial.
- a) That following the six month trial, Council receives a subsequent report detailing the results of the trial.
- d) That Council complete construction of the Safety warning signs at Eastwood Reserve.

Record of Voting:

For the Motion: Unanimous

9 REIMBURSEMENT OF SECTION 94 CONTRIBUTIONS TO GENERAL REVENUE

Note: Councillor Stott was not present during consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

That Council endorse the transfer of \$6.332 million from the Section 94 contributions reserve as detailed in the report, being transferred to the Asset Replacement Reserve.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Stott returned to the meeting at 9.58pm.

10 FOUR YEAR DELIVERY PLAN 2015-2019 INCLUDING ONE YEAR OPERATIONAL PLAN 2015/2016

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

- (a) That Council note the public submissions received during the public exhibition period and the responses to the submissions, as detailed in the report.
- (b) That in accordance with Sections 404 and 405 of the Local Government Act (1993), the Draft Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016 be adopted as the Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016, incorporating the SRV pages shown in blue, discarding the duplicated pages without the SRV, the amendments described in this report, and all changes consequential thereunto.
- (c) That, in accordance with Sections 534, 535 and 538 of the Local Government Act, 1993, Council makes the following rates and charges for every parcel of rateable land within the City of Ryde for the year commencing 1 July 2015 as detailed in the Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016.
 - (i) A Residential Ordinary Rate of zero point one two one nine four eight (0.121948) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as residential in accordance with Section 516 of the Local Government Act, 1993 subject to a minimum amount of four hundred and ninety five dollars and eighty one cents (\$495.81).
 - (ii) A Business Ordinary Rate of zero point seven five two eight six one (0.752861) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as business in accordance with Section 518 of the Local Government Act, 1993, (excepting land sub-categorised as Business - Major Retail Centre - Macquarie Park or sub-categorised as Business - Major Retail Centre - Top Ryde, subject to a minimum amount of four hundred and ninety five dollars and eighty one cents (\$495.81).

- (iii) A Business - Major Retail Centre - Macquarie Park Ordinary Rate of one point two zero five seven nine four (1.205794) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre - Macquarie Park in accordance with Section 529(2)(d).
 - (iv) A Business - Major Retail Centre - Top Ryde Ordinary Rate of One point zero seven nine zero two one four (1.0790214) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre – Top Ryde in accordance with Section 529(2)(d).
 - (v) An Environmental Management Rate of zero point zero two one zero six six four (0.0210664) cents in the dollar be levied on the value of all rateable land within the City of Ryde subject to a base amount of fifty eight dollars and fifteen cents (\$58.15), which will levy thirty six point seven percent (36.7%) of the total amount raised within this rate.
 - (vi) An Infrastructure Renewal and Maintenance Special Rate of Zero point zero zero five seven eight five two three (0.00578523) cents in the dollar be levied on the value of all rateable land within the City of Ryde subject to a base amount of twenty seven dollars and fifty three cents (\$27.53), which will levy Fifty percent (50%) of the total amount raised within this rate.
 - (vii) A Macquarie Park Corridor Special Rate of zero point one six one nine nine six (0.161996) cents in the dollar be levied on the land value of all rateable land categorised as business in accordance with Sections 518 or 529(2) (d) and included in the Macquarie Park Corridor, as identified by the map contained in the Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016.
 - (viii) That aggregation of parcels of land, subject to a minimum or base amount, be permitted in accordance with Section 548A of the Local Government Act 1993.
- (d) That, in accordance with Section 496 (1) of the Local Government Act 1993, Council makes the charge for the Domestic Waste Management Service for each rateable residential property to be set at:
- Seven hundred and ten dollars (\$710.00) per service per annum for a premium service (240 litre bin)
 - Four hundred and eleven dollars (\$411.00) per service per annum for a standard service (140 litre bin)
 - Three hundred and forty nine dollars (\$349.00) per service per annum for an Eco-service (80 litre bin) and
 - the following additional services be provided, on request, to each rateable residential property, for the following annual charges:

(i)	Additional 80 litre Garbage Bin	\$250.00
(ii)	Additional 140 litre Garbage bin	\$312.00
(iii)	Additional 240 litre Garbage bin	\$611.00
(iv)	Additional Recycle bin	\$ 49.50
(v)	Additional Green bin	\$ 49.50

(e) That, in accordance with Section 496 (2) of the Local Government Act 1993, Council makes the charge for the Domestic Waste Management Service, on request, to Non-rateable residential properties to be set at:

- Seven hundred and ten dollars (\$710.00) per service per annum for a premium service (240 litre bin)
- Four hundred and eleven dollars (\$411.00) per service per annum for a standard service (140 litre bin)
- Three hundred and forty nine dollars (\$349.00) per service per annum for an Eco-service (80 litre bin) and
- the following additional services be provided, on request, to each rateable residential property, for the following annual charges:

(i)	Additional 80 litre Garbage Bin	\$250.00
(ii)	Additional 140 litre Garbage bin	\$312.00
(iii)	Additional 240 litre Garbage bin	\$611.00
(iv)	Additional Recycle bin	\$ 49.50
(v)	Additional Green bin	\$ 49.50

(f) That, in accordance with Section 501 (1) of the Local Government Act 1993, Council makes the standard charge for the Other Waste Management service provided, on request, to non-rateable non-residential properties be set at four hundred and fifty two dollars (\$452.00) per service per annum, inclusive of GST and the following additional services be provided, on request, to each non-rateable non-residential property, for the following annual charges:

(i)	Additional 140 litre Garbage bin	\$343.20
(ii)	Additional 240 litre Garbage bin	\$672.10
(iii)	Additional Recycle bin	\$ 54.45
(iv)	Additional Green bin	\$ 54.45

- (g) That in accordance with Section 496A of the Local Government Act 1993, Council makes the Stormwater Management Service Charge be levied at the following rates:
- | | | |
|-------|--------------------------------------|--|
| (i) | Strata titled residential home units | \$12.50 per unit |
| (ii) | Other residential property | \$25.00 per rateable property |
| (iii) | Business rateable properties | \$25.00 per 350 sq metres of land area |
| (iv) | Business rateable Strata Properties | \$12.50 per unit |
- (h) That, in accordance with Section 611 of the Local Government Act 1993, the following annual charges be made:
- (i) the use of Council land for the vehicle overbridge situated in Herring Road be charged in accordance with the legal agreement between the City of Ryde and the owners of Macquarie Shopping Centre (anticipated income is \$80,835 including GST for 2015/2016).
- (ii) the use of Council land for the Shell Oil company pipeline in the City of Ryde be charged in accordance with the pricing formula agreed with the Company, (anticipated income is \$63,655 including GST for 2015/2016).
- (iii) the use of Council land for AGL Gas Mains in the City of Ryde be charged at a rate based on an annual review by KPMG of AGL's revenue (anticipated income is \$60,390 including GST for 2015/2016).
- (i) That Council sets the rate of interest payable in respect of rates and charges that remain unpaid after they become due and payable be set at eight point five percent (8.5%) per annum.
- (j) That the Schedule of Fees and Charges, annexed to the Draft Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016 as amended in terms of this report, be made and fixed as Council's Fees and Charges for 2015/2016, and in addition a 50% pensioner discount for dinghy rack fees.
- (k) That Council supports the notion that groups of religious worship should be considered as a community group (funded or unfunded), in respect to hiring of Council halls, and that a report be brought back to Council on this matter as part of Council's community groups subsidy review, due to Council in approximately 6 weeks.

Record of Voting:

For the Motion: Unanimous

11 LONG TERM FINANCIAL PLAN 2015/2025

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That Council adopt the Long Term Financial Plan 2015/2025 and incorporate it into Council's overall Resourcing Strategy Plan.

Record of Voting:

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

Against the Motion: Councillor Pendleton

12 CARRYOVER AND REVOTE OF FUNDS FOR PROJECTS 2014/2015 to 2015/2016

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

- (a) That Council endorse the revoting of expenditure for the proposed carryovers, totalling \$8.21 million and include them in the 2015/2016 Budget, detailed as follows:
- i. \$1.81 million for projects for which Council has a contractual obligation
 - ii. \$0.20 million for projects that Council has previously approved
 - iii. \$0.09 million for projects that are funded by a grant or contribution
 - iv. \$5.43 million for projects that funded from reserves
 - v. \$0.06 million for projects due to circumstances beyond Council's control
- (b) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Reserves of \$7.50 million be adopted.
- (c) That Council create a new Internally Restricted Reserve, to be called, Community Grant Reserve, and to allocate the amount of \$28,500 from the unallocated Community Cultural Grants.

Record of Voting:

For the Motion: Unanimous

13 INVESTMENT REPORT - May 2015

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

That Council endorse the report of the Chief Financial Officer dated 5 June 2015 on Investment Report – May 2015.

Record of Voting:

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

Against the Motion: Councillor Pendleton

PRECIS OF CORRESPONDENCE

1 REQUEST FOR PRE-GATEWAY REVIEW - PLANNING PROPOSAL 366-372 LANE COVE ROAD, 124A AND 126 EPPING ROAD AND 1 PAUL STREET, NORTH RYDE

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

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 INSTALLATION OF NETBALL RINGS - Deputy Mayor, Councillor Roy Maggio

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

2 SIGNAGE AT PLAYGROUNDS - Deputy Mayor, Councillor Roy Maggio

Note: Councillor Yedelian OAM left the meeting at 10.27pm and did not return. He was not present for consideration or voting of this Item.

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

- (a) That Council install signs with the words 'Children's Playground' at each playground located within the City of Ryde.

- (b) That each sign also include the Council logo and the 'no smoking' symbol to reflect the new laws regarding the prohibition of smoking within 10 metres of a playground.
- (c) That Council commence installation of signs at all high usage playgrounds with a staged implementation program over the next 4 years to ensure that eventually all Ryde playgrounds are fitted with these signs.
- (d) That Council amend the draft 2015/19 Delivery Plan to allocate \$75,000 for the cost of fabrication and installation of these signs at each of the City's 105 playgrounds.

Record of Voting:

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

Against the Motion: Councillor Laxale, Pendleton and Simon

3 MORRISON ROAD SAFETY INITIATIVE - Deputy Mayor, Councillor Roy Maggio

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

4 CITY OF RYDE ROAD SAFETY PLAN - SAFETY IN SCHOOL ZONES - Deputy Mayor, Councillor Roy Maggio

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

5 EASTWOOD CAR PARK UPDATE - Councillor Jerome Laxale

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

Note: A copy of the Minutes from the Rowe Street East Car Park Project Consultative Committee Meeting, held on 18 May 2015 was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Laxale and Simon)

- (a) That Council expresses significant concern regarding the delivery of the proposed Rowe Street Car Park Project promised by the Member for Ryde the Hon Victor Dominello MP, particularly that;
 - The Member for Ryde has promised and guaranteed delivery of the carpark, without any prior feasibility study or related development approval;

- Privately owned land and Council's land will need to be compulsorily acquired to deliver the project;
 - There has yet to be formal and official agreement from Transport for NSW to membership of Council's project consultative committee for the project; and
 - The source and amount of funding to deliver the full project has not been confirmed nor identified in writing by the Local Member.
- (b) That the General Manager write to the Local Member and relevant Ministers seeking further details regarding funding, proposed delivery dates and extent of the project, as well as confirmation of involvement from all relevant Government departments responsible for its delivery.

AMENDMENT: (Moved by Councillors Etmekdjian and Stott)

That the General Manager provide an update through the Councillor Information Bulletin on where this matter is up to and what the next steps are, including the date of the next Consultative Committee Meeting.

On being put to the Meeting, the voting on the Amendment was seven (7) 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, Maggio, Li, Salvestro-Martin and Stott

Against the Amendment: Councillors Laxale, Pendleton and Simon

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

That the General Manager provide an update through the Councillor Information Bulletin on where this matter is up to and what the next steps are, including the date of the next Consultative Committee Meeting.

Record of Voting:

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

Against the Motion: Councillors Laxale, Pendleton and Simon

CLOSED SESSION

ITEM 14 – REQUEST FOR TENDER - COR-RFT-03/15 - PITTWATER ROAD UPGRADE BETWEEN FIELD OF MARS ROUNDABOUT AND RENE STREET, GLADESVILLE

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; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

ITEM 15 - 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.

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

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: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Salvestro-Martin, Simon and Stott

Against the Motion: Councillor Maggio

Note: The Council closed the meeting at 10.46pm. The public and media left the chamber.

14 REQUEST FOR TENDER - COR-RFT-03/15 - PITTWATER ROAD UPGRADE BETWEEN FIELD OF MARS ROUNDABOUT AND RENE STREET, GLADESVILLE

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Stott and Etmekdjian)

- (a) That Council accept the tender from Hargraves Urban Pty Ltd for the Pittwater Road Upgrade between Field of Mars Roundabout and Rene Street, Gladesville in the amount of \$609,384 as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Hargraves Urban Pty Ltd on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

Record of Voting:

For the Motion: Unanimous

15 ADVICE ON COURT ACTIONS

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

RESOLUTION: (Moved by Stott and Etmekdjian)

That the report of the General Counsel be received.

Record of Voting:

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

Against the Motion: Councillor Maggio

OPEN SESSION

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Stott and Etmekdjian)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 10.54pm.

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Stott and Etmekdjian)

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 10.55pm.

CONFIRMED THIS 14TH DAY OF JULY 2015

Chairperson