

CITY OF RYDE

COMMITTEE OF THE WHOLE AGENDA NO 9/06

The above Committee will meet on Tuesday, 20 June 2006 in Committee Room No. 2, Fifth Floor, Civic Centre, Ryde at 7.30pm to discuss the following matters.

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ITEM 1

CONFIRMATION OF COMMITTEE REPORT

RECOMMENDATION:

That the report of the meeting of the Committee of the Whole No 8/06 held on 16 May, 2006 be confirmed.

ITEM 2**PROPOSED PARRAMATTA RIVER CATCHMENT GROUP**

E - File COR2006/682

The Manager, The Environment reports 8 June 2006:

Report Summary

1. To provide a report on the proposed Parramatta River Catchment Group and to elect Officer and Councillor representation for this Group.
2. Minutes of inception meetings held 17 March 2006 and 10 May 2006 (**ATTACHED**) for Councillors information.
3. To participate in a 'Fact-finding' River Cruise of the Parramatta River organised for 4 August, 2006.

Background

The NSW Government has established the Sydney Metropolitan Catchment Management Authority (Sydney Metro CMA) to lead the efforts to improve the health and sustainability of the natural resources across much of Sydney. Waterways and associated riparian vegetation are to be a key focus for this new CMA.

The Sydney Metro CMA covers the Sydney Harbour, Botany Bay, Port Hacking and the coastal strip from Otford to Turimetta Head.

On the 17 March 2006, the City of Ryde hosted an inception meeting of regional natural resource officers and engineers facilitated by Dr Stephen Lees, the General Manager of the Sydney Metro CMA to discuss rationale and advantages for the strategic management of the Parramatta River and the establishment of a Parramatta River Catchment Group to do this.

A follow up meeting was held on 10 May 2006 at Parramatta City Council to clarify the Group aims and terms of reference and also to agree on the level of representation required.

It is understood that a similar strategic approach is being taken for the other Catchment areas under the control of the Sydney Metro CMA.

Report

The proposed Parramatta River Catchment Group aims to lead efforts to improve the condition of the Parramatta River and its tributaries (from Blacktown Creek, Blacktown, in the west; to the confluence of the Lane Cove River in the east) by improving the environment and environmental management of the Parramatta River Catchment.

ITEM 2 (continued)

A 'Fact-finding' River Cruise of the Parramatta River has been organised by the Sydney Metro CMA for 4 August 2006 from 1.30pm to 4.00pm to facilitate the role of the elected representatives and staff on the Group and to help identify some of the many issues facing the Parramatta River and its tributaries. The cruise will embark from and return to SOPA's Wharf at Homebush Bay and a light lunch and refreshments will be provided.

There is no limitation on the number of Councillors or relevant senior staff that might wish to attend this cruise and other agency representatives will also be invited.

Management Plan Linkages

Several key outcomes relating to the aquatic environment are listed in the City's Management Plan 2005/08 on page 35, including the need to ensure systems and processes are in place that measure our impact on the environment and take action when our environment is threatened. A regional whole of river system catchment management approach is considered an appropriate response to managing the aquatic environment of the Parramatta River and its tributaries.

Relationship to Key Outcome AreasAssets

This regional initiative meets the intent of several **key outcomes** for Assets (set out on page 27 of the Management Plan 2005-2008). Specifically, well planned, safe and maintained public places and spaces including foreshore areas that promote passive and active recreational opportunities and the maintenance and design of stormwater infrastructure to enhance public safety and amenity.

Environment

This regional initiative meets the following **key outcomes** for Environment (set out on pages 35-36 of the Management Plan 2005-2008):

'There are systems and processes in place that measure our impact on the environment and take action when our environment is threatened'.

'Biodiversity is protected and enhanced'.

'There is diverse aquatic life in our waterways'.

'There is a variety of life in our natural areas'.

'Natural areas are not weed infested'.

'Protected ecological systems and processes that support life and the environment through actions that safeguard them'.

'Preserved natural areas which are enhanced and maintained'.

ITEM 2 (continued)Governance

This regional initiative meets the following **key outcomes** for Governance (set out on page 47 of the Management Plan 2005-2008):

'Improved communication with the community and increased awareness and understanding of council's decisions by the community'.

Regional cooperation to facilitate best practice approaches, networking and consistency in catchment management action is seen as a positive impact from our involvement in a regional group.

People

This regional initiative meets the intent of several **key outcomes** for People (set out on pages 54-55 of the Management Plan 2005-2008) and promotes a strong sense of community inclusiveness in the management of the environment.

Consultation – Internal and External

Nil – Internal

Staff from Public Works and Environment participated in Sydney Metro CMA inception meetings involving the 12 catchment councils held 17 March 2006 and 10 May 2006 - External

Policy Implications

There are no policy implications with this report although actions arising from the Group work may inform future Council policies designed to lead to improved water quality and catchment health.

Critical Dates

The next technical officer meeting is to be held at Strathfield Council on Wednesday 19 July 2006.

The 'Parramatta River Cruise' is planned for Friday 4 August 2006 from 1.30pm to 4.00pm embarking from the Sydney Olympic Park Authority wharf, Homebush Bay.

Financial Impact

There are no significant financial implications associated with Council's involvement in the proposed Parramatta River Catchment Group other than the minimal costs of hosting one or two meetings each year. In addition, should the Group decide to share the employment costs of the project coordinator, for each extra day above the 2 days already funded by the CMA, it will cost Council up to \$2,000 each year. This amount, should it be required, and the meeting costs can be funded from the Environmental Strategy – Operating Expenditure

ITEM 2 (continued)

RECOMMENDATION:

- (a) That one Councillor representative and one Councillor alternate be nominated to represent the City of Ryde on the proposed Parramatta River Catchment Group.
- (b) That the General Manager nominate one senior staff member and one alternate staff member for the proposed Parramatta River Catchment Group.
- (c) That all Councillors and staff nominated by the General Manager be invited to participate in the Parramatta River 'Fact Finding' Cruise being organised by the Sydney Metropolitan Catchment Management Authority on Friday 4 August 2006.

Sam Cappelli
Manager, The Environment

Sue Weatherley
Group Manager
Environment & Planning

ITEM 2 (continued)**SYDNEY METRO CATCHMENT MANAGEMENT AUTHORITY (CMA)****PARRAMATTA RIVER CATCHMENT GROUP****MINUTES OF MEETING**

Time: 10:00 a.m.
Date: Friday 17 March 2006
Place: Ryde City Council Chambers

Present:

Janene Harris	(JH)	Ashfield Council
Michael Craven	(MC)	Auburn Council
Peter Bourke	(PB)	Auburn Council
Nerida Williams	(NW)	Bankstown City Council
Allan Gear	(AG)	Baulkham Hills Shire Council
Tim Meaker	(TM)	Blacktown City Council
Nigel Bertus	(NB)	City of Canada Bay Council
Petrina Harcourt	(PH)	City of Canada Bay Council
Mark Evens	(ME)	Holroyd City Council
Bernadette Mackinnon	(BM)	Holroyd City Council
Barry Smith	(BS)	Hunters Hill Council
Don Cottee	(DC)	Hunters Hill Council
Nerida Gill	(NG)	Hunters Hill Council
Phil Murphy	(PM)	Parramatta City Council
Carrie Jeffers	(CJ)	Parramatta City Council
Nicola Dixon	(ND)	Parramatta Park Trust
Kim Woodbury	(KW)	Ryde City Council
Louise Cramsie	(LC)	Ryde City Council
Jon Stiebel	(JS)	Strathfield Council
Con Lambous	(CL)	Sydney Olympic Park Authority
Barbara Schaffer	(BSch)	Sydney Olympic Park Authority
Stephen Lees	(SL)	Sydney Metro CMA
Diana Kureen	(DK)	Upper Parramatta River Catchment Trust (UPRCT)

Apologies:

Peter Morison	Parramatta City Council
Susan Clunie	Parramatta Park Trust
Martin Beveridge	Bankstown City Council
Ron Wilcoxon	Auburn Council
David Backhouse	Strathfield Council

Minutes prepared by:
 Date of preparation:
 Date of latest revision:
 Name of File:

Diana Kureen
 22 March 2006
 MinutesParraRiverGroup17.3.06

ITEM 2 (continued)

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Agenda Item No.	Topic	Matters Discussed/ Agreed Action(s)
1	Welcome, Introductions and Apologies	Apologies noted.
2	Background to the formation of the group	<p>SL explained that the CMA is keen to work with all councils in its area on issues pertaining to waterways health and natural resource management. As there are 40 councils in this area, this would be better facilitated through strategic regional groupings of councils - such as the Sydney Coastal Councils Group, Georges River Catchment Councils and the Cooks River Foreshores Working Group.</p> <p>Currently there are a number of management groups along the Parramatta River, including UPRCT Catchment & Waterways Management Taskforce, the Duck River Steering Committee and the lower Parramatta River Stormwater Group of Councils. It is hoped that the amalgamation of these groups could lead to a more efficient and effective grouping covering the whole Parramatta River Catchment.</p>
3	Functions of the Group	<p>DK outlined a number of functions that could be undertaken by the group to collectively oversee the health of the Parramatta River and its tributaries. These included:</p> <ul style="list-style-type: none"> • Identify remedial measures and improvements. Requires a whole-of-council approach. • Set priorities – issues based. • Develop, initiate and oversight waterway health projects. • Arrange technical help from other Government agencies and universities. • Seek and obtain Federal and State Government grants. • Address threats to waterway health from land use within surrounding catchments. • Build community support and involvement. • Help develop the technical capacities of councils and council staff • Facilitate information exchange and mutual support.
4	<p>Coordination of the Group</p> <p><i>Funding</i></p> <p><i>Role of Coordinator</i></p>	<p>SL said that the CMA recognised that without coordination, it would be difficult for such a group to make progress. Therefore the CMA was proposing to part-fund and house a coordinator for 2 days per week at a cost of (\$40,000 per annum). Further coordination would need to be funded by the group. This would cost \$20,000 per annum for each additional day. If all the councils were able to contribute between \$2,000 and \$5,000 each per year, this would provide an extra 1 to 3 days per week for the group coordinator, whilst also allowing for some seed funding for projects and grants.</p> <p>DK asked the group what they thought the role of the coordinator should be. Should it be just an administrative role or something more than this?</p> <p>NW said that the role should not just be an administration one.</p> <p>PB agreed and felt that, to be effective, the role would require 2 or 3 days as a minimum. Care should be taken not to duplicate what other groups are doing, but liaise with them. It would be important to identify problems and set benchmarks.</p> <p>TM noted that the Coastal Councils had 2 people administering the group. The Coordinators role was to help identify projects and then encourage the councils to meet deadlines and targets.</p> <p>JS thought some of the administration, such as meeting minutes, could be undertaken by the council hosting the meeting.</p>

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<p>4</p>	<p><i>Role of Coordinator contd.</i></p>	<p>BS agreed that the councils should take it in turns to host meetings. He felt that the coordinator should be employed for 3 days per week initially, to gauge the effectiveness of the position, and then further funding could be assessed at a later stage. It would be important for the coordinator to look at what programs were currently in place in the various councils and where there was overlap and funding, so that synergies and cost savings could be better identified. They could also help oversee what councils were doing and apply for grants. It would also be important for the group to identify, for their elected representatives, the impacts on the river. A couple of issues that came to mind were the dioxins in the river – was there a role for council ? And the impact on sea walls and mangroves from the wash from Sydney Ferries.</p> <p>SL noted that working with the CMA, there would be benefits to the group in having access to State Government. He agreed that education was important as people in a city often don't have the same connection with living in a catchment as those in rural areas, as the landscape and topography is less visible.</p> <p>DK noted that in Canada there are a number of "Heritage Rivers", that meet certain criteria. It would seem that the Parramatta River could easily fit within these parameters, and a number of issues, projects and programs could be identified under this banner.</p>
	<p><i>Comments on funding from around the table Parramatta</i></p> <p><i>Canada Bay</i></p> <p><i>Auburn Holroyd</i></p> <p><i>SOPA</i></p> <p><i>Bankstown</i></p> <p><i>Hunters Hill</i></p> <p><i>Baulkham Hills</i></p> <p><i>Ryde</i></p> <p><i>Strathfield</i></p> <p><i>Ashfield</i></p> <p><u>ACTION</u></p>	<p>PM said that Parramatta City Council was willing to put \$5,000 towards funding the position.</p> <p>DK noted that the GM of City of Canada Bay had written, committing \$5,000 for the first year, and would review this commitment based on the outcomes and effectiveness of the group.</p> <p>PB and MC thought there was a possibility of obtaining funding. BM and ME said it would require a report to Council, but weren't confident of the outcome.</p> <p>CL and BS said they would put out a paper outlining benefits of the committee to see if they could raise any funding.</p> <p>NW thought that Bankstown could put \$2,000 towards the group. Any more would be difficult given commitments in other larger catchments.</p> <p>NG, BS and DC could commit initially, this would be open to review. HH is holding some money for lower Parramatta River Group – remains of funding from a previous coordinator of the group.</p> <p>AG said he didn't know, but it wouldn't be easy to commit funding. Also it would be good to know for what period the CMA were locking in their funding, 2 or 3 years?</p> <p>KW said Ryde could contribute as long as the benefits could be assured.</p> <p>JS said he would need to prepare a report to be considered in the budget, so needed to show there were good product outcomes.</p> <p>JH said she would need to prepare a similar report to council, but had enough in her budget to cover this year.</p> <p>It was decided that DK would prepare a brief, highlighting the benefits that such a group could bring. This could then be used in reports to councils when seeking funding etc.</p>

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	<p><i>General discussion on format</i></p>	<p>KW sought clarification that the community members would attend quarterly meetings only. This was confirmed. SL Suggested that the Technical Officers should meet every 6 weeks rather than monthly. MC suggested that special sub-groups may form to look at specific issues, for example on Duck River. AG felt it would be important to have quarterly councillor meetings. These councillors should then be "Champions in the Chamber" for the issues being addressed by the group.</p>
<p>6</p>	<p>Name of Group</p>	<p>DK put up various options for discussion:</p> <ul style="list-style-type: none"> • Parramatta River Waterway Health Working Group • Parramatta River Catchment Councils Committee • Parramatta River Waterway Committee • Other <p>BS Suggested Parramatta River Catchment Liaison Committee or Group CJ Suggested Parramatta River Catchment Group. There was general agreement on this last option as it was simple, had the word catchment in it and was not just synonymous with councils.</p>
<p>7</p>	<p>Other Business Grants</p> <p><i>DEC City and Country Environment Restoration Program</i></p> <p><i>DEUS Water Savings Fund</i></p> <p><i>Dept. of Planning Sharing Sydney Harbour & Metro Greenspace Program</i></p> <p><i>Environmental Trust</i></p> <p><u>ACTION FOR ALL</u></p>	<p>SL advised that the CMA is the recognised regional body for the distribution of Federal and State Government Investment funds for natural resource management. The CMA is currently preparing its 10 year strategic plan – the Catchment Action Plan (CAP) - which will identify where funding should be targeted. This group could play a key role in determining where funds are allocated, if they can identify issues and make submissions on a regional basis.</p> <p>It would be good for the group to start identifying regional projects and putting bids in now as there are a number of grants currently available. These include:</p> <ul style="list-style-type: none"> • Provides funding of \$439 million to be spent over five years. Urban Sustainability Grants, one component of the program, will provide \$80 million over 5 years. Its emphasis will apparently be on water re-use and managing stormwater. Applications close on a date yet to be announced, but probably in May. Grants can be over 1, 2 or 3 years, so there are opportunities to develop project over first year and implement over consecutive 2 years. Grants can be substantial, particularly for joint bids. • Round Two will be open from March 22, until Wednesday, May 10. Information sessions will be held in Parramatta on April 10 and in Sydney on April 11. • Sharing Sydney Harbour Access Program, supports recreational access links and helps overcome access impediments. Briefing Session 1 May. Close June 30 • Greenspace – encouraging collaborative programs for regional trails. Deadline extended to September, with 3 workshops to be held in various locations around Sydney in April. • The NSW Government's Environmental Trust will be calling for applications to its annual grants programs in April/May 2006. Information sessions will be held in Sydney 3 April 10am Masonic Centre, Goulburn St <p>To facilitate discussion for regional and joint projects, a contact list is attached with these minutes.</p>

ITEM 2 (continued)

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7	Other Business contd <i>Questions</i>	<p>BS asked how quickly a group Coordinator could be brought on board?</p> <p>SL responded that, as a result of today's meeting, he will try and get someone in place ASAP, but it should be recognised that this may take some time, as CMA is a Government body.</p> <p>SL enquired whether group would rather have Coordinator housed at a council instead of with CMA?</p> <p>TM responded that the Coastal Councils had found difficulty relocating every year, as quite often the councils did not have space.</p> <p>SL said CMA has space and is happy to house person.</p> <p>BS thought it was not a good idea to move person around. May be best to have a contract position for a 12 month period and CMA assess how it was going.</p> <p>PB commented that one of the problems of a 12 month contract was that the person started looking for a new job after about 6 or 7 months. In his opinion, one of the best ways to gauge effectiveness was if they visited and interacted with each council or not.</p> <p>CJ said that there were advantages with the position being housed at the CMA as they can keep councils better informed of new Government initiatives etc.</p> <p>AG thought it would be better if CMA housed the person and asked whether the CMA intended to appoint someone for 5 days, so they could work with group 3 days and perhaps Lane Cove group for other 2 days.</p> <p>SL responded that it would depend on the candidates that came forward and whether full or part-time work was preferred.</p>
8	Outcomes <u>ACTION</u>	<p>It was decided that based on the morning's discussion and the degree of consensus reached, that DK would prepare an outline of the proposed model for the Parramatta River Catchment Group for the group to comment on.</p> <p>This, together with the brief highlighting the benefits of the group, can then be put to each council/organisation for consideration.</p>
9	Community Group Contacts <u>ACTION FOR ALL</u>	<p>Could everyone please supply DK with the contacts for the community groups that they think might like to attend the meetings. If a council officer is the main contact for those groups – please provide details of the relevant officer.</p>
10	Launch of Group	<p>It is proposed to have a formal launch of the group, with the Mayors and GMs. The CMA is considering a river cruise. This would give the Technical Officers an opportunity to identify some of the issues to their elected reps. Date and further details to be discussed at the May meeting.</p>
11	Next Meeting	<p>2pm Wednesday 10 May 2006 at Parramatta City Council.</p>

ITEM 2 (continued)

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The Georges River Combined Council Committee

- The Georges River Combined Councils Committee (GRCCC) commenced in 1979 as a lobby group representing the nine Councils along the Georges River.
- Each Council is represented on the GRCCC by up to three Councillors.
- The GRCCC meets once a month, generally, on the third Thursday of the month from 6pm.
- Councils rotate as host of the meetings and provide a light meal at the conclusion of the meetings.
- Prior to the full GRCCC meeting, the Technical Officers from each Council meet to discuss and develop projects.

Office bearers

- Elections of office bearers (President, Vice President and Treasurer) are held each July at the Annual General Meeting.
- The President is responsible for Chairing committee meetings (held monthly), attending other external meetings and supervising the GRCCC staff.
- The Vice President acts as Chair, if required, and will generally be elected as President at the next AGM. This allows the relevant Council time to employ an officer to provide administrative support.
- The Treasurer is responsible for providing a financial report at each meeting. The financial report is provided to the Treasurer a few days before the meeting by Administrative Support. The Treasurer also carries out the responsibilities of the Public Officer under the Associations Incorporation Act, 1984.

Administration

- The position of Administration Coordinator is not an elected position.
- Secretariat support and administration of the GRCCC is the responsibility of the participating Council to which the elected President serves.
- The Secretary prepares and distributes agendas and minutes of meetings and handles all incoming and outgoing correspondence. The GRCCC contributes funding to cover wages for 1 day per week plus the monthly evening meeting.

Financial Management

- The management of GRCCC finances lies with the President's.
- Expenditure by the host Council to support the GRCCC is reimbursed with GRCCC funds.

Technical Officers

- Each member Council selects a Technical Officer to represent that Council at the GRCCC meetings.
- Technical Officers prepare a report about issues in their LGA for circulation at each meeting.

Membership

- Recently membership of the Committee has been extended to State Government Agencies, interested community members and environmental organisations, to improve the groups lobbying potential.
- Increasing the membership has been recognised as a strategy to ensure that all stakeholders involved in the management of the River have a forum to discuss new initiatives and work together on Total Catchment Management related projects.

Current Projects

- Riverkeeper Program
- Regional education initiatives

ITEM 2 (continued)

- Regional planning initiatives

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ITEM 2 (continued)**SYDNEY METRO CATCHMENT MANAGEMENT AUTHORITY (CMA)****PARRAMATTA RIVER CATCHMENT GROUP****MINUTES OF MEETING**

Time: 2:00 p.m.
Date: Wednesday 10 May 2006
Place: Parramatta City Council Chambers

Present:

Peter Morison	(PM)	Parramatta City Council
Nigel Bertus	(NB)	City of Canada Bay Council
Sam Cappelli	(SC)	Ryde City Council
Susan Clunie	(SCI)	Parramatta Park Trust
Mark Evens	(ME)	Holroyd City Council
Nerida Gill	(NG)	Hunters Hill Council
Josh Maree	(JM)	Hunters Hill Council
Jon Stiebel	(JS)	Strathfield Council
Suzanne Harris	(SH)	NSW Maritime
Gus Pelosi	(GP)	DNR Estuaries Branch
Danny Wiecek	(DW)	DNR Estuaries Branch
Stephen Lees	(SL)	Sydney Metro CMA
Diana Kureen	(DK)	Upper Parramatta River Catchment Trust (UPRCT)

Apologies:

Petrina Harcourt	City of Canada Bay Council
Shane Barter	DEC
Susan Farr	SW
Allan Gear	Baulkham Hills Shire Council
Tim Meaker	Blacktown City Council
Phil Murphy	Parramatta City Council
Deborah Flood	Sydney & South West Area Health Service
Sarah Kinsela	Burwood Council
Nerida Williams	Bankstown City Council
Janene Harris	Ashfield Council

Minutes prepared by:	Diana Kureen
Date of preparation:	17 May 2006
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**Please note that these minutes will be emailed only.
 Please ensure a copy is put on your records.
 Thank you**

ITEM 2 (continued)

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Agenda Item No.	Topic	Matters Discussed/ Agreed Action(s)
1	Welcome, Introductions and Apologies	<p>Apologies noted.</p> <p>State Government Authorities have now been invited to the meetings and the group welcomed Suzanne Harris from NSW Waterways.</p> <p>The group thanked PM for hosting the meeting.</p>
2	<p>Strategic Directions for the Group</p> <p><i>Upper Parramatta River Catchment Trust (UPRCT)</i></p> <p><i>Sydney Metro CMA</i></p> <p><i>NSW Maritime</i></p> <p><i>Parramatta Park Trust (PPT)</i></p> <p><i>Holroyd City Council (HHC)</i></p> <p><i>Hunters Hill Council (HH)</i></p> <p><i>Parramatta City Council (PCC)</i></p> <p><i>Ryde City Council (RCC)</i></p> <p><i>City of Canada Bay (CCB)</i></p>	<p>SL asked group members to outline the main issues for their organization, as this may identify priorities for the group as a whole.</p> <p>SL commented that UPRCT was faced with the problem of what was going to happen to the Trust's intellectual property and infrastructure, such as the Loyalty Road Retarding Basin. It is unclear at this stage, who will have future responsibility for these once the Trust winds up at the end of the year.</p> <p>DK said she thought that the CMA needed to raise its profile so that people were aware it existed and what its role was.</p> <p>SH said the main issue confronting Maritime was contamination, in particular Homebush Bay. Weeds along Duck River were also a problem. Maritime now owned on of the largest areas of Saltmarsh in Sydney, on Duck River at Derby Street and were currently preparing a POM to address issues affecting the area. Additionally Maritime had been undertaking detailed sea grass, mangrove and saltmarsh mapping – aquatic and terrestrial vegetation within 100m of the foreshore. The detail of this was down to block level. The mapping was being undertaken by the Royal Botanic Gardens and Maritime were working with councils on how best to disseminate the information.</p> <p>SCI said the main issue at PPT was the very low water levels in the river. This had resulted in cases of Avian Botulism. The Park Trust has also been putting in place protocols and procedures in the case of Avian Flu. DK commented and PM confirmed that at a recent meeting of the Area Health Service the Wallace Line had been identified as providing fairly good protection for Australia, although the disease could still enter the country by means other than migratory birds.</p> <p>SCI also noted that aquatic weed continued to be a problem, particularly Water Hyacinth.</p> <p>ME reported that the issue of flooding had become an immense problem. Councillors have rejected the DCP that was to be adopted, and were questioning the veracity of 16 years of flood modelling, including modelling undertaken by UPRCT. All Section 149 Certificates, where flooding was identified, now had to go to a meeting of Council.</p> <p>NG identified that sediment in pollutant traps appeared to be increasing. A particular concern with this was the heavy metals that might be caught up in these sediments. More baseline data was required to gauge the extent of the problem.</p> <p>PM reported that PCC was managing their flooding issues reasonably well, however more ecological issues were arising. With the release of the State Government's Metro Strategy and the pressures of population and additional housing required, the problem was likely to increase, with further impact on local streams. It was felt that the only real tool to hold the line was WSUD.</p> <p>SC agreed, Ryde had similar issues, with the population set to grow at Macquarie Park and Top Ryde. Flooding was an issue and WSUD certainly seemed the best option.</p> <p>NB identified the issues of contaminated sediments, together with large foreshore developments resulting in conflicts with public use of foreshore areas. DK also commented that</p>

ITEM 2 (continued)

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	<p><i>DNR Estuaries</i></p> <p><i>Strathfield Municipal Council (SMC)</i></p>	<p>opportunities to improve foreshore habitat in these newly developed areas had unfortunately been lost.</p> <p>GP Identified the issue of population pressures on coastal regions. DNR is supporting councils to ensure buffer zones were put in place to protect the State's diminishing wetlands.</p> <p>JS said that the Mayor was promoting sustainable water use, which required a more integrated approach to water use and reuse. The introduction of this required work to plan for projects. Planning was hampered by a lack of baseline data.</p> <p>JS also felt that community capacity building could be more efficiently undertaken on a regional basis rather than at the individual council level.</p>
	ACTION	<p>Below is a table of the issues raised and who it effects. Could Councils and authorities not present at the meeting identify which issues affect them and also if they have any other issues not identified here.</p>

ISSUE ▼	Maritime	PPT	HCC	HH	PCC	RCC	CCB	DNR	SMC
Sedimentation				√	√				
Contamination of sediments	√			√	√				
Saltmarsh protection	√			√	√				
Weeds - aquatic & terrestrial	√	√							
Water flows		√							
Fauna protection		√			√				
Flood related issues			√		√	√			
Increased population pressures					√	√	√	√	
Increased/higher density development					√	√	√	√	
Promotion & use of WSUD solutions					√	√	√		√
Protection of public foreshore open space					√		√		
Habitat creation in new development					√		√		
Protection of wetlands								√	
Implementation of regional education and capacity building program					√				√
Other									

NB 1. Only those issues mentioned by each person at the meeting have been ticked. Please tick any others that you feel also relate to your organisation.

2. Organisations not present at the meeting, please identify your organisation in the far right column and tick the issues that affect you, and add other issues not identified here.

ITEM 2 (continued)

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5	Grant Applications	<p>JS outlined the outcomes of the second meeting, held at Strathfield on April 12, to apply for grants on a group basis. DK had previously identified grants that were available, and the focus of the group had been on water conservation measures aimed at the DEUS grants. John Dahlenburg, the Sydney WSUD Coordinator had attended both meetings to provide support. Strathfield, Ryde, Canada Bay, Holroyd and Burwood had responded, and the group had gone some way to preparing a submission. In the eventuality, it was decided that the DEUS deadline was just a too tight, but that the group should continue to prepare the submission ready for the next round. A group submission overcomes the problem of individual councils not being able to reach water saving targets alone.</p> <p>One of the sticking points to the application was that no-one was willing to act as lead agency. DK pointed out that all regional bids should write in funding to cover group coordination. This would be a necessity for the smooth implementation of a regional grant and would overcome the problem of one council having to take all total responsibility.</p> <p>SL pointed out that DEC want to see regional cooperation, and interested councils should identify and develop projects so that they are ready to apply when the grants are announced – guidelines should be available at the end of May.</p> <p>PM Suggested that DEC are interested in WSUD and he proposed 2 areas that could form the basis for a regional bid: Streetscape and Road improvement projects using WSUD principles. He was also prepared for PCC to be the lead agency. DK thought that a regional grant to raise awareness and promote the river to the community would be valuable. This could also include an educational package.</p> <p>All interested councils to identify projects for a regional bid by the end of May and email them to DK to collate.</p>
6	Support from Council's and Agencies	<p>SL noted that it was probably too late for most of the councils to commit to additional funding as the budget process was too far advanced. It would therefore be unfair to ask the councils who had committed to the proposal to give funds. This being the case it was proposed that the CMA would continue to coordinate the group for 2 days per week. DK had agreed to continue in the role for the interim, until CMA staff positions were determined.</p>
7	<p>Launch of the Group</p> <p><i>Boat trip</i></p> <p>ACTION</p> <p><i>Status of group</i></p> <p>Amendment</p>	<p>SL thought that it may be better to delay the launch of the group for the time being. The group however, felt that this would not be beneficial, as without councillors to champion group activities there would be little chance of funds being voted again next year. It was therefore decided to invite councillors on a "fact finding" river cruise. This would allow council and agency officers to identify issues for the councillors, hopefully leading to greater support.</p> <p>It was determined to organise a river cruise for late July, early August, probably on a Friday afternoon. It was felt that a Rivercat would be the best mode of transport. DK will start planning for the event.</p> <p>At this stage it was decided that it may not be appropriate to start seeking community involvement, and that this should wait until councillors were engaged.</p> <p><u>PM noted that he was under pressure to have community representation on the committee and also suggested that perhaps nominations of reps from Peak Environmental Groups such as NCC/TCC and Cleanup Australia should be considered.</u> SC asked for clarification on the status of the group. If councillors were to be involved it would need to be a formal committee of council, in which case terms of reference would be required. Council could then resolve for an officer and a councillor to attend group meetings. SL confirmed that it was the aim for the group to be a formal committee.</p>

ITEM 2 (continued)

6

	Amendment	<u>PM requested that the CMA write to each Council requesting that one Councillor and one alternative delegate be nominated to the Committee of Councillors.</u>
	ACTION	SH asked if other State Agencies, including Fisheries, had been invited to be part of the committee. SL confirmed that most agencies had been invited. Fisheries were thought to be too small to be able to attend but they could be approached. All agencies would receive minutes even if they could only attend meetings infrequently. DK will repackage material sent out with last minutes to provide Terms of Reference and background information. It will then be up to the individual Councils to use this information to ensure the Parramatta River Catchment Group is a formal committee of council thus allowing for councillor and officer involvement.
	Amendment	<u>A letter will also be sent to the Mayor requesting that one Councillor and one alternative delegate be nominated to the Committee of Councillors.</u>
8	Other Business	SL noted that the International WSUD conference was due to be held in Sydney in 2007 He also informed the group that DEC would be transferring the remaining \$850,000 of the Stormwater Trust funds to the CMA together with one officer. DEC proposed to hold a series of training workshops, in the middle of this year, in support of the suite of stormwater management documents they were currently preparing.
9	Next Meeting	2pm Wednesday 19 July at Strathfield Council.

OUTSTANDING ACTIONS AND ACTIONS ARISING FROM THIS MEETING (10-05-06)

No.	ACTIONS	ACTIONS TO BE COMPLETED BY:							Due date
		X= not applicable, O=outstanding; C=completed							
		ALL	CMA	DNR					
1	Check and make necessary additions to issues table	O							June 2006
2	Discuss funding to broaden scope of PCC's Estuary Management Planning – Data Compilation Study	X	O	O					May/June 2006
3	All those interested in regional grant applications to identify projects and send them to DK. See minutes for current ideas.	O	X	X					May 2006
4	Plan and organise river cruise for Councillors and officers, to look at issues.	X	O	X					June 2006
5	Provide Terms of Reference for council use to ensure Parramatta River Catchment Group becomes a formal committee of council with representation from officers and elected representatives.	O	O	X					June/July 2006
	ACTIONS OUTSTANDING AFTER LAST MEETING	0	0	0	0	0	0	0	
	ACTIONS OUTSTANDING AFTER THIS MEETING	2	3	1	0	0	0	0	

ITEM 3**A CONSOLIDATING LOCAL ENVIRONMENTAL PLAN FOR THE CITY OF RYDE**

File No. S12794

The Group Manager Environment and Planning reports 6 June 2006:**Report Summary**

To recommend that Council resolves to:

- Prepare a consolidating Local Environmental Plan (LEP) for the City of Ryde in accordance with the Standard Instrument (Local Environmental Plans) Order 2006.
- Advise the Department of Planning of Council's decision in accordance with the requirements of Section 54(4) of the Environmental Planning and Assessment Act 1979.

Background

Work on the preparation of a new consolidating LEP for the whole of the City of Ryde commenced in 1998. The intent of the LEP was to consolidate all existing LEPs, rationalise zones, include exempt and complying development as well as make provision for heritage conservation. The consolidating LEP was known as "For Now and the Future".

Council on the 11 May 1999 resolved to conduct a community exhibition of "For Now and the Future" and in accordance with the Environmental Planning and Assessment Act 1979 to prepare a consolidating LEP for the whole of the City of Ryde.

Consideration of submissions from the community exhibition, finalisation of maps, inclusion of areas covered by recent LEP gazettals such as Eastwood and Meadowbank and consideration of issues relating to Top Ryde and bushland provisions was then undertaken.

Council on the 27 November 2001 resolved that the Group Manager – Environment and Planning exercise delegation to issue a Section 65 Certificate for Draft LEP "For Now and the Future" and that the plan be placed on exhibition.

Council was advised by the Department on the 1 January 2002 of a number of issues it had with the draft LEP and was requested not exercise its delegation under Section 65 of the Act. In February 2002 Council advised the Department of the changes made to the Plan to resolve the subject issues and requested either that the Department issue a section 65 Certificate or that Council be permitted to use its delegation.

The Department in a letter dated 21 March 2002 advised that Council could use its delegation to issue a Section 65 Certificate for LEP 2002 "For Now and the Future". The delegation was issued on the basis that LEP 2002 was an interim Plan that would be followed by a comprehensive LEP for the whole of the City.

ITEM 3 (continued)

As a result of concerns the Department had over the rationalisation of zones within the Plan delegation was revoked in a letter dated 28 March 2002.

Amendments were made to the Plan and in a report to Council dated 10 February 2004 Council was advised of the lengthy negotiations with the Department to satisfy their requirements to proceed to exhibition. Council resolved on the 17 February 2004 that an agreement be sought from the Department for the LEP "For Now and the Future" to go on exhibition. The LEP was forwarded to the Department on the 25 February 2004.

In September 2004 the Department released a discussion paper 'Standard provisions for LEPs in NSW' which looked at standardising the form and content of LEPs by creating a LEP template. Council was advised that the draft LEP "For Now and the Future" would have to in accordance with that template.

The Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Bill 2005 was passed by Parliament on the 16 June 2005. The Bill resulted in the a number of reforms to the EP&A Act including:

- Legal provision for the standardised form and content of local environmental plans (LEP template)
- The authorisation of the Minister to establish a program of staged repeal of existing environmental planning instruments at specified times during the program and to provide for the making of replacement instruments.

Council was advised on the April 2005 by the Department of Planning (DoP) that it is required to have a principal LEP in place within three years of gazettal of the LEP template and that such a principle LEP would be required to conform with that template.

Council in April 2005 applied to DoP for funding to assist in the in the preparation of a comprehensive LEP for the City of Ryde. Council received funding of \$150 000 from DoP on the basis that the development of a comprehensive LEP would occur in the following three stages:

- Stage 1 preparation of a consolidating LEP,
- Stage 2 carrying out local studies to be used in the development of a comprehensive LEP and
- Stage 3 a comprehensive LEP for the City of Ryde.

ITEM 3 (continued)

The Standard Instrument (Local Environmental Plans) Order 2006 (LEP template) which was gazetted on the 31 March 2006 prescribes the form and content of a principal local environmental plan.

The LEP template provides standard zones, definitions, clauses and format. Council's can:

- Prepare additional local provisions that address local planning issues
- Add local objectives to the core zone objectives
- Add additional permitted or prohibited land uses for each zone in the land use table
- Specify what may be exempt or complying development
- Prepare maps and specify lot sizes, heights, floor space ratios

Councils cannot:

- Add new zones
- Prohibit uses that are mandated as permissible
- Add local provisions that are inconsistent with the mandatory provisions
- Change the format
- Change the wording of provisions.

Clauses within the template are identified as compulsory, compulsory if applicable or optional. A copy of the LEP template is **CIRCULATED UNDER SEPARATE COVER.**

Report

A consolidating LEP for the City of Ryde as supported by DoP is the translation of the existing Ryde Planning Scheme Ordinance into the LEP template. A consolidated plan is the first step in the development of a comprehensive LEP for the City.

A consolidated LEP is needed because:

- provisions of the RPSO are outdated and no longer relevant
- modern development, changes to legislation and community expectations are not addressed in RPSO
- Community understanding of the template and changes in format to the principle planning instrument in the consolidating LEP will allow the comprehensive LEP to move more quickly through the planning process.

ITEM 3 (continued)

LEP 2002 'For Now and the Future' was accepted by DoP as a consolidating plan. Under that Plan the following principle changes were proposed:

- Rationalisation of zones – eg 17 residential zones were reduced to 3 residential zones
- Correction of anomalies - identification and correction of errors presently existing in the Ryde Planning Scheme maps
- Updating of maps based on changes to arterial roads, county open space
- Zoning of roads and laneways.
- Environmental provisions relating to acid sulphate soils.

A consolidating LEP under the LEP template would be similar in that the number of zones will be reduced, zoning of all land is required, errors and updating of maps can occur and provision for local clauses can be made.

A report on the proposed changes to zones, uses permitted and mandatory clauses for the consolidating plan under the LEP template will be prepared for Council consideration in the near future.

It is considered that Council should resolve to prepare a draft consolidating LEP for the City of Ryde in accordance with the LEP template. The draft LEP would be known as LEP 2008 – a consolidating plan for the City of Ryde.

Management Plan Budget / Linkages

This project is not listed in the Management Plan however it does satisfy key outcome areas of the Management Plan

Relationship to Key Outcome AreasAssets

This matter has no direct relationship to this key outcome area.

Environment LEP 2008 meets the following key outcomes for Environment in that it will result in:

- Meeting social and economic needs in a way that does not harm the environment.
- Strong links with the past through the protection and conservation of our heritage.
- Preserved natural areas which are enhanced and maintained.

Governance LEP 2008 meets the following meets the following key outcomes for Governance in that it will result in:

- Compliance with all legislative requirements and statutory obligations
- An efficient and effective regulatory environment.

ITEM 3 (continued)

People LEP 2008 meets the following key outcomes for People in that it will result in:

- Members of the community being engaged through involvement in democratic decision making and the promotion of active citizenship

Consultation – Internal and External

Council has been involved with discussions with members of the Sydney East Regional office of DoP with respect to the development of the consolidating plan in the LEP template format. Continued discussions with the regional office are expected to occur throughout the preparation of the draft Plan.

Policy Implications

The recommendation is consistent with the requirements of the Environmental Planning and Assessment Act 1979.

Critical Dates

Under the Memorandum of Understanding for the funds provided by DoP for the development of a comprehensive LEP for the City of Ryde, LEP 2008 - a consolidating plan for the City of Ryde is to be completed by December 2007/January 2008. A further 18 months is then available for the development of the comprehensive LEP for the City of Ryde. This ensures that the City of Ryde will be in compliance with the 3 year time period given for the development of a comprehensive plan.

Financial Impact

This project is provided for in the budget for the financial year 2006/07 from the Environment and Planning Division and from funding obtained from the Department of Planning.

RECOMMENDATION:

- (a) That Council prepare a consolidating Local Environmental Plan for the City of Ryde in accordance with the Standard Instrument (Local Environmental Plans) Order 2006.
- (b) That the Department of Planning be advised of Council's decision in accordance with the requirements of Section 54(4) of the Environmental Planning and Assessment Act.

Susan Wotton
Strategic Planner
Urban Planning

Sue Weatherley
Group Manager
Environment & Planning

ITEM 4**MEADOWBANK EMPLOYMENT AREA MASTER PLAN – Proposed Amendment to Allow for Planning Agreements – Report on Submissions**

File No. S871-07

The Group Manager Environment and Planning reports 14 June 2006:**Report Summary**

This report considers submissions received to the exhibition of a draft amendment to the Meadowbank Employment Area that will allow the Council to approve developments that exceed the height limits by one storey provided the developer enters into a planning agreement to provide for a public benefit.

Background

Council at its meeting of 26 April 2006 resolved:

(a) That the draft amendment to the Meadowbank Employment Area Master plan, attached to the report of the General Manager dated 21 April 2006, be amended as follows:

I. That clause 3.1 (b) read as follows:

(b) the developer enters into a planning agreement to provide a planning benefit; and

II. That the second paragraph of clause 3.5 be amended to read as follows:

A diverse range of benefits may be sought through negotiated planning obligations in order to make a contribution to the achievement of one or more elements of the vision. When negotiating planning obligations the council will adopt a flexible approach, taking into account the vision and strategic aims of the Plan, the Management Plan, site circumstances and also the obligation and preferences of the developer.

(b) That the draft amendment to the Meadowbank Employment Area Master Plan, attached to the report of the General Manager dated 21 April 2006 and as amended in part (a) above, be placed on exhibition for not less than 28 days, including notice in the local newspaper and notices to land owners and the Meadowbank/West Ryde Progress Association.

(c) That The General Manager be authorised to make minor changes to the proposed amendment prior to the exhibition taking place.

(d) That a further report be submitted to council at the end of the exhibition period.

ITEM 4 (continued)**Report**

Exhibition of the draft amendment occurred from 10 May 2006 until 9 June 2006. During this period 4 submissions were received. One submission from the RTA raised no objection to the amendment, 2 submissions supported the principle behind the amendment, but wanted more flexibility and 1 submission raised issues not related to the amendment. It not proposed to make any changes to the draft amendment as a consequence of the submissions. The nature of the submissions is outlined in more detail later in the report.

The previous report is **CIRCULATED UNDER SEPARATE COVER.**

To ensure that proposals for planning agreements are for a substantial planning benefit and not trivial matters it is proposed to alter to definition of planning benefit from:

planning benefit means a development contribution that confers a net public benefit, that is, a benefit that exceeds the benefit derived from measures that would address the impacts of particular development on surrounding land or the wider community,

to

planning benefit, means a development contribution that confers a public benefit that exceeds the benefit derived from measures that would address the impacts of the particular development on surrounding land or the wider community provided that the exceedance is valued by the Council as being equivalent in monetary terms to at least to at least 20% of the estimated total cost of the one additional storey of the development that is proposed. Such costs shall include:

- (a) the costs associated with the construction of the additional storey; and
- (b) the costs associated with the preparation of the additional storey of the development for the purpose for which it is to be used (ie fit out costs),

This would mean that if the additional storey had a construction cost of \$2million, then the planning benefit proposed by the planning agreement should be not less than \$400,000.

ATTACHED is a copy of the proposed amendment which incorporates this change.

ITEM 4 (continued)**Management Plan Budget / Linkages
Relationship to Key Outcome Areas**Assets

This project meets the following **key outcomes** for Assets:

- An integrated and efficient transport network that links the City, with minimal environmental impact.
- High quality environmentally friendly infrastructure services which meet all Australian Standards and contribute to the lifestyle of the community.
- Well planned, safe and maintained public places and spaces throughout the City.
- Footpaths, cycleways and roads that are well maintained and designed to enable the safe use by all users.
- New buildings that are functional, attractive and designed to minimise their impact on the environment.
- Stormwater infrastructure that is well maintained and designed to enhance public safety and amenity.

The implementation of an amendment to the Master Plan to allow planning agreements would provide a mechanism to assist in the funding of infrastructure for our City.

Environment

This project meets the following **key outcomes** for Environment:

- A leafy City through parks, gardens, trees and the built environment.
- Sustainable practices in buildings, waste management, transport, energy systems and water use through community commitment.
- Strong links to the past through protection and conservation of our heritage.
- Well designed streets and paths where motorists, cyclists and pedestrians feel safe.
- Well designed places and spaces that minimise personal harm and where people interact with each other, so that crime is reduced.

The implementation of an amendment of the Master Plan to allow development incentives would provide a mechanism to assist in the funding of these environmental outcomes for our City.

Governance

This project meets the following **key outcomes** for Governance:

- Improved communication with the community and increased awareness and understanding of council's decisions by the community.

The draft amendment sets out how and when planning agreements would be used.

- Incorporation of best practice approaches in the delivery of services to the community and within the organisation.

ITEM 4 (continued)

Allowing for the provision of public facilities and infrastructure through the use of planning agreements, when used appropriately, is considered best practice.

People

This project meets the following **key outcomes** for People:

This matter has no direct relationship to this key outcome area.

Consultation – Internal and External

Council business units consulted included: Assessment and Urban Planning

External public consultation included: As discussed earlier, Council has received 4 submissions the draft amendment. The issues raised in the submissions are discussed in the following table:

Issue raised submission	Officer comments
RTA – no objection	Noted

Issue raised submission	Officer comments
Supports amendment	Noted
Master Plan is good concept, but redevelopment is slow – in particular the land between Porter Street and Church Street – this is because of the land use restrictions. There should be more residential and commercial land uses.	The land use mix for the MEA will be reviewed, subject to support from the key land owners.
Height restrictions should be freed up to allow more development	One of the strengths of the MEA Master Plan has been limits on building heights. Current building height limits are consistent with the hierarchy of this centre. This has clearly not prevented land being redeveloped.
There has been an increase in traffic in Porter Street and traffic impacts and possible solutions should be considered.	This can be considered as part of a future review.

ITEM 4 (continued)

Issue raised submission	Officer comments
Supports the proposed amendment.	Noted
Concern that they as land owners may not be able to take advantage of the planning agreement provisions as due to the requirement for development to still meet the design outcome of the Master Plan. Alternate wording is proposed which is linked to "better design outcomes".	The amendment allows only for variation of the number of storeys, and still requires compliance with the design requirements of the Master Plan, this ensures that the overall outcomes/objectives of the Plan are not undermined. The difficulty of linking variations of standards to "better design outcomes" is that this as a concept is so nebulous it cannot be measured.

Issue raised submission	Officer comments
Church Street should be residential and ground level commercial.	The land use mix for the MEA will be reviewed, subject to support from the key land owners.

Policy Implications

There are no policy implications through adoption of the recommendation.

Critical Dates

Not applicable

Financial Impact

It is estimated that the total cost of the amending the Master Plan will be \$500, the cost of administrative work associated with modifying documents and updating registers.

Other Options

Not applicable

RECOMMENDATION:

- (a) That the draft amendment to the Meadowbank Employment Area, attached to the Group Manager's report dated 14 June 2006, be adopted with the amendments outlined in the report.
- (b) That person who made submissions be advised of the Council's decision.

Sue Weatherley
Group Manager
Environment & Planning

ITEM 4 (continued)**ATTACHMENT****DRAFT AMENDMENT TO MEADOWBANK EMPLOYMENT AREA
NEW SECTION 3****3 Variation to the Master Plan and Planning Agreements****3.1 Seeking a Variation to the Master Plan**

Despite any other provisions of this Plan, the Council may grant development consent to a development application where the:

- (a) number of storeys proposed is one more than the maximum set out for that site on figure 11; and
- (b) the developer enters into a planning agreement to provide a planning benefit; and
- (c) the proposed development meets all other requirements of this Plan, including the design principles of section 2.3.

3.2 Objectives

The objectives of this section are:

- (a) to establish a fair, transparent and accountable framework governing the use of planning agreements by the Council;
- (b) to enhance the range and extent of development contributions made by development towards public facilities in the MEA;
- (c) to set out the Council's specific policies and procedures relating to the use of planning agreements within the MEA;
- (d) to give all stakeholders in development greater involvement in determining the type, standard and location of public facilities and other public benefits; and
- (e) to facilitate public participation and to allow the community to gain an understanding of the benefits of appropriate planning agreements for the provision of public benefits.

3.3 Planning Purpose

In particular, this Section sets out:

- the circumstances in which the Council would ordinarily consider entering into a planning agreement,
- the form of development contributions ordinarily sought under a planning agreement,
- the kinds of public benefits ordinarily sought and, in relation to each kind of benefit, whether it involves a planning benefit,
- the method for determining the value of public benefits and whether that method involves standard charging,
- when, how and where public benefits will be provided,

ITEM 4 (continued)**ATTACHMENT****3.4 Terms and definitions used in this Section**

In this Section, the following terminology is used:

Act means the *Environmental Planning and Assessment Act 1979*,

Council means the Council of the City of Ryde

developer is a person who has sought to make a development application, or who has entered into an agreement with or is otherwise associated with such a person,

development application has the same meaning as in the Act,

development contribution means the kind of provision made by a developer under a planning agreement, being a monetary contribution, the dedication of land free of cost or the provision of a material public benefit.

planning benefit means a development contribution that confers a public benefit that exceeds the benefit derived from measures that would address the impacts of the particular development on surrounding land or the wider community provided that the exceedance is valued by the Council as being equivalent in monetary terms to at least to at least 20% of the estimated total cost of the one additional storey of the development that is proposed. Such shall include:

(c) the costs associated with the construction of the additional storey; and

(d) the costs associated with the preparation of the additional storey of the development for the purpose for which it is to be used (ie fit out costs),

public facilities means public infrastructure, facilities, amenities and services,

planning obligation means an obligation imposed by a planning agreement on a developer requiring the developer to make a development contribution,

public includes a section of the public,

public benefit is the benefit enjoyed by the public as a consequence of a development contribution,

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

3.5 Purposes of planning agreements

Section 93F(1) of the Act provides that a planning agreement is a voluntary agreement or other arrangement between one or more planning authorities and a developer under which the developer agrees to make development contributions towards a public purpose. The Council's approach to the negotiation of planning agreements is based on the planning purpose of furthering the Council's planning vision for the Meadowbank Employment Area as set out in this Master Plan.

A diverse range of benefits may be sought through negotiated planning obligations in order to make a contribution to the achievement of one or more elements of the vision. When negotiating planning obligations the Council will adopt a flexible approach, taking into account the vision and strategic aims of the Plan, the Management Plan, site circumstances and also the obligation and preferences of the developer.

The negotiation of a planning agreement is at the absolute discretion of the Council.

ITEM 4 (continued)**ATTACHMENT****3.6 Principles underlying the use of planning agreements**

The Council's use of planning agreements will be governed by the following principles:

- (a) Planning decisions will not be bought or sold through planning agreements.
- (b) The council will not allow planning agreements to improperly fetter the exercise of its functions under the act, regulation or any other act or law.
- (c) The council will not use planning agreements for any purpose other than a proper planning purpose.
- (d) Development that is unacceptable on planning grounds will not be permitted because of planning benefits offered by developers that do not make the development acceptable in planning terms.
- (e) The council will not seek benefits under a planning agreement that are wholly unrelated to a particular development.
- (g) The council will not allow the interests of individuals or interest groups to outweigh the public interest when considering a proposed planning agreement.
- (h) The council will not improperly rely on its position in order to extract unreasonable public benefits from developers under planning agreements.

3.7 What matters will the Council consider?

The matters that the Council may consider in any such negotiation may include, but not be limited to, the following:

- (a) Whether the planning agreement(s) meets the demands created by the development for new or enhanced public infrastructure, amenities and services.
- (b) If inclusions in the development meet specific planning objectives of the Council.
- (c) If compensation is required for the loss of, or damage to, a public amenity, service, resource or asset caused by the development through its replacement, substitution, repair or regeneration.
- (d) Rectification of an existing deficiency in the existing provision of public facilities in the MEA is made.
- (e) Whether recurrent funding of public facilities is required or provided.
- (f) The extent to which the Council needs to monitor the planning impacts of development.
- (g) Whether planning benefits for the wider community accrue from the planning agreement.
- (h) Whether a public purpose identified in a Council policy could be provided by means of a planning agreement.

Development that is unacceptable on planning grounds will not be given consent because of unrelated benefits offered by a developer.

ITEM 4 (continued)**ATTACHMENT****3.8 Recurrent charges**

The Council may request developers, through a planning agreement, to make development contributions towards the recurrent costs of public facilities. Where the public facility primarily serves the development to which the planning agreement relates or neighbouring development, the arrangement for recurrent funding may be in perpetuity.

Where the public facility or public benefit is intended to serve the wider community, the planning agreement may only require the developer to make contributions towards the recurrent costs of the facility for a set period which will be negotiated according to the impact of the development.

3.9 Pooling of development contributions

Where a proposed planning agreement provides for a monetary contribution by the developer, the Council may seek to include a provision permitting money paid under the agreement to be pooled with money paid under other planning agreements and applied progressively for the different purposes under those agreements.

Pooling may be appropriate to allow public benefits, particularly essential infrastructure, to be provided in a fair and equitable way.

3.10 Do other development contributions apply?

Whether a planning agreement should exclude the application of S94 of the Act to development to which the agreement relates is a matter for negotiation between the Council and a developer having regard to the particular circumstances of the case.

However, where the application of s94 of the Act to development is not excluded by a planning agreement, the Council will generally not agree to a provision allowing benefits under the agreement to be taken into consideration in determining a development contribution under section 94.

3.11 How will the Council value public benefits under a planning agreement?

If the benefit under a planning agreement is the provision of land for a public purpose, the Council will generally seek to value the benefit on the basis of the estimated amount of compensation to which the Developer would be entitled under the *Land Acquisition (Just Terms Compensation) Act 1991* upon the compulsory acquisition of the land.

If the benefit under a planning agreement is the carrying out of works for a public purpose, the Council will generally seek to value the benefit on the basis of the estimated value of the completed works on the basis of a cost estimate prepared by a registered quantity surveyor.

ITEM 4 (continued)

ATTACHMENT

In either instance, the costs of the valuation of the benefits is to be at no cost to the Council.

Note

The type of facilities and services provided via a planning agreement might include the provision of or contribution toward the provision of community facilities (child care facilities, libraries, community centres, halls), parks and open space including recreation facilities, improvements to the public domain, new roads, new footpaths and bikeways, and upgrade to stormwater system.

ITEM 5**PURCHASE OF ENERGY SUPPLY TO THE MAJOR SITES**

File No. COR2006/1310

The Manager - Access reports 13 June 2006**Report Summary**

To advise Council of the current contract (State Government Contract 777) with Energy Australia which expires on 1 June 2006 and to recommend acceptance of the new contract with Energy Australia for next three years.

Background

Council has previously entered into a Contract 777 with Energy Australia for supply of electricity to Major Sites. Any site consuming more than 100,000kWh is classified as a major site. State Government Contract 777 is co-ordinated by the NSW Department of Commerce for the supply of electricity to major sites of the NSW State Government. Councils can also participate in this contract. Energy Australia is the successful supplier of electricity for both the current and future Contracts 777. The current Contract ends on 30 June 2006. Council has been provided with details of the contract 777 arrangements for the period 1/07/2006 until 30/06/2009 and has also investigated other options to purchase electricity from energy providers to determine the most cost effective rates.

Report

The new contract begins on 01-07-2006. The current and proposed charges are as follows:

	2005/06 Cents/kwh	2006/07, 2007/08 and 2008/09 Cents/kwh
Peak (7am-9am & 5pm-8pm)	5.003	5.936
Shoulder (9am-5pm and 8pm- 10pm) on normal business days	5.426	5.500
Off-peak (midnight to 7am and 10 pm to midnight and all day on weekends and public holidays)	2.669	2.725

It should be noted that under the terms of the Contract 777 these rates will be fixed for the next three (3) years

ITEM 5 (continued)

With regard to the Major sites the specific annual costs, excluding GST, are as follows:

Major Site Address	Estimated Annual Consumption in kWh	Current energy charge 05/06	Proposed yearly energy charge 06/07, 07/08 and 08/09	Other Supply of Electricity Cost (IPART Regulated) 2005/2006	Current total yearly cost	Proposed total yearly cost
RALC	3,780,000	\$ 158,057	\$ 166,498	\$ 102,536	\$ 260,593	\$ 276,284
Depot	260,903	\$ 12,756	\$ 13,469	\$ 13,339	\$ 26,095	\$ 27,752
201 Cox Road, North Ryde	116,673	\$ 5,327	\$ 5,580	\$ 7,082	\$ 12,409	\$ 13,162
6 Pittwater Road Gladesville	110,775	\$ 5,525	\$ 5,870	\$ 6,862	\$ 12,387	\$ 13,217
Civic Centre	1,123,792	\$ 52,491	\$ 55,248	\$ 48,443	\$ 100,935	\$ 107,116
West Ryde Library	263,542	\$ 11,713	\$ 12,277	\$ 7,749	\$ 19,462	\$ 20,574
Street Lighting	5,398,000	\$ 170,361	\$ 178,998	\$ 1,004,663	\$ 1,175,024	\$ 1,254,690
Total	\$11,053,685	\$416,229	\$437,939	\$1,190,675	\$1,606,904	\$ 1,712,794

Please note that Other Supply of Electricity Cost (IPART Regulated) is generally for network infrastructure charges and will increase by 7.07% for 2006/07.

Other details of the proposed Contract 777 with Energy Australia are as follows

- No establishment costs for contract users
- Flexibility for Council in choosing Green Power ranging from 0% to 100%
- Availability of data to analyse and effectively manage their electricity consumption including the Government Energy Management Policy (GEMP) reporting to the Department of Energy, Utilities and Sustainability
- Monthly and quarterly review tracking savings to Council and contractor performance
- Choice for Council of joining the contract and/or transferring sites anytime during the contract period without penalty

ITEM 5 (continued)

Council has made enquires with other energy suppliers and Councils, the details of which are as follows.

Strategic Purchasing

Strategic Purchasing Pty Ltd has recently called Tenders for electricity on behalf of various Councils. Enquires with other Councils, including Hornsby Council, have revealed that this group has been unable to obtain a better price than that offered in Contract 777. Further enquires reveal that Hornsby Council intends to sign Contract 777 with Energy Australia.

Power & Resources Consultant Pty Ltd

This company is an energy consultant, which represents 15 Councils. Enquires with Kuring-Gai Council and North Sydney Council have revealed that Power & Resources Consultant Pty Ltd has been unable to obtain any price from any power supplier. Further enquires reveal that these Councils intend to sign Contract 777 with Energy Australia.

Country Energy

Staff will shortly be assessing options for the supply of energy to smaller sites below 100,000 kwh.

Management Plan Budget / Linkages

The cost of electricity is included in all relevant recurrent expenditure budgets for 2006/07

Relationship to Key Outcome AreasAssets

Cost efficient use of energy for lighting and air conditioning plays vital role to the lifestyle of the community

Environment

- Global environmental impacts of local activities are considered
- Use of non-renewable resources are minimised.

Council has a option to choose green power ranging from 0% to 100% which will minimize global environmental impacts of local activities and encourage use of renewable resources.

Council currently purchases 10% of the power consumed at the Civic Centre as green power. All costs included in this report assume continuation of this percentage of green power for the Civic Centre site.

Governance

Council has made enquires with other energy suppliers and energy consultant to find a most cost effective price for energy supply to the major sites.

People

This matter has no direct relationship to this key outcome area.

ITEM 5 (continued)**Consultation – Internal and External****Internal**

The Manager of the Ryde Aquatic Leisure Centre (RALC), and Manager – have been consulted.

External

Council has contacted number of Councils and Program Manager of Street Lighting Improvement Program (SLIP) and all have advised that Contract 777 is best.

Policy Implications

There are no policy implications through adoption of the recommendation.

Critical Dates

The following deadlines are required to be met: by 30 June 2006 if Council wishes to take-up Contract 777 for a three (3) year period.

Financial Impact

The cost of electricity is included in all relevant recurrent expenditure budgets for 2006-2007. The cost increase from 2005-2006 to 2006-2007 will be 6.6% with no further rises for the following two (2) years).

It is estimated that the total cost of the proposal is \$5 million over three years.

Other Options

As detailed in the report other options have been investigated but the cost to purchase electricity under Contract 777 from Energy Australia is the most cost effective for Council.

RECOMMENDATION:

- (a) That Council purchase electricity for major sites through State Government Contract 777 for the next three (3) years.
- (b) That the General Manager be authorised to execute the relevant Department of Commerce contract documents.

Warren Latham
Manager Access

Kim Woodbury
Group Manager
Public Works

Tan Waijayakumar
Asset Engineer
Public Works

ITEM 6**RYDE PARK TENDER– Provision of Landscape works to Ryde Park upgrades
COR – RFT - 03/06**

File No. S617-10

The Landscape Architect – Parks reports 10 June 2006:**Report Summary**

This report is to advise Council of the outcomes of Ryde Park Tender COR–RFT-03/06 relating to the provision of Landscape Construction Services. It recommends the acceptance of a Landscape Contractor for the construction of the Stage One works for the Ryde Park upgrades.

Background

At its meeting of 19 July 2005 Council adopted the Masterplan for Ryde Park completed by consultants, Clouston Associates. Since then a Plan of Management has also been completed for the implementation of the Ryde Park upgrades, and was adopted by Council on 27 February 2006.

In August 2005 work commenced on the detailed landscape design of initial upgrades to Ryde Park. Detailed survey plans and an Arborist's assessment of all the trees within the Park were completed in order to complement and inform the Landscape Architects with their detailed design. At its meeting of 6 December 2005 Council was advised that CONTEXT Landscape Architects had been awarded the detailed design for a first stage of landscape upgrades.

An 'Expression of Interest' for Landscape Services was advertised publicly in March 2006. Council accepted nine short listed landscape contractors on a pre-qualified Panel of Landscape Construction Contractors of Ryde Park on 11 April 2006. Council also adopted the recommendation to invite the panel of landscape contractors to quote or tender for work in relation to Ryde Park in accordance with Council's procurement policy and relevant Local Government Regulations.

Report

A tender for Landscape Services was sent to nine landscape contractors on the pre-qualified Panel of Landscape Construction Contractors as approved by Council on 11 April 2006 through the Expression of Interest process. Of the nine Landscape Contractors, five responded to the tender. The five Landscape Contractors were as follows:

- GJ Landscapes,
- Glascott Landscapes
- Kingston Civil Constructions
- Profile Landscapes
- Sterling Landscapes

ITEM 6 (continued)

The tenders are detailed in table A – **ON FILE** and **CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**. Tenders were selected and evaluated using an Assessment Matrix (**ON FILE** and **CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**). Pursuant to Section 10A(2)(d) of the Local Government Act 1993, these documents are listed as confidential as they contain commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it. Furthermore, it is considered that discussion in open meeting would, on balance, be contrary to the public interest as it could affect Councils ability to secure the preferred tenderers.

A tender evaluation panel consisting of the Asset Management Officer, City Landscape Architect and Parks Landscape Architect (chairperson) was convened to assess the tenders.

Assessment of Tenders

An initial assessment of submissions was undertaken to ensure compliance with Councils requirements as stated in the request for tender. As the Expression of Interest process identified those who complied with correct insurances, referees, extensive experience and an understanding of local government procedures, the main criteria for assessment of tenders was on price.

A secondary assessment took place in the form of interviews with the three lowest tenders. The interview process helped to clarify process, program of works, environmental management issues, along with costs. After the interview process a further re-examination of the tenders lead to the tentative selection of a preferred landscape contractor. A financial capability assessment was undertaken to ensure the landscape contractor's ability to complete the proposed works.

The tenders were assessed on the criteria as stated in the RFT document. In accordance with the outcomes of the assessment process it is recommended that the appointment to the landscape contractor 'Sterling Landscapes Pty Ltd' be made on the following basis:

- Compliance with assessment requirements
- Ability to complete project in a timely and efficient manner
- Ability to provide a quality finished product
- Competitive price for carrying out landscape works.

Management Plan Budget / Linkages

This project is specifically mentioned and outlined in Council's Management Plan with further stages over the next few years. The project has linkages to the major outcome areas in the Management Plan 2005-2008.

ITEM 6 (continued)**Relationship to Key Outcome Areas**Assets

The redevelopment of Ryde Park is essential renewal for an important Recreational and Leisure space in the City. Its importance is identified and espoused in the Masterplan and the Plan of Management for the park.

- Well planned, safe and maintained public places and spaces throughout the City.

Environment

The park is a place where the landscaped environment and leisure and recreational activity can take place in an environment that meets the stated values of Ryde. The upgrades proposed are an important step in the implementation of the Masterplan.

- Social and economic needs are met in a way that does not harm the environment.
- A leafy City through parks, gardens, trees and the built environment.
- Well designed streets and paths where motorists, cyclists and pedestrians feel safe.
- Well designed places and spaces that minimise personal harm and where people interact with each other, so that crime is reduced.

Governance

This outcome is achieved through the Masterplan and Plan of Management process in compliance with the requirements of the Local Government Act (1993).

- Compliance with all legislative requirements and statutory obligations.

People

The park is a place where the landscaped environment, leisure and recreational activity can take place in an environment that meets the stated values of Ryde. The upgrades proposed are an important step in the implementation of the Masterplan and Plan of Management.

- Services are delivered and facilities provided for social, cultural, recreational and environmental needs.
- Active healthy lifestyles are promoted.
- Members of the community are engaged through involvement in democratic decision making and the promotion of active citizenship.
- The arts, culture, economy, environment, housing, leisure and public health of our community are positively and proactively influenced.

Consultation – Internal and External

Internal consultation – Consultation with specific staff members currently involved with the landscape upgrades of Ryde Park. Council's Manager - Purchasing

External consultation – No external consultation has taken place because of the confidential nature of information provided. Reference checks had been completed in the Expression of Interest phase of the engagement.

ITEM 6 (continued)**Policy Implications**

The calling of tenders for these services is required under section 55 of the Local Government Act 1993 and General regulations. The tender was conducted in accordance with the Local Government Act and accompanying regulations.

Critical Dates

Not applicable

Financial Impact

These services will be funded from Section 94 contributions.

Other Options

Council may decline to accept any of the tenders, seek to negotiate with any tenderer or call for new tenders.

RECOMMENDATION:

That Council accept the preferred Landscape Contractor, '*Sterling Landscapes Pty Ltd*' to provide landscape construction services for the Stage One works of the Ryde Park upgrades.

Elizabeth Read
Parks Landscape Architect

Peter Hickman
Manager Parks

ITEM 7**RYDE TRAFFIC COMMITTEE – Extra-Ordinary Meeting**

File No. COR2006/276

The Group Manager – Public Works reports 15 June 2006:**Report Summary**

The Minutes of the Extra-Ordinary Meeting of the Ryde Traffic Committee held on 15 June 2006 are **ATTACHED** for Council's consideration.

Background

The Report relates to specific traffic and safety issues relevant to the Royal Rehabilitation Centre, Sydney.

On 1 June 2006, Council received a copy of the Transport & Access Report prepared by Transport & Traffic Planning Associates, Consultants. This Report was distributed to Councillors and members of the Ryde Traffic Committee. An Extra Ordinary Traffic Committee Meeting was held on Thursday, 15 June 2006, with the Minutes to be forwarded to the Committee of the Whole Meeting on Tuesday, 20 June 2006, as the deadline indicated by the Consultants for comments to the Department of Planning is 23 June 2006.

Report

The details are included in the Agenda and Minutes of the Extra-Ordinary Meeting.

Management Plan Linkages

Not applicable.

Most works recommended to be carried out form part of the 2005/2006 Operational Budget for Assets.

Relationship to Key Outcome Areas

Not applicable

Assets

The works recommended to be carried out meet the following Key Outcomes for Assets as set out in Page 27 of the Management Plan 2005-2006.

- Footpaths, cycleways and roads that are well maintained and designed to enable the safe use by all users.

ITEM 7 (continued)Environment

The works recommend meet the following **key outcomes** for Environment (set out on pages 35-36 of the Management Plan 2005-2008):

- Well designed streets and paths where motorists, cyclists and pedestrians feel safe.

Governance

This project meets the following **key outcomes** for Governance (set out on page 47-48 of the Management Plan 2005-2008):

- Incorporation of best practice approaches in the delivery of services to the community and within the organisation.
- Compliance with all legislative requirements and Statutory obligations.

People

This project meets the following **key outcomes** for People (set out on pages 54-55 of the Management Plan 2005-2008):

- The dignity, aspirations and rights of residents are responded to.

Consultation – Internal and External

Consultation with members of Council's business units and with members of external organisations ie Police, RTA and STA have been carried out in the preparation of the individual reports, as required, and members of these organisations are represented at each meeting of the Ryde Traffic Committee.

Policy Implications

Not applicable

Critical Dates

Response required, with comments, to the Department of Planning by 23 June 2006.

Financial Impact

There is no specific financial impact as a result of the adoption of the Recommendations of the Ryde Traffic Committee.

Other Options

Not Applicable

ITEM 7 (continued)

RECOMMENDATION:

That the Minutes of the Extra-Ordinary Meeting of the Ryde Traffic Committee held on 15 June 2006, be adopted as resolutions of Council.

Warren Latham
Manager Access

Kim Woodbury
Group Manager
Public Works