

CITY OF RYDE

COMMITTEE OF THE WHOLE REPORT NO. 20/07

4 December 2007

Ladies and Gentlemen,

The Committee of the Whole desires to report having met on Tuesday, 4 December 2007 at 7.30 pm.

Councillors Present: The Mayor, Councillor I J Petch (Chairperson) and Councillors M P Butterworth, N B Campbell, T P McCosker, C M Netterfield, G O'Donnell, T W Perram, T D A Ryan, V J Tagg, E M Wilde OAM and S Yedelian.

Leave of Absence: Councillor M Melhem

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager – Catchments & Assets, Manager - The Environment, Manager - Urban Planning, Media & Community Relations Officer, Senior Strategic Planner, Strategic Planner and Senior Administration Co-Ordinator.

With reference to the various matters which received consideration of your Committee, it is desired to report and recommend thereon as follows:

1 CONFIRMATION OF COMMITTEE REPORT

RESOLUTION: (Moved by Councillors Wilde OAM and Ryan)

That the report of the meeting of the Committee of the Whole No. 19/07 held on 20 November 2007, be confirmed.

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- 2 84-92 TALAVERA ROAD, MACQUARIE PARK. LOT: 1 DP: 563745. Integrated Development Application for Demolition of existing two (2) storey commercial/industrial building. Construction of a mixed-use commercial office/retail complex comprising three (3) buildings with a height of six (6) storeys, a total floor space of 32,313m², four hundred & five (405) car parking spaces in two (2) basement levels of the buildings. LDA 377/2007. Applicant: 88 Talavera Road North Ryde Pty Ltd. Owner: 88 Talavera Road North Ryde Pty Limited. Date lodged: 28 May 2007**

RESOLUTION: (Moved by Councillors Wilde OAM and Netterfield)

That Local Development Application No. 377/2007 at 84-92 Talavera Road, Macquarie Park be approved in accordance with the recommendation in the report of the Group Manager – Environment and Planning dated 27 November 2007 as set out in the Committee of the Whole Agenda No. 20/07 pages, 41-72.

Note: Councillor Butterworth recorded his name against this resolution.

- 3 KOTARA PARK, 87 ABUKLEA ROAD, Marsfield. Lot 2 in DP 210061. Local Development Application for a Light Pole incorporating a Mobile Phone Facility in Kotara Park. LDA 344/2007. Applicant: Telstra Corporation C/- CPS Global. Owner: City of Ryde. Date lodged: 14 May 2007. Original notification - 11 submissions received, (including 3 petitions) objecting to the development**

INTERVIEW

Report: The Committee received an address from Mr George Tzakis representing Telstra.

RESOLUTION: (Moved by Councillors Yedelian and Ryan)

That Local Development Application No. 344/2007 at Kotara Park, 87 Abuklea Road, Marsfield be refused for the following reasons:-

1. The erection of a mobile phone antenna in close proximity to the tennis courts and children's play area could subject users of these facilities to potential health impacts and is not in the public interest.

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2. The tennis courts and children's play area are used by the same patrons on a regular basis thereby increasing their risk to potential health impacts caused by long term exposure to electromagnetic radiation.
3. The potential adverse impacts on users of the park and nearby residents by their exposure to electromagnetic radiation especially as there is no conclusive evidence that there will be no adverse health affects from exposure to such radiation.
4. The inadequate assessment of alternative sites.

4 DRAFT DEVELOPMENT CONTROL PLAN 2006: Amendment No.2 – Part 3.6 Urban Housing

RESOLUTION: (Moved by Councillors Campbell and Ryan)

- (a) That draft Development Control Plan 2006 Amendment 2 – Part 3.6 Urban Housing, be adopted and a public notice of Council's decision be placed in a local newspaper under the terms of the Regulations to the Environmental Planning and Assessment Act so the Plan may come into effect.
- (b) That administrative changes to Clause 3.3.2 of Part 3.6 Urban Housing be undertaken to clarify what are acceptable design outcomes with respect to two storey dwellings.

5 DWELLING HOUSE AND DUPLEX BUILDINGS DEVELOPMENT CONTROLS

Report: The Committee received an address from Ms Roslyn Lunsford, resident of Macleay Street, Ryde.

RESOLUTION: (Moved by Councillors Campbell and Yedelian)

- (a) That the Draft City of Ryde Development Control Plan 2006 Amendment No. 1 – Dwelling Houses and Duplex Buildings, as amended in accordance with the report of the Manager Urban Planning dated 27 November 2007, be adopted.
- (b) That the Dwelling Houses and Duplex Buildings controls in the City of Ryde Development Control Plan 2006 be reviewed after one year.

- (c) That public notice of Council's decision be placed in a local newspaper.

Note: Councillor Tagg recorded his name against this resolution.

6 DWELLING HOUSE AND DUPLEX BUILDINGS DEVELOPMENT CONTROLS – Information Sheets

RESOLUTION: (Moved by Councillors Yedelian and McCosker)

That the report of the Manager Urban Planning, dated 23 November 2007 on Dwelling House and Duplex Buildings Development Controls - Information Sheets be received and noted.

7 DRAFT RYDE LOCAL ENVIRONMENTAL PLAN (LEP) 2008

RESOLUTION: (Moved by Councillors Yedelian and Netterfield)

That the consultation process as outlined in the report of the Manager Urban Planning dated 16 November 2007 which is in accord with the requirements for the exhibition of draft local environmental plans as specified by the Environmental Planning and Assessment Act 1979, be undertaken upon a Section 65 Certificate being issued by the Department of Planning for draft Ryde Local Environmental Plan 2008.

8 DRAFT GLADESVILLE AND VICTORIA ROAD CORRIDOR LOCAL ENVIRONMENTAL PLAN

Note: Councillor Yedelian disclosed a non-pecuniary interest in this item for the reason that he has a business in the Hunters Hill Council section of the Gladesville Shopping Centre.

RESOLUTION: (Moved by Councillors Ryan and Netterfield)

- (a) That the draft Local Environmental Plan for the Gladesville Town Centre and Victoria Road Corridor be forwarded to the NSW Department of Planning requesting that a section 65 certificate be issued in accordance with the Environmental Planning and Assessment Act 1979.

- (b) That a report regarding the Draft Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan and Draft Development Control Plan and Traffic Impact Study be provided to Council upon receipt of the section 65 certificate.
- (c) That the General Manager be delegated the authority to consult affected landowners regarding the potential heritage listing of their properties to obtain their responses.
- (d) That the General Manager be delegated the authority to make minor changes to the draft Local Environmental Plan for the Gladesville Town Centre and Victoria Road Corridor, which do not affect the intent of the instrument, prior to exhibition.

9 OPTIONS FOR A RYDE RAINWATER TANK INCENTIVE SCHEME

RESOLUTION: (Moved by Councillors Yedelian and Campbell)

- (a) That the report on the options for a Rainwater Tank Incentive Scheme to encourage and assist the installation of rainwater tanks in the Ryde local government area be received and noted.
- (b) That Council provide feedback on preferred options for further scoping, investigation and costing with findings to be the subject of a future report to Council.
- (c) That Council officers report on the options in respect of the fee structure in providing incentives associated with the lodgement of development applications for Rainwater Tanks.

10 STATE OF THE ENVIRONMENT REPORT 2006/07

RESOLUTION: (Moved by Councillors Ryan and McCosker)

- (a) That the City of Ryde Edition of the NSROC Regional State of the Environment Report for the period 1 July 2006 to 30 June 2007 be adopted.
- (b) That all libraries in the City of Ryde local government area be provided with a copy of the City's report.

- (d) That a copy of the City's report be forwarded to the Department of Local Government.
- (e) That both the NSROC Regional State of the Environment Report 2006/07 and the City of Ryde Edition of the regional report be made available on Council's website.

11 KINGS PARK TENNIS COURTS – Expression of Interest including occupancy licence

RESOLUTION: (Moved by Councillors O'Donnell and Netterfield)

- (a) That the Expressions of Interest for management and occupancy received from the Denistone East Community Tennis Courts Inc. not be accepted and further negotiations be undertaken with the Denistone East Community Tennis Courts Inc.
- (b) That the General Manager be delegated authority to enter into negotiations with the Denistone East Community Tennis Courts Inc. with the intention to enter into a 5 year licence agreement.
- (c) That the public be re-notified of the Denistone East Community Tennis Courts Inc. proposed amended operating hours.
- (d) That subject to (b), the standard licence agreement of the City of Ryde be used and all legal costs be met by the Licensee.
- (e) That the Denistone East Community Tennis Courts Inc. be advised of Council's decision

12 CATCHMENTS & ASSETS – Review of Flooding Risks to Council's West Ryde Library and Electricity Substation

RESOLUTION: (Moved by Councillors Perram and Wilde OAM)

- (a) That the report of the Manager – Catchments & Assets dated 14 November 2007 regarding Review of Flooding Risks to Council's West Ryde Library and Electricity Substation, be received and noted.

- (b) That a flood awareness program be undertaken and flood barrier installation procedures be reviewed annually for the West Ryde Library.

13 WEST RYDE URBAN VILLAGE DEVELOPMENT APPLICATIONS – LDA 07/559

Report: The Committee received addresses from Ms Toni Scott, Co-ordinator Family Day Care - Christian Community Aid, Mr Jack Taylor, Jack Taylor Architects – Architectural Consultants for the applicant and Mr Paul Parker, Buckton Lysenko – Drainage Consultants for the applicant.

RESOLUTION: (Moved by Councillors Yedelian and Wilde OAM)

- (a) That Council notes that the Independent Assessment Team, led by Architectus P/L has recommended that LDA 07/559, West Ryde Urban Village, be approved, subject to conditions.
- (b) That Council notes that the applicant has proposed a draft Voluntary Planning Agreement and Council endorses the public benefits proposed by the draft Voluntary Planning Agreement.
- (c) That consideration of LDA No. 07/559 be deferred to the Council meeting of 11 December 2007 and the General Manager report to this meeting on the outcome of the discussions with the applicant on the design of the buildings and the possible additional traffic studies.

Note: Councillor Butterworth recorded his name against this resolution.

14 HERITAGE ADVISORY COMMITTEE – Minutes

RESOLUTION: (Moved by Councillors Ryan and Tagg)

- (a) That the Minutes of the City of Ryde Heritage Advisory Committee Meeting 05/07 held on 5 November 2007 be received and noted.
- (b) That the two additional applications received under the Heritage Assistance Fund be approved in accordance with the information contained in the report of the Manager Urban Planning dated 20 November 2007.

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15 PUBLIC DOMAIN IMPROVEMENTS - Tenders for Supply & Laying of Granite Paving COR-RFT-10/07

RESOLUTION: (Moved by Councillors Wilde OAM and Yedelian)

- (a) That the tender submitted by Sam The Paving Man Pty Ltd for Contract COR-RFT-10/07 – Supply & Lay Granite Paving in the amount of \$497,200 in 2008, be accepted.
- (b) That the General Manager be delegated authority to exercise the option for paving works in the amount of \$309,500 in 2009, at his discretion.
- (c) That the unsuccessful tenderers be advised of Council's decision.

The meeting closed at 9.21pm.

CONFIRMED THIS

DAY OF

2008

Chairperson

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General Manager

Mayor