

12 MARCH 2013

LATE ITEMS

**Ordinary Meeting of Council Meeting No. 4/13
TUESDAY, 12 MARCH 2013**

**Council Chambers, Level 6, Civic Centre,
1 Devlin Street, Ryde - 7.30pm**

English

If you do not understand this letter, please come to the Ryde Civic Centre, Devlin Street, Ryde, to discuss it with Council staff who will arrange an interpreter service. Or you may ring the Translating & Interpreting Service on 131 450 to ask an interpreter to contact Council for you. Council's phone number is 9952 8222. Council office hours are 8.30am to 4.30pm, Monday to Friday.

Arabic

إذا كنت لا تفهم محتويات هذه الرسالة، فالرجاء الاتصال بمركز مجلس بلدية رايد Ryde Civic Centre، وعنوانه: Ryde، Devlin Street، لمناقشتها مع العاملين في المجلس عن طريق مترجم، يستعين به العاملون لمساعدتك. أو يمكنك، بدلا من ذلك، أن تتصل بمكتب خدمات الترجمة TIS على الرقم 131 450 وأن تطلب من أحد المترجمين أن يتصل بالمجلس نيابة عنك. رقم تليفون المجلس هو 9952 8222، وساعات العمل هناك هي من الساعة 8.30 صباحا إلى 4.30 بعد الظهر من يوم الاثنين إلى يوم الجمعة.

Armenian

Եթէ այս նամակը չէք հասկնար, խնդրեմ եկէք՝ *Բայր Սիվիլ Սենթըր, Տելվին փողոց, Բայր, խոսակցելու*։ Քաղաքապետարանի պաշտօնեաներուն հետ, որոնք թարգմանիչ մը կրնան կարգադրել։ Կամ, կրնաք հեռաձայնել Թարգմանութեան Սպասարկութեան՝ 131 450, եւ խնդրել որ թարգմանիչ մը Քաղաքապետարանին հետ կապ հաստատէ ձեզի համար։ Քաղաքապետարի հեռաձայնի թիւն է՝ 9952 8222։ Քաղաքապետարանի գրասենեակի ժամերն են՝ կ.ա. ժամը 8.30 - կ.ե. ժամը 4.30, Երկուշաբթիէն Ուրբաթ։

Chinese

如果您看不懂這封信，請到位于 **Devlin Street, Ryde** 的禮特區市府禮堂 (**Ryde Civic Centre**)與區政廳工作人員討論，他們將會給您安排傳譯員服務。或者您自己打電話給“翻譯及傳譯服務”，電話：131 450，請他們替您與區政廳聯係。區政廳的電話號碼是：9952 8222。區政廳工作時間是：周一至周五，上午 8.30 到下午 4.30。

Farsi

اگر این نامه را نمی فهمید لطفاً به مرکز شهرداری رايد در **Devlin Street** مراجعه کنید. کارمندان شهرداری ترتیب استفاده از يك مترجم را براي شما خواهند داد. یا ميتوانيد به سرويس ترجمه کتبي و شفاهي شماره 131 450 تلفن بزويد و بخواهيد که يك مترجم از جانب شما با شهرداری تماس بگیرد. شماره تلفن شهرداری 9952 8222 و ساعات کار از 8.30 صبح تا 4.30 بعد از ظهر مي باشد.

Italian

Le persone che hanno difficoltà a capire la presente lettera, sono pregate di presentarsi al Ryde Civic Centre in Devlin Street, Ryde, e parlarne con gli impiegati municipali che provvederanno a richiedere l'intervento di un interprete. Oppure possono chiamare il Translating & Interpreting Service al 131 450 e chiedere ad uno dei loro interpreti di mettersi in contatto con il comune di Ryde. Il numero del comune è 9952 8222. Gli uffici comunali sono aperti dalle 8.30 alle 16.30, dal lunedì al venerdì.

Korean

이 편지를 이해할 수 없으시면 Ryde의 Devlin Street에 있는 Ryde Civic Centre로 오셔서 카운슬 직원과 상담하여 주십시오. 저희 직원이 통역 서비스를 연결해 드릴 것입니다. 아니면 131 450번으로 통번역 서비스(TIS)에 전화하셔서 통역사에게 대신 카운슬에 연락해 주도록 부탁하셔도 됩니다. 카운슬 전화 번호는 9952 8222번입니다. 카운슬의 업무 시간은 오전 8:30부터 오후 4:30, 월요일에서 금요일까지입니다.

Meeting Date: Tuesday 12 March 2013
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

NOTICE OF BUSINESS

Item **Page**

LATE ITEMS

13 WEST RYDE URBAN VILLAGE - PROGRESS REPORT AND
PROPOSAL FOR PARTIAL HANDOVER OF VILLAGE SQUARE 1

LATE ITEMS

13 WEST RYDE URBAN VILLAGE - PROGRESS REPORT AND PROPOSAL FOR PARTIAL HANDOVER OF VILLAGE SQUARE

Report prepared by: Coordinator - Commissioning
File No.: GRP/09/3/10 - BP13/400

REPORT SUMMARY

Council resolved at its meeting held on 26 February 2013 the following:

- (a) That Council receives and notes the updated information contained within this report.
- (b) The Acting General Manager and Mayor be requested to make representations to Coles Group Property Development Pty Ltd (Coles) seeking resolution of the matters in this report and inform the general public in relation to the facts regarding the issue in this matter and confirming the rejection of any financial claim by Coles as detailed in this report.
- (c) That Council requests the Acting General Manager to continue to make representations to Coles senior management to implement the communications strategy dated September 2010 and to ensure that the agreed 'shop front' is in place prior to the commencement of road works. That the communication strategy be presented to Council by Coles at a future Council Meeting.
- (d) That the Acting General Manager request a project timeframe from Coles detailing the main milestones and sequencing for the project and that this be reported to Council and that Coles be put on notice that failure to deliver this timeframe in the coming two weeks will result in Council taking further contractual action to commence the remaining public domain works.
- (e) That the Council expresses its serious concerns to the Coles and West Farmers Board at the reluctance of Coles to fully engage and participate with Council to develop a timeline to deliver the West Ryde Urban Village. That Council express its concern and emphasise the impact their construction is having on local businesses in West Ryde.

This report presents the outcome of subsequent correspondence sent to Dr Bob Every AO, Non-Executive Chairman Wesfarmers Limited, following the Council meeting making him aware of issues surrounding the current project Coles Group Property Development have been undertaking in the West Ryde town centre, which was originally scheduled to be completed in time for Christmas 2012.

Mr Every was informed in the correspondence of lengthy delays and the disruption to construction (wet weather and RTA approvals) which have had a severe impact on local businesses. Uncertainty over the open ended development has made it impossible for business owners to plan for the future. The correspondence also advised that resident access and safety had also been negatively affected by construction activity.

ITEM 13 (continued)

Council expressed that we were seeking compliance with the Development Deed and evidence of a firm commitment from Coles regarding compliance with the Communications Strategy and the presentation of a timeline to deliver the project.

A subsequent meeting was held between Councillors, Council and Coles' senior management on Friday 8 March 2013 regarding the delays in the West Ryde Urban Village Development. This report provides an update of that meeting.

In addition a proposal from Coles to partially handover the Village Square has been presented to Council. An assessment was undertaken by Council staff and endorsement is sought from Council. This advantages and disadvantages of this proposal are outlined below:

Advantages

- (a) Easter parade venue for the annual event organised by the West Ryde Chamber of Commerce
- (b) At grade pedestrian thoroughfare through the site (New Market Street to Anthony Road)
- (c) Better frontage for small businesses in West Ryde Marketplace – eg Gloria Jeans and Roaming Bird takeaway

Disadvantages

- (a) Directs pedestrians into a construction site (Anthony Road) i.e. no pedestrian management plan
- (b) Deep excavation (1.5m deep) commencing after May 2013 (for stormwater drainage in stage 2 of roadworks on Anthony Road) will require future closure of Village Square. Refer to attachment 2: Stormwater drainage drawing CVCC1504
- (c) No marked pedestrian crossing on Anthony Road – part of stage 2 roadworks. Opening the village square would increase risk of pedestrian and vehicle collisions

It is suggested that given the above, handover be reconsidered when the deep excavation is completed and pedestrian crossing is completed and verified.

RECOMMENDATION:

That Council note the progress on the following issues proceeding the meeting held between the parties on Friday, 8 March 2013:

- (i) Recognition of the expediency exercised by Mr Greg Chubb, Coles Property Director to meet with Council to discuss the issues raised by Council in our correspondence to the Non-Executive Chairman Wesfarmers Limited.
- (ii) Commencement of the first stage of road works in the vicinity.
- (iii) Execution of the license for the shop front (Community liaison).

ITEM 13 (continued)

- (iv) The immediate establishment of a working party consisting of senior key staff from Coles, West Ryde Chamber of Commerce, City of Ryde Councillors, Acting General Manager, General Counsel and relevant staff to address key issues impacting local residents and businesses.
- (v) Review the offer from Coles for Council to consider a partial handover of the Village Square.

ATTACHMENTS

- 1 Road works at West Ryde map
- 2 Stormwater drainage detail drawing CVCC1504

Report Prepared By:

Paul Yang
Coordinator - Commissioning

Report Approved By:

Peter Nguyen
Service Unit Manger - Project Development

George Dedes
Acting Group Manager - Public Works

ITEM 13 (continued)

Progress as of 8 March 2013-03-12

The progress to date has been commencement of Stage 1 roadworks on Chatham Road (refer to Attachment 1 - Road works at West Ryde map), signing of license for the shop front to house the community liaison officer and the formation of a task force consisting of the Acting General Manager (Danielle Dickson), General Counsel (Bruce McCann) and Coles' Senior Development Manager (Walter Kullen).



Figure 1: Roadworks commenced on Chatham Road, West Ryde date 11 March 2013

Proposal for partial handover of Village Square

Coles have proposed a partial handover of the Village Square to Council as part of the West Ryde Urban Village Development. This assessment was made using the following criteria:

- Risk/ Liability to Council
- Cost implications
- Public benefit/ Community benefit
- Legal issues (including impact on Development Deed)
- Impact on the delivery of the remaining project stages (+ or -)
- Benefits of Councils agreements for Coles
- Other matters

Risk/ Liability to Council

The proposal will INCREASE risk of pedestrian and vehicle collisions by channelling pedestrians onto unfinished roadworks at Anthony Road. Observation by Council staff indicates pedestrians are walking on the road roadway, not the footpath side of Anthony Rd. See figure 1. This proposal will exacerbate unsafe pedestrian movements on site. The Risk and Audit Unit is not prepared to accept the proposal. Council will also be liable for damage to the **public art** such as wear and tear; vandalism or catastrophic damage e.g. car or delivery vehicle accident.

ITEM 13 (continued)

The proposal may create an expectation in the community of an early opening of the underground carparks. This expectation needs to be managed as the carparks cannot be opened concurrent to the timing of this proposal. No date has been given by Coles for the opening of the carparks.

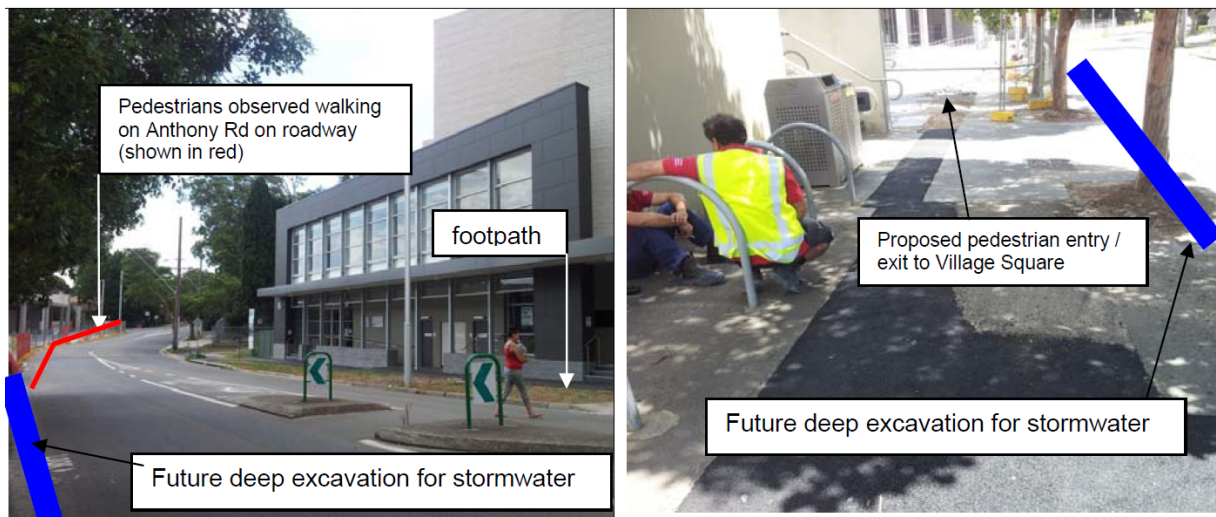


Figure 2: Pedestrian entry / exit to Village Square at Anthony Road, West Ryde

Cost implications

The cost implication for this proposal is the payment of insurance excess of \$25,000 per claim in the event of damage. Any damage below this amount would be paid by Council as we self insure damage up to \$25,000. The insurance cost currently sits with Coles' contractor (Builtform). Accepting costs associated with this proposal would create a precedent for Coles to pursue Council for variations associated with roadworks and stormwater in the order of \$1million.

Public benefit/ Community benefit

Benefits would be the early opening of public space to the community which could be used as a space to sit and meet adjacent to West Ryde marketplace (Woolworths building). This space may be able to be used for the Easter Parade organised by the West Ryde Chamber of Commerce.

In addition it would provide an 'at grade' connection between Anthony Road and New Market Street. Currently there are stairs at the Anthony Road entry to West Ryde marketplace.

Legal issues (including impact on Development Deed)

Refer to 'Cost Implications' regarding variations against Council (page four (4) of this report).

A partial handover of the development will not be accepted by the Risk and Audit Unit as it will make it difficult to enforce defect rectification (a contractual obligation by Coles) and expose Council to public liability claims as the adjacent site is still under construction (Anthony Road).

ITEM 13 (continued)

The partial handover of the West Ryde Community Centre in Sept 2010 resulted in prolonged defect rectification as Coles claimed that damage / defects were the result of post handover damage. Council does not wish to repeat this experience.

The Risk and Audit Unit advise that the development should only be handed over when ALL works are complete.

Impact on the delivery of the remaining project stages

There will be no change from the current condition of the delivery of the development. The Village Square needs to be connected with the proposed pedestrian crossing which will be built as part of the roadworks on Anthony Road (outside the West Ryde Community Centre).

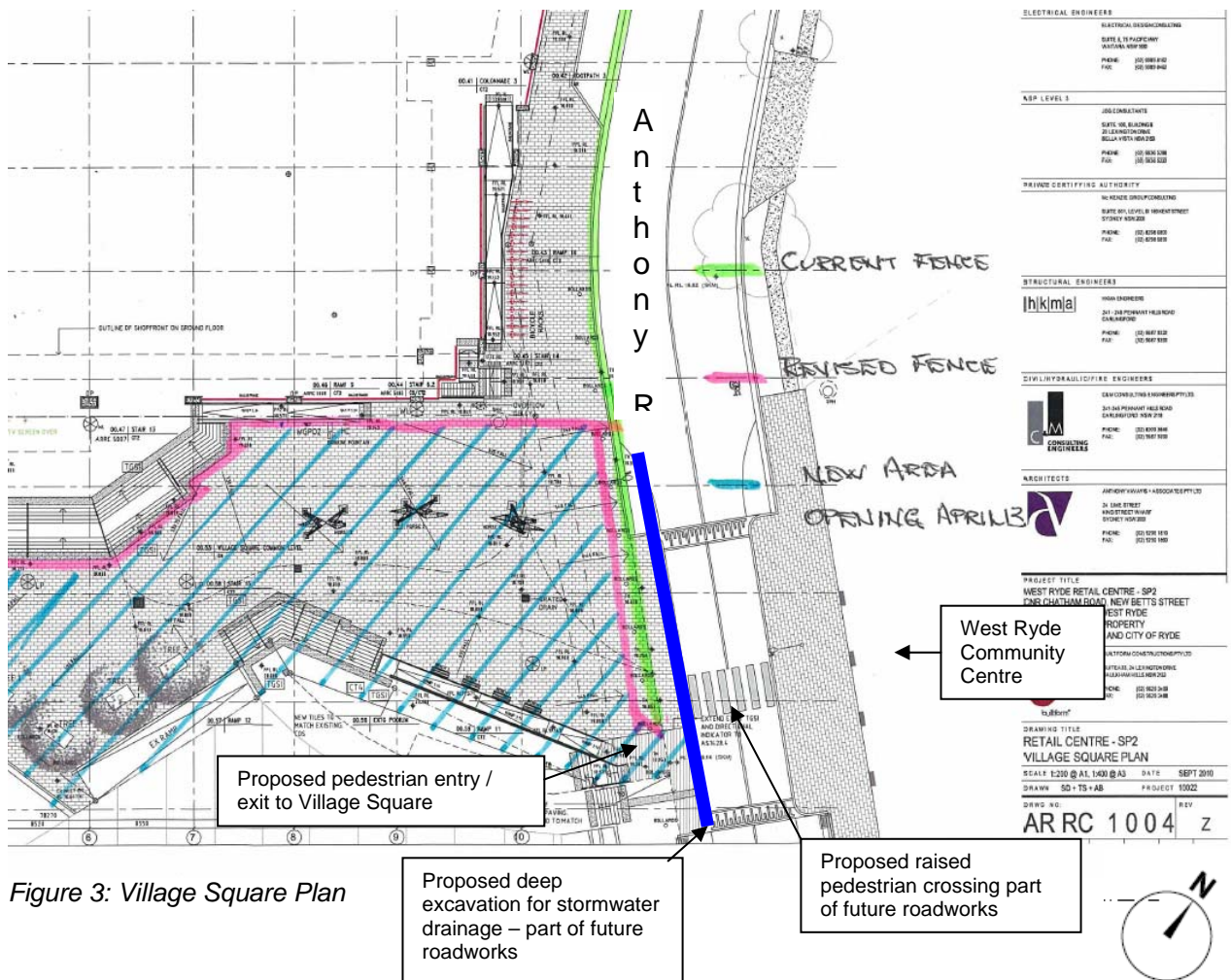


Figure 3: Village Square Plan

Benefits of Councils agreements for Coles
Eliminates storage (\$350/week) and insurance costs (\$1900) for offsite storage of artworks. Transfer of pre handover risk / liability to Council.

ITEM 13 (continued)**Other matters**

At the West Ryde Urban Village development possession of the site remains with Coles' contractor, Builtform Constructions P/L. A partial handover of the site may involve Council in contractual disputes between the above parties. Disputes relate to access to the site for the supermarket fitout and construction of residential stage (2 levels of carparks and 5 levels of apartments).

Lastly there is no funding for the maintenance of granite paving, rubbish removal and maintenance of public art. The early handover of the Village Square would require an increase in operational budget by Council.

ITEM 13 (continued)

ATTACHMENT 1



Road Works at West Ryde

As part of the revitalisation of West Ryde Urban Village, Builtform constructions will be undertaking works to improve the infrastructure on Chatham Road.

Work has commenced on Chatham Road and will continue for several weeks.

Works will occur between the following hours:

- Monday - Friday, 7.00am - 7.00pm
- Saturdays, 8.00am - 4.00pm
- Sundays and public holidays: no work.

The works include:

- excavation and installation of new stormwater mains
- construction of a new, smaller roundabout at the intersection of Chatham road, Market and Dickson Streets
- construction of a new roundabout at the intersection of Chatham Road and New Betts Street
- introduction of formalised pedestrian crossings in New Betts Street and Anthony Road.

The work will result in improved traffic flows through the area and enhanced pedestrian safety.

In an effort to minimise traffic congestion and inconvenience, the work will be undertaken in staged sections. However, there will be some lane closures and reduced speed limits from time to time.

The map over the page shows the roads affected.

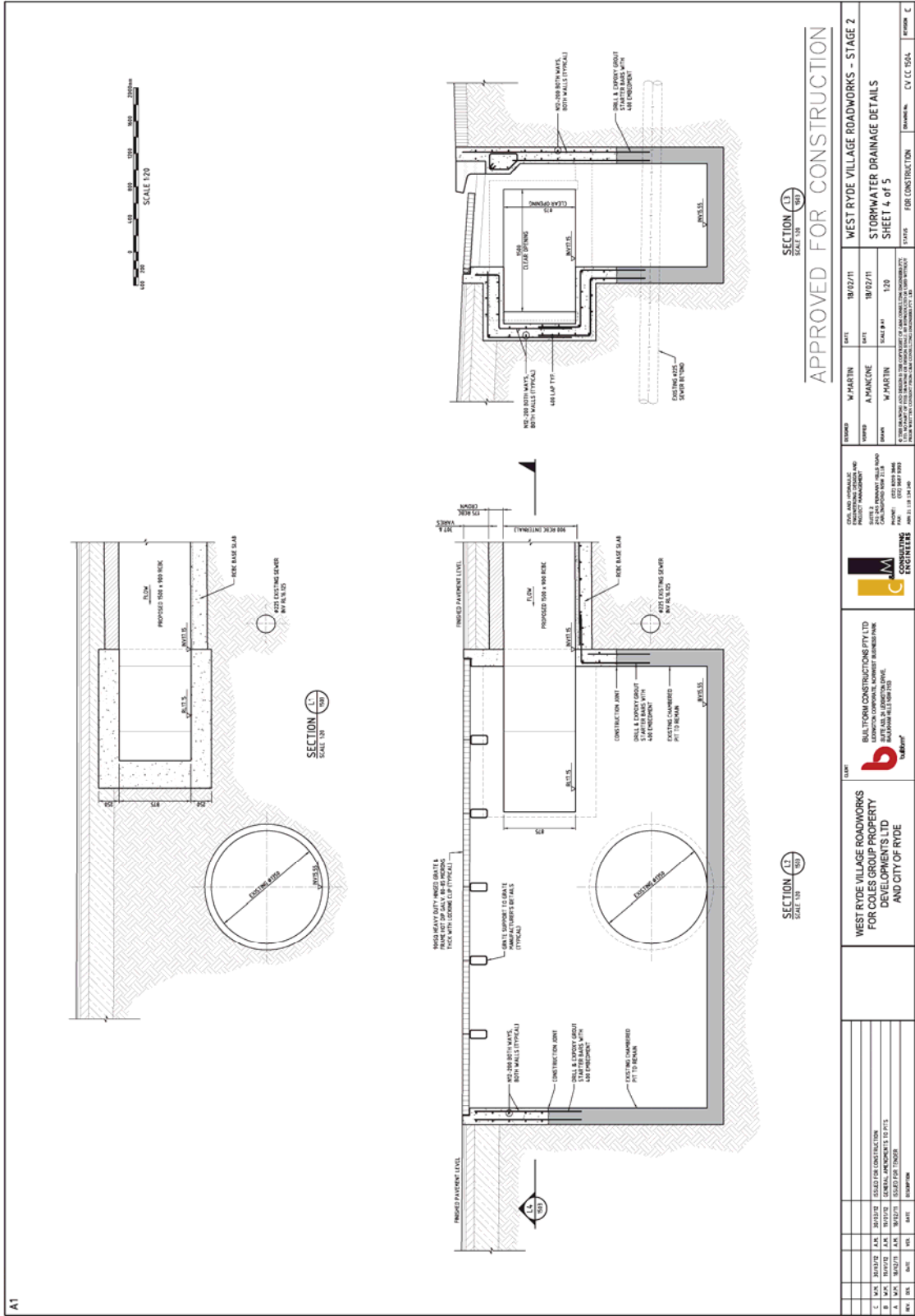
Traffic control measures and signs will be in place to assist motorists through the work areas.

Please take extra care when walking, cycling or driving in the area and obey the signs and instructions while the works are underway.

For more information go to www.westrydeurbanvillage.com.au or call David Upton (General Manager, Builtform Constructions) on 9629 3499 or call the free enquiry line on 1800 266 012.

ITEM 13 (continued)

ATTACHMENT 2



APPROVED FOR CONSTRUCTION

DRAWN BY: W. MARTIN		DATE: 18/02/21	PROJECT: WEST RYDE VILLAGE ROADWORKS - STAGE 2	
CHECKED BY: A. MARCONE		DATE: 18/02/21	PROJECT: STORMWATER DRAINAGE DETAILS	
SCALE: 1:20		SHEET 4 of 5		
DRAWN BY: W. MARTIN		DATE: 18/02/21	SCALE: 1:20	PROJECT: WEST RYDE VILLAGE ROADWORKS - STAGE 2
CHECKED BY: A. MARCONE		DATE: 18/02/21	SCALE: 1:20	PROJECT: STORMWATER DRAINAGE DETAILS
SCALE: 1:20		SHEET 4 of 5		
DRAWN BY: W. MARTIN		DATE: 18/02/21	SCALE: 1:20	PROJECT: WEST RYDE VILLAGE ROADWORKS - STAGE 2
CHECKED BY: A. MARCONE		DATE: 18/02/21	SCALE: 1:20	PROJECT: STORMWATER DRAINAGE DETAILS
SCALE: 1:20		SHEET 4 of 5		
DRAWN BY: W. MARTIN		DATE: 18/02/21	SCALE: 1:20	PROJECT: WEST RYDE VILLAGE ROADWORKS - STAGE 2
CHECKED BY: A. MARCONE		DATE: 18/02/21	SCALE: 1:20	PROJECT: STORMWATER DRAINAGE DETAILS
SCALE: 1:20		SHEET 4 of 5		
DRAWN BY: W. MARTIN		DATE: 18/02/21	SCALE: 1:20	PROJECT: WEST RYDE VILLAGE ROADWORKS - STAGE 2
CHECKED BY: A. MARCONE		DATE: 18/02/21	SCALE: 1:20	PROJECT: STORMWATER DRAINAGE DETAILS
SCALE: 1:20		SHEET 4 of 5		

DRAWN BY: W. MARTIN		DATE: 18/02/21	PROJECT: WEST RYDE VILLAGE ROADWORKS - STAGE 2	
CHECKED BY: A. MARCONE		DATE: 18/02/21	PROJECT: STORMWATER DRAINAGE DETAILS	
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CHECKED BY: A. MARCONE		DATE: 18/02/21	SCALE: 1:20	PROJECT: STORMWATER DRAINAGE DETAILS
SCALE: 1:20		SHEET 4 of 5		

BALFORM CONSTRUCTIONS PTY LTD
 1/100 BALFORM DRIVE, BALFORM HILLS NSW 2156
 AUSTRALIA
 TEL: (02) 8377 8000
 FAX: (02) 8377 8001
 WWW.BALFORM.COM.AU

NO.	REV.	DATE	DESCRIPTION

**WEST RYDE VILLAGE ROADWORKS
 PROPERTY
 FOR COLLECTOR PIT
 AND CITY OF RYDE**

APPROVED FOR CONSTRUCTION