

Council Meeting**AGENDA NO. 12/11**

Meeting Date: Tuesday 9 August 2011
Location: Council Chambers, Level 6
Time: 7.30pm

Note: *This meeting will be recorded on audio tape for minute-taking purposes as authorised by the Local Government Act 1993.*

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1 CONFIRMATION OF MINUTES - Council Meeting held on 2 August 2011**File No.:** GRP/11/5/4/6 - BP11/146

In accordance with Clause 3.4.4 of Council's Code of Meeting Practice, a motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

RECOMMENDATION:

That the Minutes of the Council Meeting 11/11, held on Tuesday 2 August 2011, be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 2 August 2011 - CIRCULATED UNDER SEPARATE COVER

2 UPGRADE OF PITTWATER ROAD (HIGH STREET TO EPPING ROAD) - Review of Environmental Factors and Community Consultation

Report prepared by: Section Manager - Projects Delivery

Report dated: 26/07/2011

File No.: GRP/11/3/6/3 - BP11/510

Report Summary

The City of Ryde has been gradually upgrading Pittwater Road through a shared funding arrangement between Council and the NSW Roads and Traffic Authority (RTA). In 2010 there were community concerns about the next stage of proposed upgrade works between Carramar Avenue and Coxs Road, which led Council to seek an integrated approach to the proposed work along the length of Pittwater Road between Epping Road and High Street.

GHD Pty Ltd (GHD) was commissioned by Council to design and implement a community engagement program that consolidated the community consultation process into one project. Following feedback from the community and stakeholders a number of amendments have been made to the Concept Design.

Cardno and Eco Logical Australia were commissioned by Council to undertake an environmental assessment of the proposed road upgrade works which include the construction of a Shared User Path (SUP). As part of the Environmental Assessment they investigated five potential options for the proposed road upgrade works.

The preferred design option would provide a road upgrade and a Shared User Path along the section of Pittwater Road between Epping Road and High Street. In accordance with the consultants findings, Council's proposed 2011 concept design was assessed to be the preferred option. This option is expected to provide the most suitable outcome for stakeholders whilst keeping negative environmental and social impacts to a relative minimum.

This report seeks to formally adopt the Concept Plan prepared by Council and the Draft Review of Environmental Factors prepared by Cardno, to be placed on exhibition for a period of twenty one (21) days for public comment, following which a further report will be prepared and submitted to Council at its meeting to be held on 27 September 2011.

RECOMMENDATION:

- (a) That Council endorse the Concept Plan prepared by Council and Draft Review of Environmental Factors prepared by Cardno, to be placed on exhibition for public comment for a period of twenty one (21) days.
- (b) That, following public exhibition, a further report be prepared and submitted to Council for its meeting to be held on 27 September 2011.

ATTACHMENTS

- 1** Review of Environmental Factors - Pittwater Road - CIRCULATED UNDER SEPARATE COVER (in 2 parts)

ITEM 2 (continued)

Report Prepared By:

Sri Sriandarajah
Section Manager - Projects Delivery

Report Approved By:

Terry Dodds
Group Manager - Public Works

ITEM 2 (continued)**Background**

Council has allocated, as part of the 2010-2014 Management Plan, significant funds (\$2.5M) for the reconstruction of Pittwater Road between Coxs Road and High Street over the next four years. The proposed works include the widening of the road carriageway in sections to accommodate two vehicle carriageway lanes, safety clearance zones and a new cycleway.

Council at its meeting on 27 July 2010 resolved as follows;

- (a) *That Council notes Section 137 (Roads Act) Approval provided by Hunter's Hill Council of the proposed roundabout in Pittwater Road/Buffalo Reserve/Field of Mars (covering the eastern half within the Hunter's Hill Council LGA).*
- (b) *That Council as the road authority (within the City of Ryde LGA) approves the construction of the roundabout at Pittwater Road/Field of Mars/Buffalo Creek Reserve under Section 138 of the Roads Act for immediate construction.*
- (c) *That Council approves further development of the design of Pittwater Road from Carramar Avenue to High Street (excluding the roundabout in (b) above) to fully consider the cumulative environmental effects of all stages, consolidate the community consultation process to one project and to consider suggestions and comments made to date from environmental groups.*

GHD Pty Ltd (GHD) was commissioned by Council to design and implement a community engagement program that would consolidate the community consultation process into one project. Key objectives of the Community and Stakeholder Engagement Strategy implemented by GHD were to:

- Ensure that a diverse range of the local community and stakeholders are informed about the project and given the opportunity to provide feedback.
- Provide stakeholders with an opportunity to ask questions and to identify areas of concern with respect to the project.
- Ensure that all concerns and issues raised by the community and stakeholders are considered in the development of the Review of Environmental Factors.
- Implement a planned approach to community and stakeholder communications.
- Effectively and proactively identify and manage local issues.

Community consultation activities undertaken during the finalisation of the concept design and draft environmental assessment included the following:

- Establishment of a project 1800 - number and email facility.
- Development of a contact and issues database.
- Delivery of community newsletter (500 issued) outlining the proposal and an upcoming workshop to local residents.
- Provision of information about the project on the City of Ryde's website.
- Promotion of an online community survey.
- Distribution of a letter to various stakeholders and government agencies.

ITEM 2 (continued)

- Meetings with Ryde Environment Group, Friends of Kittys Creek and the Ryde-Hunter's Hill Flora and Fauna Preservation Society.
- Telephone discussion with representatives from Bike North.
- Information about the project included in the City of Ryde's *City View* publication (which is included in an edition of The Northern District Times).
- Signage installed along Pittwater Road to advertise the project and consultation process.
- An interactive community workshop was held at North Ryde RSL on 2 June 2011 and the general community participation was good.

Issues raised by the community and stakeholders during the consultation process included:

- Traffic and road safety.
- Treatment of stormwater.
- The need for and location of the Shared User Path.
- Removal of trees and vegetation trimming.
- Landscape restoration.
- Cost of the project.
- Impacts on the saltmarsh / mangroves within Kitty's Creek and other water courses.

A report on the community and stakeholder engagement is provided in Appendix E of the "Review of Environmental Factors" (provided **UNDER SEPARATE COVER**).

Design changes were made to the Concept Plans in direct response to concerns raised by the community. The amendments included staggered breakdown lanes on Pittwater Road along the stretch between Carramar Road to Bronhill Avenue in order to avoid the removal of 2 mature street trees. The removal of trees was a significant concern to the community and was raised as an issue in the previous round of consultation that resulted in the project being delayed. An independent Arborist - Mackay Tree Management, was engaged by City of Ryde to assess the condition and significance of trees lining Pittwater Road that may be impacted by the proposed road works. The Arborist report is provided in Appendix F of the "Review of Environmental Factors" (provided **UNDER SEPARATE COVER**).

Report

Cardno and Eco Logical Australia were commissioned by Council to undertake an environmental assessment and a flora and fauna assessment, respectively, of the proposed road upgrade works which include the construction of a Shared User Path along 3.1km of Pittwater Road, extending from High Street, Gladesville to Epping Road, North Ryde.

ITEM 2 (continued)

As part of the Environmental Assessment they investigated five potential options for the proposed road upgrade works:

- Option 1 – Do nothing.
- Option 2 – Provide a road upgrade and a Shared User Path along the section of Pittwater Road between Epping Road and High Street in accordance with Council's proposed 2011 concept design.
- Option 3 – Provide a road upgrade and a Shared User Path with an alternative route (for example that submitted by the local community) to Council's proposed concept design.
- Option 4 – Provide a road upgrade and a Shared User Path on the eastern side of Pittwater road between Epping Road and High Street.
- Option 5 – Provide a road upgrade with an on-road cycling path and retaining the existing pedestrian path along the section of Pittwater Road between Epping Road and High Street.

Following an assessment of each of the options it was determined that Options 1 and 5 would not meet the objectives of the *Draft Four Year Delivery Plan 2011-2015*, *Draft Ryde 2021 Community Strategic Plan* and the *City of Connections* scheme. These options would not meet community demand for a Shared User Path and would deprive cyclist and pedestrian stakeholders of the transportation, health, recreation and safety benefits of a Shared User Path. Consequently Options 1 and 5 were not considered any further. In accordance with Council's delegation to maintain its road infrastructure, Option 1 was also discounted.

Option 3, was not considered to be a viable solution by the Council design team, primarily because they would lead to additional, and potentially greater environmental impacts than under Option 2. In addition, Option 3 did not allow for the seamless integration with bicycle networks in adjoining Council areas in order to ensure sufficient regional and local connectivity.

The majority of the eastern side of Pittwater Road is adjacent to Lane Cove National Park. The environmental impact of constructing the cycleway on this eastern side was considered more extreme than other options. Option 4 was not assessed any further.

Option 2 is the preferred alternative because it is expected to provide the most suitable outcome for stakeholders whilst keeping negative environmental and social impacts to a relative minimum. The widening of Pittwater Road and upgrade to the kerbs and gutters will allow for improved safety for motorists, cyclists and pedestrians as well as controlling drainage and water quality by the introduction of a Gross Pollutant Trap.

ITEM 2 (continued)

The proposed Shared User Path will fulfil the Council's obligations under the Draft *Four Year Delivery Plan 2011-2015* and Draft *Ryde 2021 Community Strategic Plan* and the *Ryde Bicycle Strategy and Masterplan* by providing better access and connection to, from and within the City of Ryde for its residents, visitors and workers. In addition, Option 2 would meet community demand for a Shared User Path and would provide cyclist and pedestrian stakeholders with the transportation, health, recreation and safety benefits of a Shared User Path.

In accordance with Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) Cardno have prepared a Review of Environmental Factors that has identified potential environmental impacts and mitigation measures to manage any negative impacts associated with the proposed upgrade works. The report concludes that the preferred option for the Pittwater Road upgrade would have no significant environmental impacts subject to the recommended mitigation methods as set out in the "Review of Environmental Factors" (provided **UNDER SEPARATE COVER**).

Consultation

External stakeholder consultation included:

- Hunters Hill Council
- Office of Environment and Heritage (OED)
- Department of Planning and Infrastructure (DoPI)
- Heritage Branch of DoPI
- Department of Primary Industries (DPI) – Fisheries
- Metropolitan Local Aboriginal Land Council (MLALC)
- National Parks and Wildlife Service (NPWS)
- Sydney Metropolitan Catchment Management Authority (SMCMA)
- Local residents and the Ryde Community

A summary of the responses received from stakeholders is provided in Appendix C of the "Review of Environmental Factors" (provided **UNDER SEPARATE COVER**).

Community consultation

As discussed above a Community and Stakeholder Engagement Strategy was designed and implemented by GHD. A report on the consultation undertaken is provided in Appendix E of the "Review of Environmental Factors" (provided **UNDER SEPARATE COVER**).

Critical Dates

There are no critical dates or deadlines to be met.

Financial Impact

The City of Ryde 2010/11 Capital Works Program includes a budget allocation of \$947,000 to extend the upgrade works further south from Carramar Avenue to Bronhill Avenue and to also take into consideration provision for pedestrians, cyclists, water quality Improvements and landscaping. The budget also includes carry over funds (\$320,000) from the previous financial year 2009/10. The balance portion of work will be carried out in the subsequent financial years as funding is allocated under its four year management plan.

ITEM 2 (continued)**Policy Implications**

There are no policy implications through adoption of the recommendations.

Other Options

Five options for the proposed upgrade were considered as part of the Review of Environmental Factors. An environmental assessment was conducted on the preferred option (Option 2) as detailed in the "Review of Environmental Factors" (provided **UNDER SEPARATE COVER**).

Conclusion

The preferred option would provide a road upgrade and a Shared User Path along the section of Pittwater Road between Epping Road and High Street in accordance with Council's proposed 2011 concept design. This option is expected to provide the most suitable outcome for stakeholders whilst keeping negative environmental and social impacts to a relative minimum.

In accordance with Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) Cardno Pty Ltd have prepared a Review of Environmental Factors that has identified potential environmental impacts and mitigation measures to manage any negative impacts associated with the proposed upgrade works. The report concludes that the preferred option for the Pittwater Road upgrade would have no significant environmental impacts subject to the recommended mitigation methods being implemented [refer to the "Review of Environmental Factors" (provided **UNDER SEPARATE COVER**)].

NOTICES OF MOTION

- 1 INTERNATIONAL DAY OF PEOPLE WITH DISABILITY - Councillor Terry Perram**

File Number: CLM/11/1/5/6 - BP11/518

MOTION:

That the General Manager report to Council on the possibility of Council partnering Side by Side Advocacy in its plan to host a function to celebrate International Day of People with Disability at Brush Farm House on 2 December 2011.

- 2 PLANTING A REPLACEMENT TREE OR SHRUB ON A NATURE STRIP OR PUBLIC PARKLAND - Councillor Terry Perram**

File Number: CLM/11/1/5/6 - BP11/519

MOTION:

That whenever Council removes a tree from a nature strip or from public parkland, a suitable replacement tree or shrub be planted in the same or nearby location, if practicable.

- 3 DEPARTMENT OF PLANNING'S REJECTION OF COUNCIL'S REQUEST FOR CHARACTER AREAS IN RYDE TO BE EXEMPTED FROM SEPP (Exempt and Complying Development Codes) 2008 - Councillor Terry Perram**

File Number: CLM/11/1/5/6 - BP11/521

MOTION:

That Council seek the support of the member for Ryde, Mr Victor Dominello, to request the Minister for Planning to reconsider the Department of Planning's rejection of Council's request for character areas in Ryde, such as the Denistone Character Area, to be exempted from SEPP (Exempt and Complying Development Codes) 2008.

CONFIDENTIAL ITEMS

1 QUESTIONS WITH NOTICE – Councillor Jeff Salvestro-Martin

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND (d) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

File Number.: CLM/11/1/5/10 - BP11/509

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3 RESULTS OF COUNCIL REQUESTED INVESTIGATIONS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (f) details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property; AND (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

Report prepared by: Manager - Governance; Manager - Health and Building

Report dated: 29/07/2011

File No.: GRP/11/5/4/6 - BP11/520

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