

Meeting Date: Tuesday 10 April 2012
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
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 27 March 2012

Report prepared by: Meeting Support Coordinator**Report dated:** 8/03/2012**File No.:** GRP/12/5/5/5 - BP12/247

REPORT SUMMARY

In accordance with 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 4/12, held on 27 March 2012 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 27 March 2012

ITEM 1 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 4/12**

Meeting Date: Tuesday 27 March 2012

Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde

Time: 7.30pm

Councillors Present: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

Councillor Salvestro-Martin arrived at the meeting at 7.34pm following the offering of the prayer.

Councillor Butterworth arrived at the meeting at 7.35pm following the offering of the prayer.

Apologies: Nil.

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Chief Financial Officer, Service Unit Manager – Open Space, Service Unit Manager – Community and Culture, Open Space Planner, Media & Community Relations Officer and Meeting Support Coordinator.

PRAYER

Reverend Richard Quadrio of the Macquarie Chapel Presbyterian Church was present and offered prayer prior to the commencement of the meeting.

Note: Councillor Salvestro-Martin arrived at 7.34pm following the offering of the prayer.

Note: Councillor Butterworth arrived at 7.35pm following the offering of the prayer.

DISCLOSURES OF INTEREST

Councillor Maggio disclosed a less than significant non-pecuniary interest in Item 8 of Council Meeting 4/12 – Community Grants Program – Allocation of Funding 2011-2012, for the reason that he is involved in and also and a supporter of some of these organisations receiving grants.

Councillor Yedelian OAM disclosed a less than significant non-pecuniary interest in Item 8 of Council Meeting 4/12 – Community Grants Program – Allocation of Funding 2011-2012, for the reason that he is a member of the State Emergency Service and Ryde Multicultural Centre Inc.

ITEM 1 (continued)

ATTACHMENT 1

Councillor Tagg disclosed a significant non-pecuniary interest in Item 7 of Council Meeting 4/12 – Max Potential – Mentoring Program for Young People, for the reason that he is a Director of Rydex.

Councillor Campbell disclosed a less than significant non-pecuniary interest in Mayoral Minute 1/12 of Council Meeting 4/12 – ALGWA Request for Financial Support to Flood Affected Areas, for the reason that she is a member of the ALGWA Executive Committee.

Councillor O'Donnell disclosed a less than significant non-pecuniary interest in Mayoral Minute 1/12 of Council Meeting 4/12 – ALGWA Request for Financial Support to Flood Affected Areas, for the reason that she is a member of NSW ALGWA.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

That Council suspend standing orders to enable a petition opposing the rezoning or sale of the playing fields at 3A Smalls Road, Ryde to be tabled, the time being 7.36pm.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – IVANHOE ESTATE

Councillor Yedelian OAM declared his intention to move a Matter of Urgency for Council to consider regarding Ivanhoe Estate.

The Chairperson ruled that the matters raised in the Motion were not of great urgency and therefore would not be considered at this meeting, however speakers who had registered to address Council in relation to this matter would be permitted to address the meeting.

Councillor Yedelian OAM declared his intention to lodge a Notice of Motion for the next Council Meeting to be held on 10 April 2012.

PUBLIC PARTICIPATION

RESOLUTION: (Moved by Councillors Yedelian OAM and Petch)

That all speakers registered for Public Participation on Items Listed on the Agenda and Public Participation on Items Not Listed on the Agenda be allowed to address the meeting, the time being 7.37pm.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

RESUMPTION ON STANDING ORDERS

RESOLUTION: (Moved by Councillors Yedelian and Pickering)

That Standing Orders be resumed, the time being 7.38pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

No.	Name	Topic
1	Mr Tony Abboud	NOTICE OF RESCISSION 2 – Draft Ryde Development Control Plan 2010 – Part 4.4 Ryde Town Centre – Submissions
2	Mr John Stevens (representing Future Achievement Australia Foundation)	ITEM 7 – Max Potential – Mentoring Program for Young People
3	Mr Bradley Browne (representing Club Rydex)	ITEM 7 – Max Potential – Mentoring Program for Young People
4	Mr Barry Barton	ITEM 4 – Integrated Open Space Plan
5	Mr Michael Pont	NOTICE OF RESCISSION 2 – Draft Ryde Development Control Plan 2010 – Part 4.4 Ryde Town Centre – Submissions

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Ms Victoria Newstead (representing Ivanhoe Estate)	Taskforce representation on Ivanhoe Estate
Ms Camile Livingstone-Newstead	Ivanhoe Estate from a youths perspective

PUBLIC PARTICIPATION – ADDITIONAL SPEAKERS

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

That additional speakers be allowed to address the meeting, the time being 8.08pm.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

No.	Name	Topic
6	Ms Judy Watt (representing Eastwood Ryde Netball Association)	NOTICE OF RESCISSION 1 – Best Value Review – Sportsground Allocation and Management

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Mr Nicholas Laletin (representing the Ivanhoe Estate Tenant Group)	Ivanhoe Estate

MAYORAL MINUTES

MM1/12 ALGWA REQUEST FOR FINANCIAL SUPPORT TO FLOOD AFFECTED AREAS

Note: Councillor Campbell disclosed a less than significant non-pecuniary interest in this Mayoral Minute for the reason that she is a member of the ALGWA Executive Committee.

Note: Councillor O'Donnell disclosed a less than significant non-pecuniary interest in this Mayoral Minute for the reason that she is a member of NSW ALGWA.

Note: Councillor Salvestro-Martin left the meeting at 8.27pm and was not present for voting on this Item.

RESOLUTION: (Moved by The Mayor, Councillor Etmekdjian and Councillor O'Donnell)

- (a) That Council approve that a donation be made to ALGWA's flood appeal.
- (b) That the amount to be determined by Council will be raised through the Mayor undertaking an appropriate fundraising event.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Salvestro-Martin returned to the meeting at 8.30pm.

ITEM 1 (continued)

ATTACHMENT 1

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 13 March 2012

RESOLUTION: (Moved by Councillors Petch and Campbell)

That the Minutes of the Council Meeting 3/12, held on 13 March 2012 be confirmed subject to an explanation in the Minutes as detailed below, that explains the procedural ruling of the Chairperson relating to the second Motion of Dissent in determining if a matter was of great urgency.

Additional inclusion in Minutes, to read as follows:

MOTION OF DISSENT

MOTION: (Moved by Councillors Petch and Tagg)

That Council dissent from the Chairperson's ruling.

The Chairperson ruled the Motion out of order for the reason that the Chairperson had not ruled on a Point of Order, but had exercised her legitimate right to determine whether the matter was of great urgency. This determination cannot be challenged by a Motion of Dissent.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering and Yedelian OAM

Against the Motion: Councillors Salvestro-Martin and Tagg

2 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/12 held on 20 March 2012

RESOLUTION: (Moved by Councillors Maggio and Li)

That Council determine Items 3, 6 and 7 (m) of the Works and Community Committee report, noting that Items 1, 2, 4, 5 and 7 (a) to (l) were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillor O'Donnell

ITEM 1 (continued)

ATTACHMENT 1

RECOMMITTAL OF ITEM

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

That the Report of the Works and Community Committee Meeting 3/12 held on 20 March 2012 recommitted.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Maggio and Li)

That Council determine Items 3, 6 and 7 (m) of the Works and Community Committee report, noting that Items 1, 2, 4, 5 and 7 (a) to (l) were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 UPDATE ON THE ESTABLISHMENT OF MARKET/FAIR IN RYDE BY CHAMBER OF COMMERCE

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council endorse the proposal from Ryde Chamber of Commerce/Ryde Rotary Club to work with Council to conduct a market as part of the 2012 Community Christmas Celebration and the 2013 All the Colours of Ryde Festival. In determining the market stalls, Church Street retailers and organisations are encouraged to have a presence at the markets.
- (b) That Council provide Ryde Lower Oval at no charge to the Ryde Chamber of Commerce/Ryde Rotary Club for the conduct of a market as part of the 2012 Community Christmas Celebration and the 2013 All the Colours of Ryde Festival.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillor Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Salvestro-Martin and Tagg

ITEM 1 (continued)

ATTACHMENT 1

6 DEEBLE STREET - Submissions on Public Notification of Proposed Lease

RESOLUTION: (Moved by Councillors Maggio and Petch)

That this matter be deferred for one month to allow staff to liaise with the legal representative of the property owners and for a further report for the Committee's consideration.

Record of Voting:

For the Motion: Unanimous

7 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 2 February 2012

RESOLUTION: (Moved by Councillors Maggio and Petch)

- (m) That the Group Manager – Public Works conduct an audit of parking on Buffalo Road (between Cressy Road and Monash Road) and that this be reported to the next Ryde Local Traffic Committee and the Works and Community Committee.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin and Yedelian OAM

Against the Motion: Councillor Tagg

3 RYDE CIVIC PRECINCT REDEVELOPMENT TENDER DOCUMENTS

Note: Advice from The Honourable Barry O'Keefe AM QC was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Pickering and Campbell)

That part (b) of Council's resolution on Item 2 at the Council Meeting of 28 February 2012 be amended as follows:

That the Request For Tender documents be made available to Councillors and the public (subject to the ruling by the General Manager on any confidential matters which relate to Commercial in Confidence information being removed) on the day following the close of tenders on 10 April 2012 in accordance with advice from The Honourable Barry O'Keefe AM QC.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

4 INTEGRATED OPEN SPACE PLAN

Note: Mr Barry Barton addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That Council endorse the public exhibition of the draft Integrated Open Space Plan for a period of eight weeks.
- (b) Following the public exhibition process, a further report be submitted to Council on the feedback received during the process and any proposed changes to the Integrated Open Space Plan.
- (c) That Council acknowledge the commitment and contribution of the Integrated Open Space Plan Project Reference Group.
- (d) That action to remove safe and functioning playground equipment from parks without immediate replacement in the same park be suspended until the matter has been reported to the Works and Community Committee for consideration.

Record of Voting:

For the Motion: Unanimous

5 PROPOSED VOLUNTARY PLANNING AGREEMENT FOR A COMMERCIAL DEVELOPMENT AT LOT 12 DP 711380 - 22 Giffnock Avenue, Macquarie Park. LDA2011/644/002

RESOLUTION: (Moved by Councillors Petch and Pickering)

- (a) That Council enter into the Voluntary Planning Offer made by Goodman Property Services (Aust) Pty. Ltd. as part of the Development Application LDA2011/644 at 22 Giffnock Avenue , Macquarie Park for the demolition of an existing warehouse and timber shed and the construction of a seven storey commercial building with two level basement car park.
- (b) That the above be communicated to the Joint Regional Planning Panel at the time of determination of the application.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Tagg and Yedelian OAM

Against the Motion: Councillors Butterworth and Salvestro-Martin

ITEM 1 (continued)

ATTACHMENT 1

6 NORTHERN SIDE OF WATERLOO ROAD, MACQUARIE PARK - Request for Quotation RFQ-05/12 - Waterloo Road Shared Path Project

Note: Councillor Butterworth left the meeting at 9.51pm and did not vote on this Item.

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

- (a) That Council endorse the Tender Assessment Panel's recommendation as circulated for the Respondents – Waterloo Road Shared Path Project.
- (b) That the accepted Respondent provide details of the required insurance (i.e. Public Liability and Workers Compensation), and other conforming documents for approval within fourteen (14) days from the date of the acceptance of the Tender.
- (c) That all Respondents be advised of the Council decision.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Tagg and Yedelian OAM

Against the Motion: Councillor Salvestro-Martin

7 MAX POTENTIAL - MENTORING PROGRAM FOR YOUNG PEOPLE

Note: Councillor Tagg disclosed a significant non-pecuniary interest in this Item for the reason that he is a Director of Rydex.

Note: Mr Bradley Browne (representing Club Rydex) and Mr John Stevens (representing Future Achievement Australia Foundation) addressed the meeting in relation to this Item.

Note: A letter regarding Club 6 Max Potential Program was tabled by Mr Bradley Browne in relation to this Item and a copy is ON FILE.

Note: Councillor Butterworth was not present for consideration or voting on this Item.

Note: Councillor Tagg left the meeting at 9.52pm and did not vote on this Item.

RESOLUTION: (Moved by Councillors Petch and Maggio)

- (a) That Council provide the opportunity for two Service Unit Managers to become mentors in the 2012 Max Potential Program
- (b) That Council endorse allocation of \$3,600 from the existing 2011-2012 staff training budget to fund the mentor participation fee.

ITEM 1 (continued)

ATTACHMENT 1

- (c) That the Max Potential Mentoring Program be presented to the Ryde Youth Council

Record of Voting:

For the Motion: Unanimous

Note: Councillor Tagg returned to the meeting at 9.54pm.

Note: Councillor Butterworth returned to the meeting at 9.55pm.

8 COMMUNITY GRANTS PROGRAM- Allocation of Funding 2011-2012

Note: Councillor Maggio disclosed a less than significant non-pecuniary interest in this Item for the reason that he is involved in and also and a supporter of some of these organisations receiving grants.

Note: Councillor Yedelian OAM disclosed a less than significant non-pecuniary interest in this Item for the reason that he is a member of the State Emergency Service and Ryde Multicultural Centre Inc.

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

1. That Council endorse the allocation of the 2011-2012 City of Ryde Sport Grant Category as follows:

Organisation and Project	Funding
Eastwood Croquet Club - Celebration of Seniors Week	\$3,500
Eastwood Ryde Netball Association- <i>Net Set Go</i>	\$3,500
Ryde Hunters Hill Cricket Club - Saying Yes to our Youth, our Volunteers & Diversity	\$3,500
Ryde Water Polo Inc- Coach Course & Officiating (referee) training & education	\$ 400
YMCA of Sydney- Ryde Community Sports Centre: Table Tennis Skill	\$3,500

2. That Council endorse the allocation of the 2011-2012 City of Ryde Cultural Grant Category as follows:

Organisation and Project	Funding
Eastwood Chinese Senior Citizens Club - Ryde Lunar Moon Festival Celebration	\$ 500
Giant Steps Sydney - The Giant Steps Family and Friends Festival and Art Show	\$ 500
Ryde Eastwood District Music Club - Young Musicmakers Concert	\$ 500
Sydney Korean Women's Association- Keep Korean Culture	\$ 500
Armenian Relief Society ARAZ Chapter - School holiday activities for children	\$1,000

ITEM 1 (continued)
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Chinese Leisure Learning Centre- Christian Community Aid- Out of Our Circle - reaching out to other cultural groups	\$1,000
Sydney Korean Culture & Language School - Singing From the Heart	\$1,000
Joubert Singers- In Harmony Festival 2013 -Telling Local Stories	\$3,000
Over The Back Fence - community storytelling	\$3,250
Putney & District Progress Association - A Pictorial History of Putney in E-Book Format	\$3,250
Autism Spectrum Australia (Aspect) - Ryde "Expressions" Art Works	\$3,500
Cornucopia Art Group -The Art Shed at Cornucopia'	\$3,500
Ryde Family Support Services - Art Course for None English Speaking Background Clients	\$3,500

3. That Council endorse the allocation of the 2011-12 City of Ryde Community Grant Category as follows:

Organisation and Project	Funding
Eastwood Chinese Seniors Citizens Club - Ryde Seniors Week Chinese Opera Singing Concert	\$ 500
Italian Women's Group Marsfield - Health Promotion Initiatives	\$ 500
Ryde Multicultural Centre Inc - Marque for outdoor activities	\$ 500
State Emergency Services NSW – Ryde Community Education	\$ 500
Side by Side Advocacy - Celebrating International Day for People with Disability Cocktail Party 2012	\$ 750
Reach Community Initiatives - Resourceful Adolescent Program (RAP)	\$1,280
Italian Leisure Group	\$1,500
St George Preschool - Refurbishment of Multicultural Learning Space	\$1,500
Alzheimer's Australia NSW - The Mobile Community Resource Unit (The Memory Van)	\$2,000
Australia Confucius Learning Centre - Study Confucius and Live in Harmony	\$2,000
Italo - Australian Senior Citizens Group	\$2,000
Mums@Ryde - Mums@Ryde Library	\$2,000
No 47 Community Home - Salvation Army Ryde - Youth Diversion Therapy	\$2,000
Sydney Korean Culture & Language School - Good Foundations	\$2,000
The Senior Agenda Inc - "Healthy Life Choices for Seniors" Seminars	\$1,000
North Ryde Rotary Inc - Gardening for Health & Happiness	\$2,500
Reach Community Initiatives - From One Woman to Another	\$2,675
Lifestart Cooperative- Early Childhood Intervention Program - Soccerjoeys	\$2,700
Ivanhoe Estate Tenant Group - Ivanhoe Estate Tenant Group Garden project	\$3,000
Ryde Community Hub (Good Beginnings Australia) - Bi Lingual Family Library	\$1,000

ITEM 1 (continued)
ATTACHMENT 1

St. Andrews SocioReligious Justice, Harmony of FITA Inc Keeping RYDE Community in Harmony and Clean and Green - through "Clean Up Together"	\$3,000
State Emergency Services NSW - Ryde Lifelong Learning Project	\$3,000
Ryde City & Districts sub-branch Vietnam Veterans of Australia - Ryde Veteran Community Centre	\$3,250
Australian Korean Welfare Association - Experiencing Different Food Cultures	\$3,270
Armenian Senior Citizens Group - Armenian Senior Citizens Celebrations	\$3,500
Armenian Relief Society ARAZ Chapter - Senior's Pamper Day	\$3,500
Australia Han In Sae Myung Line Inc - Getting It Right Korean Lifeline	\$3,500
Australian Korean Welfare Association - Cooking up a multicultural storm	\$3,500
Giant Steps Sydney - Cycling Program for young people with autism.	\$3,500
Heart Foundation of Aust Inc - Go Red for Women (of Chinese origin) in Ryde	\$3,500
MARS Inc (Macquarie Area Rehabilitation Specialties) - "Lets Get Physical"	\$3,500
Meadowbank Chinese Neighbourhood Centre - Building and managing core group of volunteers	\$3,500
No 47 Community Home - Salvation Army Ryde- Café 47	\$3,500
No 47 Community Home - Salvation Army Ryde- Sports Outreach	\$3,500
Ryde Hunters Hill Community Transport - Servicing CALD Clients	\$3,500
Ryde Multicultural Centre Inc - Ryde Multicultural Seniors in Action	\$3,500
Side by Side Advocacy - Citizen Advocacy information project for major Asian CALD groups in City of Ryde	\$3,500
Sydney Korean Women's Association - Help Hands'	\$3,500
Young Life Australia - Ryde Office - Cultural Youth Engagement Festival	\$3,500

4. That the successful and unsuccessful grant applicants be informed in writing of the outcome of their applications.

Record of Voting:

For the Motion: Unanimous

9 REVIEW OF TOP RYDER COMMUNITY BUS SERVICE

RESOLUTION: (Moved by Councillors Yedelian OAM and Petch)

- (a) That any extension or expansion of the Top Ryder Community Bus Service to include a Sunday timetable and or a connection to Marsfield and Macquarie University not be approved at this time.
- (b) That Council write to the Ministry of Transport outlining the inadequate public transport services that exist for East Ryde residents between Gladesville and Macquarie Park and strongly recommending that improved services be provided for the benefit of the local community.

ITEM 1 (continued)

ATTACHMENT 1

- (c) That in the next 12 months, Council actively seek sponsorship to expand the service to include Marsfield, Eastwood, East Ryde and Macquarie Park.
- (d) That Council investigate the option of funding a new bus service through Voluntary Planning Agreements.

Record of Voting:

For the Motion: Unanimous

10 INVESTMENT REPORT - February 2012

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

That Council endorse the report of the Chief Financial Officer dated 5 March 2012 on Investment Report – February 2012.

Record of Voting:

For the Motion: Unanimous

11 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - 17 to 20 June 2012

RESOLUTION: (Moved by Councillors Petch and Maggio)

- (a) That Council confirm the attendance of the Mayor to attend the National General Assembly of Local Government held in Canberra from Sunday, 17 June to Wednesday, 20 June 2012.
- (b) That a further report be provided to Council on 10 April 2012 for the consideration of proposed motions to the National General Assembly.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Tagg and Yedelian OAM

Against the Motion: Councillors Butterworth and Salvestro-Martin

12 LOCAL GOVERNMENT MANAGERS AUSTRALIA NATIONAL CONGRESS & BUSINESS EXPO - Perth - 20 to 23 May 2012

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council confirm the attendance of the Mayor and the General Manager (or delegate) to attend the 2012 Local Government Managers Australian National Congress and Business Expo to be held in Perth from 20 to 23 May 2012.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Li, Maggio, O'Donnell, Petch, Pickering, Tagg and Yedelian OAM

Against the Motion: Councillors Butterworth, Perram and Salvestro-Martin

13 REPORTS DUE TO COUNCIL

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian OAM)

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

LATE ITEM

15 CIVIC PRECINCT COMMITTEE MEETING

RESOLUTION: (Moved by Councillors Petch and Yedelian OAM)

- (a) That the Civic Precinct Committee Meeting scheduled for Tuesday, 3 April 2012 be deferred to Tuesday, 1 May 2012.
- (b) That the following Civic Precinct Meeting be held on Wednesday, 6 June 2012.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Li, Maggio, O'Donnell, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillors Butterworth and Perram

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 STATE PROPERTY AUTHORITY - 3A AND 3B SMALLS ROAD, RYDE

Note: A Petition opposing the rezoning or sale of playing fields at 3A Smalls Road, Ryde was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Tagg and Petch)

- (a) That the correspondence be received.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That Council seek a meeting with the Premier with a view of having the open space in Smalls Road, Ryde transferred to the City of Ryde at no cost.
- (c) That the submission tabled at the Council Meeting on 27 March 2012 be included in the submission together with Council's Integrated Open Space Plan be forwarded to the Local State Members to make representations to the Minister for Education, The Honourable Adrian Piccoli MP.
- (d) That Council seek a meeting with the Premier with a view to discussing other open space issues in the City of Ryde as detailed in the Integrated Open Space Plan.
- (e) That the issue regarding the need for more open space as indicated in Council's Integrated Open Space Plan is raised in the upcoming NSW 2021 discussions with NSROC Councils.
- (f) That should all approaches fail that Council investigate the possibility of purchasing the open space in Smalls Road, Ryde.

Record of Voting:

For the Motion: Unanimous

COMPLETION OF BUSINESS

RESOLUTION: (Moved by Councillors Petch and Maggio)

That the meeting time be extended to allow completion of all remaining items on the Agenda, the time being 11.03pm.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Li, Maggio, O'Donnell, Petch, Perram and Pickering

Against the Motion: Councillors Butterworth, Salvestro-Martin, Tagg and Yedelian
OAM

NOTICES OF MOTION

1 RESCISSION MOTIONS LISTED IN THE COUNCILLORS INFORMATION BULLETIN - Councillor Terry Perram

MOTION: (Moved by Councillors Perram and Petch)

That in the interests of full transparency, the Councillors' Information Bulletin list any Rescission Motion received by Council staff that has not been subsequently withdrawn or dealt with at a Council Meeting, providing the following information:

ITEM 1 (continued)

ATTACHMENT 1

- (a) details of the original resolution proposed to be rescinded;
- (b) the date and time of receipt of the Rescission Motion;
- (c) the names of the signatories of the Rescission Motion; and
- (d) the status of any staff action that is affected or potentially affected by the Rescission Motion.

AMENDMENT: (Moved by Councillors Pickering and Campbell)

That in the interests of full transparency, the Councillors' Information Bulletin list any Rescission Motion received by Council staff that has not been subsequently withdrawn or dealt with at a Council Meeting, providing the following information:

- (a) details of the original resolution proposed to be rescinded;
- (b) the date and time of receipt of the Rescission Motion;
- (c) the names of the signatories of the Rescission Motion; and
- (d) the status of any staff action that is affected or potentially affected by the Rescission Motion.
- (e) the names of Councillors submitting a Rescission Motion who fail to attend Council meetings and prevent a Quorum being present.

On being put to the Meeting, the voting on the Amendment was five (5) For and seven (7) Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell and Pickering. – Amendment lost

Against the Amendment: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin, Tagg and Yedelian OAM

RESOLUTION: (Moved by Councillors Perram and Petch)

That in the interests of full transparency, the Councillors' Information Bulletin list any Rescission Motion received by Council staff that has not been subsequently withdrawn or dealt with at a Council Meeting, providing the following information:

- (a) details of the original resolution proposed to be rescinded;
- (b) the date and time of receipt of the Rescission Motion;

ITEM 1 (continued)

ATTACHMENT 1

- (c) the names of the signatories of the Rescission Motion; and
- (d) the status of any staff action that is affected or potentially affected by the Rescission Motion.

Record of Voting:

For the Motion: Councillors Butterworth, Campbell, Li, Petch, Perram, Salvestro-Martin and Tagg

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Maggio, O'Donnell Pickering and Yedelian OAM

2 CONCEPT DESIGN REPORT FOR THE PROPOSED CIVIC PRECINCT REDEVELOPMENT - Councillor Terry Perram

RESOLUTION: (Moved by Councillors Perram and Petch)

That in respect of the concept design report for the proposed Civic Precinct Redevelopment, received by Council in July 2011, the General Manager be hereby requested to explain in writing to Council the reasons:

- (a) for not reporting the document to Council and seeking a resolution of endorsement or otherwise for the concept design;
- (b) for not making the concept design report available to the public;
- (c) for not at the time providing copies of the concept design report to Councillors;
- (d) for not at the time revealing to Councillors the existence of the concept design report,

noting that the report was not used as a supporting document in an expression of interest process where confidentiality might be claimed until several months after it had been received.

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote Against the Motion. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin and Tagg

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

ITEM 1 (continued)

ATTACHMENT 1

NOTICES OF RESCISSION

1 NOTICE OF RESCISSION - BEST VALUE REVIEW - SPORTSGROUND ALLOCATION AND MANAGEMENT - Councillor Ivan Petch, Councillor Victor Tagg, Councillor Jeff Salvestro-Martin, Councillor Terry Perram, Councillor Justin Li

Note: Ms Judy Watt (representing Eastwood Ryde Netball Association) addressed the meeting in relation to this Item.

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

That Council rescind the previous resolution in relation to ITEM 18 – BEST VALUE REVIEW – SPORTSGROUND ALLOCATION AND MANAGEMENT, passed at the Council Meeting of 28 February 2012, namely:

- (a) *That Council authorise the release of the Best Value Review – Sportsground Allocation and Management for community comment including distribution to the sporting clubs of the City of Ryde.*
- (b) *That following community comment a report be prepared from the Sports and Recreation Advisory Committee that includes a detailed action plan for the implementation of the Best Value Review recommendations.*
- (c) *That Council endorse the increase in fees and charges of 21% above the IPART determination for inclusion in the draft fees and charges for Councils consideration in formulating the Operation Plan for 2012/13.*
- (d) *That Council endorse the increase in staffing to the Unit as detailed in this report, to be funded by savings and increased income to Council from the leasing and hire of sports facilities.*
- (e) *That Council endorse the year one implementation plan (to June 2012) of:*
 - (A) *The recruitment of vacant positions.*
 - (B) *The development of a Pricing and Equity Policy.*
 - (C) *A detailed review of the Fees and Charges including categories and charging structure.*
 - (D) *Open Space undertake the development of Service Level Agreements between Open Space and Public Works to define the maintenance requirements of the fields, informed by the hierarchy provided in the Integrated Open Space Plan.*

ITEM 1 (continued)

ATTACHMENT 1

- (f) *That Council nominate the commencement of the Summer 2012 season as the commencement of the changes in procedure nominated in the Best Value Review and that a detailed information session be held with clubs and associations ahead of the commencement of season to ensure the community is informed.*

- (g) *That the survey conducted as part of this review be repeated in March 2013 to benchmark Councils efforts in improving their service to the community and the sports sector.*

Record of Voting:

For the Motion: Unanimous

The Rescission Motion was **CARRIED**. The matter was then **AT LARGE**.

RESOLUTION: (Moved by Councillors Petch and Maggio)

- (a) That Council authorise the release of the Best Value Review – Sportsground Allocation and Management for community comment including distribution to the sporting clubs of the City of Ryde.

- (b) That following community comment a report be prepared from the Sports and Recreation Advisory Committee that includes a detailed action plan for the implementation of the Best Value Review recommendations.

- (c) That Council endorse the year one implementation plan (to June 2012) of:
 - (A) The recruitment of vacant positions.

 - (B) The development of a Pricing and Equity Policy.

 - (C) A detailed review of the Fees and Charges including categories and charging structure.

 - (D) Open Space undertake the development of Service Level Agreements between Open Space and Public Works to define the maintenance requirements of the fields, informed by the hierarchy provided in the Integrated Open Space Plan.

- (d) That Council nominate the commencement of the Summer 2012 season as the commencement of the changes in procedure nominated in the Best Value Review and that a detailed information session be held with clubs and associations ahead of the commencement of season to ensure the community is informed.

- (e) That the survey conducted as part of this review be repeated in March 2013 to benchmark Councils efforts in improving their service to the community and the sports sector.

ITEM 1 (continued)

ATTACHMENT 1

- (f) That Council fund and support the recommendations for the implementation of the Best Value Review, subject to a comprehensive review of the season charges being undertaken in consultation with the sport clubs and associations with costed options for consideration and that all results of the review be brought back to Council. The options to include:-
- (i) No increase;
 - (ii) 7% increase for 3 years;
 - (iii) Any other options.

Record of Voting:

For the Motion: Unanimous

2 NOTICE OF RESCISSION - DRAFT RYDE DEVELOPMENT CONTROL PLAN 2010 - Part 4.4 Ryde Town Centre - Submissions - Councillor Ivan Petch, Councillor Jeff Salvestro-Martin, Councillor Terry Perram, Councillor Victor Tagg

Note: Mr Tony Abboud and Mr Michael Pont addressed the meeting in relation to this Item.

Note: This Notice of Rescission was formally WITHDRAWN by Councillor Victor Tagg, Councillor Ivan Petch, Councillor Jeff Salvestro-Martin. The further Rescission Motion submitted by Councillor Nicole Campbell, Councillor Sarkis Yedelian OAM and Councillor Roy Maggio was then considered by Council as detailed below in these Minutes.

2 NOTICE OF RESCISSION - DRAFT RYDE DEVELOPMENT CONTROL PLAN 2010 - Part 4.4 Ryde Town Centre - Submissions - Councillor Nicole Campbell, Councillor Sarkis Yedelian OAM and Councillor Roy Maggio

Note: Mr Tony Abboud and Mr Michael Pont addressed the meeting in relation to this Item.

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

That Council rescind the previous resolution in relation to ITEM 4 – DRAFT RYDE DEVELOPMENT CONTROL PLAN 2010 – Part 4.4 Ryde Town Centre - Submissions, passed at the Council Meeting of 13 March 2012, namely:

That council receive and note this report and take no further action.

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin and Tagg

The Rescission Motion was **CARRIED**. The matter was then **AT LARGE**.

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

- (a) That Council authorise that draft Development Control Plan Part 2010 – 4.4 Ryde Town Centre be amended as outlined in this report.
- (b) That Council adopts draft Development Control Plan 2010 – Part 4.4 Ryde Town Centre and that 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.

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin and Tagg

3 NOTICE OF RESCISSION - CIVIC PRECINCT PROJECT DOCUMENTATION - Councillor Nicole Campbell, Councillor Sarkis Yedelian OAM, Councillor Roy Maggio

RESOLUTION: (Moved by Councillors Campbell and Pickering)

That Council rescind the previous resolution in relation to NOTICE OF MOTION 2 – CIVIC PRECINCT PROJECT DOCUMENTATION, passed at the Council Meeting of 13 March 2012, namely:

- (a) *That in the interests of full transparency, the full EOI invitation documents (comprising Parts 1 and 2) formerly used in relation to the Civic Precinct Project in December 2011 be made available to all Councillors either on the Councillor portal of Council's website or by other suitable means.*
- (b) *That Council reaffirms its resolution from the meeting of 28 February 2012 that the tender documents for the Civic Precinct proposal be made available to all Councillors by close of business on Friday, 16 March 2012 and remain available for a period of six months.*

ITEM 1 (continued)

ATTACHMENT 1

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Petch, Perram, Salvestro-Martin and Tagg

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Ivan Petch, Councillor Victor Tagg, Councillor Jeff Salvestro-Martin, Councillor Michael Butterworth

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

That the following Questions with Notice and Answers be received and noted.

Record of Voting:

For the Motion: Unanimous

In relation to the proposal for the Ryde Civic Precinct Concept Plan, could the General Manager please explain:

Question 1: **What was the value of the works for the Hassell Ryde Civic Precinct Concept Plan dated July 2011?**

Answer 1: \$168,300

Question 2: **Was the process to get competitive quotes?**

Answer 2: Yes.

Question 3: **Did the Council approve the appointment?**

Answer 3: Yes.

Question 4: **Are Malcolm Harrild and Mitch Corn contractors?**

Answer 4: Yes.

Question 5: **If so do they have an exclusivity clause in their contract?**

Answer 5: No.

Question 6: **What is the value of their contracts?**

ITEM 1 (continued)

ATTACHMENT 1

Answer 6: Not a fixed amount and tendered on a hourly, daily and weekly rate.

Question 7: **What was the process to get competitive quotes?**

Answer 7: These appointments followed Council's normal procurement process and guidelines.

Question 8: **Did you get Council approval for these appointments?**

Answer 8: Yes.

Question 9: **Have they been reported to Council in the Annual Report?**

Answer 9: Yes, the contractor that exceeded \$150,000 was included in the 2010/11 Annual Report. All contracts that exceed \$150,000 are required to be reported in the Annual Report.

Question 10: **Did these contracts need to be approved by Council due to their value?**

Answer 10: Yes.

Question 11: **Would the General Manager please provide to Council a copy of these contracts?**

Answer 11: Yes, as a confidential item.

Question 12: **Have they delivered on the specified outcomes in the contract to date?**

Answer 12: Yes.

Question 13: **Who is the Principal and superintendent of these contracts?**

Answer 13: The General Manager.

Question 14: **How much money has been expended on this project since the General Manager was appointed – including staff costs and other Council in kind costs?**

Answer 14: As this question relates to the Ryde Civic Precinct Concept Plan, the cost incurred to date is as detailed in Question 1.

Question 15: **Could the General Manager please provide a detailed breakdown of the total expenditure on this project?**

Answer 15: Yes.

ITEM 1 (continued)

ATTACHMENT 1

Question 16: **Has this expenditure been authorised by Council? – Please provide documentation.**

Answer 16: Yes and I will provide the information through a Councillor Information Bulletin (CIB) item.

2 QUESTIONS WITH NOTICE - Councillor Jeff Salvestro-Martin, Councillor Victor Tagg

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

That the following Questions with Notice and Answers be received and noted.

Record of Voting:

For the Motion: Unanimous

Question 1: **When was the NSW Government Task Force dealing with the sale of the Housing Estate in Ivanhoe Place established and when was Ryde Council invited to participate on that Task Force panel?**

Answer 1: Council received an invitation to nominate someone to be on the NSW Government Task Force in a letter from the Honourable Greg Pearce, Minister for Finance and Services to the Mayor which was received by Council on 12 March 2012. The Minister publicly announced the Task Force on 18 March 2012.

Question 2: **Who is the member(s) of staff allocated to the Task Force panel and why did Council not also recommend or support the induction of a resident to the Panel?**

Answer 2: When the letter was forwarded to the General Manager by the Mayor asking for a nominee, he nominated the Group Manager, Planning and Environment. A resident was not nominated as this was not called for in the invitation from the Minister and the Task Force will be fulfilling a technical function.

Question 3: **Noting that the panels determinations will impact more than 960 Ryde residents, what were the reasons for not including Councillors in the decision to participate on the Task Force panel?**

Answer 3: The proposed Task Force provides advice and will not determine any matters. The process by which a decision to participate on the Task Force is described in the answer to Question 2.

ITEM 1 (continued)

ATTACHMENT 1

Question 4: **What other sites in Ryde has Ryde Council been asked to participate as a Task Force panel member to facilitate the sale of property?**

Answer 4: None.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

Ms Victoria Newstead (representing Ivanhoe Estate), Ms Camile Livingstone-Newstead and Mr Nicholas Laletin (representing Ivanhoe Estate Tenant Group) addressed the meeting in relation to Items not Listed on the Agenda earlier in the Meeting as detailed in these Minutes.

CLOSED SESSION

ITEM 14 - ADVICE ON COURT ACTIONS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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.

RESOLUTION: (Moved by Councillors Pickering and Petch)

That the Council resolve into Closed Session to consider the above matters.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin and Tagg

Against the Motion: Councillor Yedelian OAM

Note: The Council closed the meeting at 12.54am. The public and media left the chamber.

ITEM 1 (continued)

ATTACHMENT 1

14 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Petch)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION

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

That Council resolve itself into open Council.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Tagg and Yedelian OAM

Against the Motion: Councillor Salvestro-Martin

Note: Open Council resumed at 12.57am.

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

That the recommendations of Items considered in Closed Session be received and adopted as resolutions of Council without any alteration or amendment thereto.

Record of Voting:

For the Motion: Unanimous

NATIONAL ANTHEM

The National Anthem was sung at the conclusion of the meeting.

The meeting closed at 1.00am on Wednesday, 28 March 2012.

CONFIRMED THIS 10TH DAY OF APRIL 2012

Chairperson

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 4/12 held on 3 April 2012

Report prepared by: Meeting Support Coordinator

Report dated: 8/03/2012

File No.: GRP/12/5/5/5 - BP12/252

REPORT SUMMARY

Attached are the Minutes of the Planning and Environment Committee Meeting 4/12 held on 3 April 2012. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

Item 1 was dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 2, 3 and 4 are submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

2 28 GERARD STREET, GLADESVILLE. LOT 40 DP 10598. Local Development Application for the erection of a 2 storey dual occupancy (attached). LDA2011/0328.

Report: The Committee inspected the properties at 28 and 30 Gerard Street, Gladesville.

Note: Mr Stephen Latham and Mr John Fowler (objectors) and Mr Alastair Robb (on behalf of the applicant) addressed the Committee in relation to this Item.

MOTION: (Moved by Councillor O'Donnell

- (a) That Local Development Application No. LDA2011/328 at No 28 Gerard Street Gladesville being LOT 40 DP10598 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

Note: As there was no seconder for the Motion, the Motion LAPSED.

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Butterworth)

That this matter be referred to full Council for consideration.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation.

ITEM 2 (continued)

- 3 33 LOVELL ROAD, DENISTONE EAST. LOT 24 DP 6182. Local Development Application for multi dwelling (attached) development containing 3 villa homes (1 x 3 bedroom two storey villa at the front, 2 x 3 bedroom villas at the rear). LDA2011/0505.**

Report: The Committee inspected the property at 33 Lovell Road, Denistone East.

Note: Mr Graham McKee (on behalf of the applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Butterworth and O'Donnell)

That Local Development Application No. 2011/0505 at No. 33 Lovell Road, Denistone East, being LOT 24, DP 6182 be approved, subject to the Conditions of Consent as set out below:-

GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

Approved Plans

1. Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Architectural Plans prepared by G & A Draftline	14 August 2011	1011/11-1-4 to 1011/11-4-4 (incl)
Stormwater Concept Plans prepared by Storm Civil	2 September 2011	D1 to D4 (Issue A)
Landscaping Plan prepared by Peta Gillard Landscape Design	12 August 2011	L001(A)
Arborist's Report prepared by Vic's Tree Service	18 May 2011	

Prescribed Conditions

2. All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. Compliance with all commitments listed in BASIX Certificate(s) numbered 394822M, dated 6 September 2011.

ITEM 2 (continued)**Protection of Adjoining and Public Land**

4. Hours of work
Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
5. The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.

Stormwater

6. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
7. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
8. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
9. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.

Imported fill

10. All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

ITEM 2 (continued)
PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

11. A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Construction Certificate:

A – Contribution Type	B – Contribution Amount (\$)
Community & Cultural Facilities	5,502.29
Open Space & Recreation Facilities	13,545.48
Civic & Urban Improvements	4,607.20
Roads & Traffic Management Facilities	628.56
Cycleways	392.54
Stormwater Management Facilities	1,248.06
Plan Administration	105.83
The total contribution is	26,029.97

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

ITEM 2 (continued)

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

12. The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
13. The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan (category: other buildings with delivery of bricks or concrete or machine excavation)
14. The following fees must be paid to Council in accordance with Council's Management Plan:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
15. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.

Road Opening Permit

16. The Council must be provided with evidence that there has been compliance with all matters that are required by the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993 to be complied with prior to issue of the **Construction Certificate**.
17. The development must be acoustically designed and constructed to meet the relevant provisions of Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*. Written endorsement of compliance with these requirements must be obtained from a suitably qualified person.

Fencing

18. Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the **Construction Certificate**. The side boundary fence between the subject site and No. 31 Lovell Street shall be a minimum of 1.8m high shall contain an additional 300mm high lattice on top of the fence. Details are to be shown on the Construction Certificate drawings, and shall be at no cost to the adjoining owner.

ITEM 2 (continued)**Lighting of Common Areas (driveways etc)**

19. Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
20. The width of the landscape strip along the eastern and southern boundary within each courtyard is to be increased to 1.2m wide. Details are to be submitted on the Construction Certificate plans.
21. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveway, carparking areas, landscaping and stormwater drainage plans and must be obtained prior to the issue of the construction certificate.
22. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps shall be 1 in 4 and in accordance with the relevant section of AS 2890.1. The maximum change of grade permitted is 1 in 8 (12.5%) for summit grade changes and 1 in 6.7 (15%) for sag grade changes. Any transition grades shall have a minimum length of 2.0m. The driveway design is to incorporate Council's issued footpath and gutter crossing levels where they are required as a condition of consent. A driveway plan, longitudinal section from the centreline of the public road to the garage floor, and any necessary cross-sections clearly demonstrating that the driveway complies with the above details, and that vehicles may safely manoeuvre within the site without scraping shall be submitted with the Construction Certificate application.
23. **Manoeuvring Area.** The southern end of the driveway near unit 3 shall be extended by 1.5m to the south to provide additional room for vehicles to manoeuvre and exit in a forward direction. This area shall be paved with grass crete or similar porous paving. The landscaping area adjoining shall be reduced as amended in red on the architectural plan Job No 1010/11>1>4 dated 27 July 2011 prepared by G + A Draftline. Prior to issue of the Construction Certificate, all plans shall be amended to reflect these amendments.
24. **On-Site Stormwater Detention.** Stormwater runoff from all impervious areas shall be collected and piped by gravity flow to a suitable on-site detention system in accordance with City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management.

Accordingly, revised engineering plans prepared by a qualified engineer shall be submitted with the construction certificate application, addressing, but not be limited to the following:

- a. Design the orifice size using the correct head within the detention basin.

ITEM 2 (continued)

The pipes, down pipes and gutters are to be designed to carry the 100 year ARI 5 minute storm flow from roof areas to the detention basin. Runoff which enters the site from upstream properties should not be redirected in a manner which adversely affects adjoining properties.

25. **Water Tank First Flush.** A first flush mechanism is to be designed and constructed with the water tank system. Details of the first flush system are to be submitted with the construction certificate application.
26. **Erosion and Sediment Control Plan.** An *Erosion and Sediment Control Plan (ESCP)* shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction*" prepared by the Landcom. These devices shall be maintained during the construction works and replaced where considered necessary.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*

- (a) Existing and final contours
- (b) The location of all earthworks, including roads, areas of cut and fill
- (c) Location of all impervious areas
- (d) Location and design criteria of erosion and sediment control structures,
- (e) Location and description of existing vegetation
- (f) Site access point/s and means of limiting material leaving the site
- (g) Location of proposed vegetated buffer strips
- (h) Location of critical areas (drainage lines, water bodies and unstable slopes)
- (i) Location of stockpiles
- (j) Means of diversion of uncontaminated upper catchment around disturbed areas
- (k) Procedures for maintenance of erosion and sediment controls
- (l) Details for any staging of works
- (m) Details and procedures for dust control.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

Prescribed Conditions

27. **Site Sign**
 - (a) A sign must be erected in a prominent position on site:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

ITEM 2 (continued)

- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
28. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
29. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:
- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor; and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder; and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

Safety Fencing

30. The site must be fenced throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
31. **Sediment and Erosion Control.** The applicant shall install appropriate sediment control devices in accordance with an approved plan **prior** to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary. Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

ITEM 2 (continued)

32. **Compliance Certificate.** A Compliance Certificate should be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and City of Ryde, Development Control Plan 2010: - Part 8.1; Construction Activities
33. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The location, design and construction shall conform to the requirements of Council. Crossings are to be constructed in plain reinforced concrete and finished levels shall conform with property alignment levels issued by Council's Public Works Division. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

Critical stage inspections

34. The person having the benefit of this consent is required to notify the Principal Certifying Authority to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.

Noise and vibration

35. The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations.
36. The L_{10} noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.

Survey of footings and walls

37. All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
38. No sediment, dust, soil or similar material shall leave the site during construction work.

ITEM 2 (continued)

39. Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
 - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
 - (c) the material is reused only to the extent that fill is allowed by the consent.
40. All materials associated with construction must be retained within the site.

41. Site Facilities

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

42. Site maintenance

The applicant must ensure that:

- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
- (b) building materials and equivalent are stored wholly within the work site unless an approval to store them elsewhere is held;
- (c) the site is clear of waste and debris at the completion of the works.

43. At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

Tree Protection

44. This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or otherwise necessary as a result of construction works approved by this consent.
45. Trees that are shown on the approved plans as being retained must be protected against damage during construction.
46. Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.
47. A Consultant Arborist must be appointed to oversee all works, including demolition and construction, in relation to the trees identified for retention on the site.
48. Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

ITEM 2 (continued)**Drop-edge Beams**

49. Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

Prescribed Condition

50. The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 392311, dated 1 September 2011.
51. All landscaping works approved by condition 1 are to be completed.
52. The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent.

Sydney Water

53. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

ITEM 2 (continued)

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Interim/Final Occupation Certificate.

54. An **Occupation Certificate** must be obtained from the Principal Certifying Authority (PCA) and a copy furnished to Council in accordance with Clause 151 of the Environmental Planning and Assessment Regulation 2000 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

Letterboxes and street/house numbering

55. All letterboxes are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.
56. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
57. **On-Site Stormwater Detention System - Marker Plate.** Each on-site detention system basin shall be indicated on the site by fixing a marker plate. This plate is to be of minimum size: 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. It is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. An approved plate may be purchased from Council's Customer Service Centre on presentation of a completed City of Ryde OSD certification form.
58. **Work-as-Executed Plan.** A Work-as-Executed plan signed by a Registered Surveyor clearly showing the surveyor's name and the date, the stormwater drainage, including the on-site stormwater detention system if one has been constructed and finished ground levels **is to be submitted to the Principal Certifying Authority (PCA)** and to Ryde City Council if Council is not the nominated PCA.
59. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with plan the Construction Certificate version of Job No 107033 Drawing D1 to D4 dated 18/8/11 Issue A prepared by Storm civil engineering Solutions.
60. **Footpath Paving Construction.** The applicant shall, at no cost to Council, replace any damaged concrete path paving across the frontage of the property.
61. **Compliance Certificates – Engineering.** Compliance Certificates should be obtained for the following (If Council is appointed the Principal Certifying Authority [PCA] then the appropriate inspection fee is to be paid to Council) and **submitted to the PCA:**

ITEM 2 (continued)

- Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Development Control Plan 2010: - Part 8.3; Driveways.
- Confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management
- Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- Confirming that the vehicular crossing has been removed and the kerb and gutter have been constructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
- Confirming that damaged footpath paving has been reconstructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*

62. **Positive Covenant, OSD.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater detention system on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of Stormwater Detention Systems and to the satisfaction of Council.

POST OCCUPATION CERTIFICATE

63. Within 2 days of issuing a final Occupation Certificate, the Principal Certifying Authority (PCA) is required to generate a BASIX Completion Receipt in accordance with the provisions of the EP & A Regulation 2000. The PCA is to refer to the BASIX Completion Receipt tool at www.basix.nsw.gov.au/administration/login.jsp in order to generate the BASIX Completion Receipt and a printed copy of the receipt is to be placed on the PCA file.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation

ITEM 2 (continued)

- 4 35 LOVELL ROAD, DENISTONE EAST. LOT 25 DP 6182. Local Development Application for multi dwelling (attached) development containing 3 villa homes (1 X 3 bedroom two storey villa at the front, 2 X 3 bedroom villas at the rear). LDA2011/0504.**

Report: The Committee inspected the property at 35 Lovell Road, Denistone East.

Note: Mr Graham McKee (on behalf of the applicant) addressed the Committee in relation to this Item.

RECOMENDATION: (Moved by Councillors Butterworth and O'Donnell)

That Local Development Application No. 2011/0504 at No. 35 Lovell Road, Denistone East, being LOT 25, DP 6182 be approved, subject to the Conditions of Consent as set out below:-

GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

Approved Plans

1. Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Architectural Plans prepared by G & A Draftline	7 August 2011	1010/11-1 to 1010/11-4 (incl)
Stormwater Concept Plans prepared by Storm Civil	18 August 2011	D1 to D4 (Issue A)
Landscaping Plan prepared by Peta Gillard Landscape Design	12 August 2011	L001(A)
Arborist's Report prepared by Vic's Tree Service	7 August 2011	

Prescribed Conditions

2. All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. Compliance with all commitments listed in BASIX Certificate(s) numbered 392311M, dated 1 September 2011.

ITEM 2 (continued)**Protection of Adjoining and Public Land**

4. Hours of work
Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
5. The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.

Stormwater

6. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
7. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
8. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
9. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.

Imported fill

10. All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

ITEM 2 (continued)
PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

11. A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Construction Certificate:

A – Contribution Type	B – Contribution Amount (\$)
Community & Cultural Facilities	5,502.29
Open Space & Recreation Facilities	13,545.48
Civic & Urban Improvements	4,607.20
Roads & Traffic Management Facilities	628.56
Cycleways	392.54
Stormwater Management Facilities	1,248.06
Plan Administration	105.83
The total contribution is	26,029.97

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

ITEM 2 (continued)

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

12. The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
13. The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan (category: other buildings with delivery of bricks or concrete or machine excavation)
14. The following fees must be paid to Council in accordance with Council's Management Plan:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
15. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.

Road Opening Permit

16. The Council must be provided with evidence that there has been compliance with all matters that are required by the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993 to be complied with prior to issue of the **Construction Certificate**.
17. The development must be acoustically designed and constructed to meet the relevant provisions of Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*. Written endorsement of compliance with these requirements must be obtained from a suitably qualified person.

Fencing

18. Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the **Construction Certificate**. The side boundary fence between the subject site and No. 37 Lovell Street shall be a minimum of 1.8m high shall contain an additional 300mm high lattice on top of the fence. Details are to be shown on the Construction Certificate drawings, and shall be at no cost to the adjoining property owner.

ITEM 2 (continued)**Lighting of Common Areas (driveways etc)**

19. Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
20. The width of the landscape strip along the eastern and southern boundary within each courtyard is to be increased to 1.2m wide. Details are to be submitted on the Construction Certificate plans.
21. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveway, carparking areas, landscaping and stormwater drainage plans and must be obtained prior to the issue of the construction certificate.
22. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps shall be 1 in 4 and in accordance with the relevant section of AS 2890.1. The maximum change of grade permitted is 1 in 8 (12.5%) for summit grade changes and 1 in 6.7 (15%) for sag grade changes. Any transition grades shall have a minimum length of 2.0m. The driveway design is to incorporate Council's issued footpath and gutter crossing levels where they are required as a condition of consent. A driveway plan, longitudinal section from the centreline of the public road to the garage floor, and any necessary cross-sections clearly demonstrating that the driveway complies with the above details, and that vehicles may safely manoeuvre within the site without scraping shall be submitted with the Construction Certificate application.
23. **Manoeuvring Area.** The southern end of the driveway near unit 3 shall be extended by 1.5m to the south to provide additional room for vehicles to manoeuvre and exit in a forward direction. This area shall be paved with grass crete or similar porous paving. The landscaping area adjoining shall be reduced as amended in red on the architectural plan Job No 1010/11>1>4 dated 27 July 2011 prepared by G + A Draftline. Prior to issue of the Construction Certificate, all plans shall be amended to reflect these amendments.
24. **On-Site Stormwater Detention.** Stormwater runoff from all impervious areas shall be collected and piped by gravity flow to a suitable on-site detention system in accordance with City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. Runoff which enters the site from upstream properties should not be redirected in a manner which adversely affects adjoining properties. The pipes, down pipes and gutters are to be designed to carry the 100 year ARI 5 minute storm flow from roof areas to the detention basin.
25. **Water Tank First Flush.** A first flush mechanism is to be designed and constructed with the water tank system. Details of the first flush system are to be submitted with the construction certificate application.

ITEM 2 (continued)

26. **Erosion and Sediment Control Plan.** An *Erosion and Sediment Control Plan (ESCP)* shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction*" prepared by the Landcom. These devices shall be maintained during the construction works and replaced where considered necessary.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*

- (a) Existing and final contours
- (b) The location of all earthworks, including roads, areas of cut and fill
- (c) Location of all impervious areas
- (d) Location and design criteria of erosion and sediment control structures,
- (e) Location and description of existing vegetation
- (f) Site access point/s and means of limiting material leaving the site
- (g) Location of proposed vegetated buffer strips
- (h) Location of critical areas (drainage lines, water bodies and unstable slopes)
- (i) Location of stockpiles
- (j) Means of diversion of uncontaminated upper catchment around disturbed areas
- (k) Procedures for maintenance of erosion and sediment controls
- (l) Details for any staging of works
- (m) Details and procedures for dust control.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

Prescribed Conditions

27. **Site Sign**
- (a) A sign must be erected in a prominent position on site:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
 - (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

ITEM 2 (continued)

28. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
29. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:
- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor; and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder; and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

Safety Fencing

30. The site must be fenced throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
31. **Sediment and Erosion Control.** The applicant shall install appropriate sediment control devices in accordance with an approved plan **prior** to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary. Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.
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ITEM 2 (continued)

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ITEM 2 (continued)

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The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
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44. Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

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Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

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45. The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 392311, dated 1 September 2011.

ITEM 2 (continued)

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47. The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent.

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48. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

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51. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
52. **On-Site Stormwater Detention System - Marker Plate.** Each on-site detention system basin shall be indicated on the site by fixing a marker plate. This plate is to be of minimum size: 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. It is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. An approved plate may be purchased from Council's Customer Service Centre on presentation of a completed City of Ryde OSD certification form.

ITEM 2 (continued)

53. **Work-as-Executed Plan.** A Work-as-Executed plan signed by a Registered Surveyor clearly showing the surveyor's name and the date, the stormwater drainage, including the on-site stormwater detention system if one has been constructed and finished ground levels **is to be submitted to the Principal Certifying Authority (PCA)** and to Ryde City Council if Council is not the nominated PCA.
54. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with plan the Construction Certificate version of Job No 107034 Drawing D1 to D4 dated 18/8/11 Issue A prepared by Storm civil engineering Solutions.
55. **Footpath Paving Construction.** The applicant shall, at no cost to Council, replace any damaged concrete path paving across the frontage of the property.
56. **Compliance Certificates – Engineering.** Compliance Certificates should be obtained for the following (If Council is appointed the Principal Certifying Authority [PCA] then the appropriate inspection fee is to be paid to Council) and **submitted to the PCA:**
- Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Development Control Plan 2010: - Part 8.3; Driveways.
 - Confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management
 - Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - Confirming that the vehicular crossing has been removed and the kerb and gutter have been constructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
 - Confirming that damaged footpath paving has been reconstructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
57. **Positive Covenant, OSD.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater detention system on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of Stormwater Detention Systems and to the satisfaction of Council.

ITEM 2 (continued)**POST OCCUPATION CERTIFICATE**

58. Within 2 days of issuing a final Occupation Certificate, the Principal Certifying Authority (PCA) is required to generate a BASIX Completion Receipt in accordance with the provisions of the EP & A Regulation 2000. The PCA is to refer to the BASIX Completion Receipt tool at www.basix.nsw.gov.au/administration/login.jsp in order to generate the BASIX Completion Receipt and a printed copy of the receipt is to be placed on the PCA file.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation

ATTACHMENTS

1 Minutes - Planning and Environment Committee - 3 April 2012

ITEM 2 (continued)

ATTACHMENT 1

**Planning and Environment Committee
MINUTES OF MEETING NO. 4/12**

Meeting Date: Tuesday 3 April 2012
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 4.05pm

Councillors Present: Councillors Pickering (Chairperson), Butterworth, O'Donnell and Yedelian OAM.

Absent: Councillor Salvestro-Martin.

Staff Present: Group Manager – Environment & Planning, Service Unit Manager Assessment, Service Unit Manager Environmental Health & Building, Business Support Coordinator – Environment & Planning, Team Leader – Assessment, Team Leader – Major Development Team, Team Leader – Development Engineers and Meeting Support Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 6 March 2012

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian OAM)

That the Minutes of the Planning and Environment Committee 3/12, held on Tuesday 6 March 2012, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

2 28 GERARD STREET, GLADESVILLE. LOT 40 DP 10598. Local Development Application for the erection of a 2 storey dual occupancy (attached). LDA2011/0328.

Report: The Committee inspected the property at 28 Gerard Street, Gladesville.

Note: Mr Stephen Latham and Mr John Fowler (objectors) and Mr Alastair Robb (on behalf of the applicant) addressed the Committee in relation to this Item.

ITEM 2 (continued)

ATTACHMENT 1

MOTION: (Moved by Councillor O'Donnell)

- (a) That Local Development Application No. LDA2011/328 at No 28 Gerard Street Gladesville being LOT 40 DP10598 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

Note: As there was no seconder for the Motion, the Motion LAPSED.

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Butterworth)

That this matter be referred to full Council for consideration.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation.

3 33 LOVELL ROAD, DENISTONE EAST. LOT 24 DP 6182. Local Development Application for multi dwelling (attached) development containing 3 villa homes (1 x 3 bedroom two storey villa at the front, 2 x 3 bedroom villas at the rear). LDA2011/0505.

Report: The Committee inspected the property at 33 Lovell Road, Denistone East.

Note: Mr Graham McKee (on behalf of the applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Butterworth and O'Donnell)

That Local Development Application No. 2011/0505 at No. 33 Lovell Road, Denistone East, being LOT 24, DP 6182 be approved, subject to the Conditions of Consent as set out below:-

GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

Approved Plans

1. Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

ITEM 2 (continued)

ATTACHMENT 1

Document Description	Date	Plan No/Reference
Architectural Plans prepared by G & A Draftline	14 August 2011	1011/11-1-4 to 1011/11-4-4 (incl)
Stormwater Concept Plans prepared by Storm Civil	2 September 2011	D1 to D4 (Issue A)
Landscaping Plan prepared by Peta Gillard Landscape Design	12 August 2011	L001(A)
Arborist's Report prepared by Vic's Tree Service	18 May 2011	

Prescribed Conditions

2. All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. Compliance with all commitments listed in BASIX Certificate(s) numbered 394822M, dated 6 September 2011.

Protection of Adjoining and Public Land

4. Hours of work
Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
5. The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.

Stormwater

6. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
7. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
8. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.

ITEM 2 (continued)

ATTACHMENT 1

9. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.

Imported fill

10. All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

11. A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Construction Certificate:

A – Contribution Type	B – Contribution Amount (\$)
Community & Cultural Facilities	5,502.29
Open Space & Recreation Facilities	13,545.48
Civic & Urban Improvements	4,607.20
Roads & Traffic Management Facilities	628.56
Cycleways	392.54
Stormwater Management Facilities	1,248.06
Plan Administration	105.83
The total contribution is	26,029.97

ITEM 2 (continued)

ATTACHMENT 1

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

12. The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
13. The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan (category: other buildings with delivery of bricks or concrete or machine excavation)
14. The following fees must be paid to Council in accordance with Council's Management Plan:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
15. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.

Road Opening Permit

16. The Council must be provided with evidence that there has been compliance with all matters that are required by the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993 to be complied with prior to issue of the **Construction Certificate**.
17. The development must be acoustically designed and constructed to meet the relevant provisions of Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*. Written endorsement of compliance with these requirements must be obtained from a suitably qualified person.

ITEM 2 (continued)

ATTACHMENT 1

Fencing

18. Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the **Construction Certificate**. The side boundary fence between the subject site and No. 31 Lovell Street shall be a minimum of 1.8m high shall contain an additional 300mm high lattice on top of the fence. Details are to be shown on the Construction Certificate drawings, and shall be at no cost to the adjoining owner.

Lighting of Common Areas (driveways etc)

19. Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
20. The width of the landscape strip along the eastern and southern boundary within each courtyard is to be increased to 1.2m wide. Details are to be submitted on the Construction Certificate plans.
21. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveway, carparking areas, landscaping and stormwater drainage plans and must be obtained prior to the issue of the construction certificate.
22. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps shall be 1 in 4 and in accordance with the relevant section of AS 2890.1. The maximum change of grade permitted is 1 in 8 (12.5%) for summit grade changes and 1 in 6.7 (15%) for sag grade changes. Any transition grades shall have a minimum length of 2.0m. The driveway design is to incorporate Council's issued footpath and gutter crossing levels where they are required as a condition of consent. A driveway plan, longitudinal section from the centreline of the public road to the garage floor, and any necessary cross-sections clearly demonstrating that the driveway complies with the above details, and that vehicles may safely manoeuvre within the site without scraping shall be submitted with the Construction Certificate application.
23. **Manoeuvring Area.** The southern end of the driveway near unit 3 shall be extended by 1.5m to the south to provide additional room for vehicles to manoeuvre and exit in a forward direction. This area shall be paved with grass crete or similar porous paving. The landscaping area adjoining shall be reduced as amended in red on the architectural plan Job No 1010/11>1>4 dated 27 July 2011 prepared by G + A Draftline. Prior to issue of the Construction Certificate, all plans shall be amended to reflect these amendments.
24. **On-Site Stormwater Detention.** Stormwater runoff from all impervious areas shall be collected and piped by gravity flow to a suitable on-site detention system in accordance with City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management.

ITEM 2 (continued)

ATTACHMENT 1

Accordingly, revised engineering plans prepared by a qualified engineer shall be submitted with the construction certificate application, addressing, but not be limited to the following:

- a. Design the orifice size using the correct head within the detention basin.

The pipes, down pipes and gutters are to be designed to carry the 100 year ARI 5 minute storm flow from roof areas to the detention basin. Runoff which enters the site from upstream properties should not be redirected in a manner which adversely affects adjoining properties.

25. **Water Tank First Flush.** A first flush mechanism is to be designed and constructed with the water tank system. Details of the first flush system are to be submitted with the construction certificate application.
26. **Erosion and Sediment Control Plan.** An *Erosion and Sediment Control Plan (ESCP)* shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction*" prepared by the Landcom. These devices shall be maintained during the construction works and replaced where considered necessary.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*

- (a) Existing and final contours
- (b) The location of all earthworks, including roads, areas of cut and fill
- (c) Location of all impervious areas
- (d) Location and design criteria of erosion and sediment control structures,
- (e) Location and description of existing vegetation
- (f) Site access point/s and means of limiting material leaving the site
- (g) Location of proposed vegetated buffer strips
- (h) Location of critical areas (drainage lines, water bodies and unstable slopes)
- (i) Location of stockpiles
- (j) Means of diversion of uncontaminated upper catchment around disturbed areas
- (k) Procedures for maintenance of erosion and sediment controls
- (l) Details for any staging of works
- (m) Details and procedures for dust control.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

Prescribed Conditions

27. **Site Sign**
 - (a) A sign must be erected in a prominent position on site:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,

ITEM 2 (continued)

ATTACHMENT 1

- (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
 - (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
28. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
29. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:
- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor; and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder; and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

Safety Fencing

30. The site must be fenced throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
31. **Sediment and Erosion Control.** The applicant shall install appropriate sediment control devices in accordance with an approved plan **prior** to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary. Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

ITEM 2 (continued)

ATTACHMENT 1

32. **Compliance Certificate.** A Compliance Certificate should be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and City of Ryde, Development Control Plan 2010: - Part 8.1; Construction Activities
33. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The location, design and construction shall conform to the requirements of Council. Crossings are to be constructed in plain reinforced concrete and finished levels shall conform with property alignment levels issued by Council's Public Works Division. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

Critical stage inspections

34. The person having the benefit of this consent is required to notify the Principal Certifying Authority to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.

Noise and vibration

35. The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations.
36. The L₁₀ noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.

Survey of footings and walls

37. All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
38. No sediment, dust, soil or similar material shall leave the site during construction work.
39. Excavated material must not be reused on the property except as follows:
 - (a) Fill is allowed under this consent;
 - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
 - (c) the material is reused only to the extent that fill is allowed by the consent.

ITEM 2 (continued)

ATTACHMENT 1

40. All materials associated with construction must be retained within the site.

41. Site Facilities

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

42. Site maintenance

The applicant must ensure that:

- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
- (b) building materials and equivalent are stored wholly within the work site unless an approval to store them elsewhere is held;
- (c) the site is clear of waste and debris at the completion of the works.

43. At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

Tree Protection

44. This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or otherwise necessary as a result of construction works approved by this consent.

45. Trees that are shown on the approved plans as being retained must be protected against damage during construction.

46. Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.

47. A Consultant Arborist must be appointed to oversee all works, including demolition and construction, in relation to the trees identified for retention on the site.

48. Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

Drop-edge Beams

49. Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

ITEM 2 (continued)

ATTACHMENT 1

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

Prescribed Condition

50. The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 392311, dated 1 September 2011.
51. All landscaping works approved by condition 1 are to be completed.
52. The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent.

Sydney Water

53. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Interim/Final Occupation Certificate.

54. An **Occupation Certificate** must be obtained from the Principal Certifying Authority (PCA) and a copy furnished to Council in accordance with Clause 151 of the Environmental Planning and Assessment Regulation 2000 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

ITEM 2 (continued)

ATTACHMENT 1

Letterboxes and street/house numbering

55. All letterboxes are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.
56. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
57. **On-Site Stormwater Detention System - Marker Plate.** Each on-site detention system basin shall be indicated on the site by fixing a marker plate. This plate is to be of minimum size: 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. It is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. An approved plate may be purchased from Council's Customer Service Centre on presentation of a completed City of Ryde OSD certification form.
58. **Work-as-Executed Plan.** A Work-as-Executed plan signed by a Registered Surveyor clearly showing the surveyor's name and the date, the stormwater drainage, including the on-site stormwater detention system if one has been constructed and finished ground levels **is to be submitted to the Principal Certifying Authority (PCA)** and to Ryde City Council if Council is not the nominated PCA.
59. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with plan the Construction Certificate version of Job No 107033 Drawing D1 to D4 dated 18/8/11 Issue A prepared by Storm civil engineering Solutions.
60. **Footpath Paving Construction.** The applicant shall, at no cost to Council, replace any damaged concrete path paving across the frontage of the property.
61. **Compliance Certificates – Engineering.** Compliance Certificates should be obtained for the following (If Council is appointed the Principal Certifying Authority [PCA] then the appropriate inspection fee is to be paid to Council) and **submitted to the PCA:**
 - Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Development Control Plan 2010: - Part 8.3; Driveways.
 - Confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management
 - Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.

ITEM 2 (continued)

ATTACHMENT 1

- Confirming that the vehicular crossing has been removed and the kerb and gutter have been constructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
- Confirming that damaged footpath paving has been reconstructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*

62. **Positive Covenant, OSD.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater detention system on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of Stormwater Detention Systems and to the satisfaction of Council.

POST OCCUPATION CERTIFICATE

63. Within 2 days of issuing a final Occupation Certificate, the Principal Certifying Authority (PCA) is required to generate a BASIX Completion Receipt in accordance with the provisions of the EP & A Regulation 2000. The PCA is to refer to the BASIX Completion Receipt tool at www.basix.nsw.gov.au/administration/login.jsp in order to generate the BASIX Completion Receipt and a printed copy of the receipt is to be placed on the PCA file.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation

4 35 LOVELL ROAD, DENISTONE EAST. LOT 25 DP 6182. Local Development Application for multi dwelling (attached) development containing 3 villa homes (1 X 3 bedroom two storey villa at the front, 2 X 3 bedroom villas at the rear). LDA2011/0504.

Report: The Committee inspected the property at 35 Lovell Road, Denistone East.

Note: Mr Graham McKee (on behalf of the applicant) addressed the Committee in relation to this Item.

RECOMENDATION: (Moved by Councillors Butterworth and O'Donnell)

That Local Development Application No. 2011/0504 at No. 35 Lovell Road, Denistone East, being LOT 25, DP 6182 be approved, subject to the Conditions of Consent as set out below:-

ITEM 2 (continued)

ATTACHMENT 1

GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

Approved Plans

1. Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Architectural Plans prepared by G & A Draftline	7 August 2011	1010/11-1 to 1010/11-4 (incl)
Stormwater Concept Plans prepared by Storm Civil	18 August 2011	D1 to D4 (Issue A)
Landscaping Plan prepared by Peta Gillard Landscape Design	12 August 2011	L001(A)
Arborist's Report prepared by Vic's Tree Service	7 August 2011	

Prescribed Conditions

2. All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. Compliance with all commitments listed in BASIX Certificate(s) numbered 392311M, dated 1 September 2011.

Protection of Adjoining and Public Land

4. Hours of work
Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
5. The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.

Stormwater

6. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.

ITEM 2 (continued)

ATTACHMENT 1

7. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
8. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
9. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.

Imported fill

10. All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

11. A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Construction Certificate:

ITEM 2 (continued)

ATTACHMENT 1

A – Contribution Type	B – Contribution Amount (\$)
Community & Cultural Facilities	5,502.29
Open Space & Recreation Facilities	13,545.48
Civic & Urban Improvements	4,607.20
Roads & Traffic Management Facilities	628.56
Cycleways	392.54
Stormwater Management Facilities	1,248.06
Plan Administration	105.83
The total contribution is	26,029.97

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

12. The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
13. The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan (category: other buildings with delivery of bricks or concrete or machine excavation)
14. The following fees must be paid to Council in accordance with Council's Management Plan:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
15. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.

ITEM 2 (continued)

ATTACHMENT 1

Road Opening Permit

16. The Council must be provided with evidence that there has been compliance with all matters that are required by the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993 to be complied with prior to issue of the **Construction Certificate**.
17. The development must be acoustically designed and constructed to meet the relevant provisions of Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*. Written endorsement of compliance with these requirements must be obtained from a suitably qualified person.

Fencing

18. Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the **Construction Certificate**. The side boundary fence between the subject site and No. 37 Lovell Street shall be a minimum of 1.8m high shall contain an additional 300mm high lattice on top of the fence. Details are to be shown on the Construction Certificate drawings, and shall be at no cost to the adjoining property owner.

Lighting of Common Areas (driveways etc)

19. Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
20. The width of the landscape strip along the eastern and southern boundary within each courtyard is to be increased to 1.2m wide. Details are to be submitted on the Construction Certificate plans.
21. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveway, carparking areas, landscaping and stormwater drainage plans and must be obtained prior to the issue of the construction certificate.
22. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps shall be 1 in 4 and in accordance with the relevant section of AS 2890.1. The maximum change of grade permitted is 1 in 8 (12.5%) for summit grade changes and 1 in 6.7 (15%) for sag grade changes. Any transition grades shall have a minimum length of 2.0m. The driveway design is to incorporate Council's issued footpath and gutter crossing levels where they are required as a condition of consent. A driveway plan, longitudinal section from the centreline of the public road to the garage floor, and any necessary cross-sections clearly demonstrating that the driveway complies with the above details, and that vehicles may safely manoeuvre within the site without scraping shall be submitted with the Construction Certificate application.

ITEM 2 (continued)

ATTACHMENT 1

23. **Manoeuvring Area.** The southern end of the driveway near unit 3 shall be extended by 1.5m to the south to provide additional room for vehicles to manoeuvre and exit in a forward direction. This area shall be paved with grass crete or similar porous paving. The landscaping area adjoining shall be reduced as amended in red on the architectural plan Job No 1010/11>1>4 dated 27 July 2011 prepared by G + A Draftline. Prior to issue of the Construction Certificate, all plans shall be amended to reflect these amendments.
24. **On-Site Stormwater Detention.** Stormwater runoff from all impervious areas shall be collected and piped by gravity flow to a suitable on-site detention system in accordance with City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. Runoff which enters the site from upstream properties should not be redirected in a manner which adversely affects adjoining properties. The pipes, down pipes and gutters are to be designed to carry the 100 year ARI 5 minute storm flow from roof areas to the detention basin.
25. **Water Tank First Flush.** A first flush mechanism is to be designed and constructed with the water tank system. Details of the first flush system are to be submitted with the construction certificate application.
26. **Erosion and Sediment Control Plan.** An *Erosion and Sediment Control Plan (ESCP)* shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction*" prepared by the Landcom. These devices shall be maintained during the construction works and replaced where considered necessary.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*

- (a) Existing and final contours
- (b) The location of all earthworks, including roads, areas of cut and fill
- (c) Location of all impervious areas
- (d) Location and design criteria of erosion and sediment control structures,
- (e) Location and description of existing vegetation
- (f) Site access point/s and means of limiting material leaving the site
- (g) Location of proposed vegetated buffer strips
- (h) Location of critical areas (drainage lines, water bodies and unstable slopes)
- (i) Location of stockpiles
- (j) Means of diversion of uncontaminated upper catchment around disturbed areas
- (k) Procedures for maintenance of erosion and sediment controls
- (l) Details for any staging of works
- (m) Details and procedures for dust control.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

ITEM 2 (continued)

ATTACHMENT 1

Prescribed Conditions

27. Site Sign

- (a) A sign must be erected in a prominent position on site:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

28. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

29. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor; and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder; and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

Safety Fencing

30. The site must be fenced throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

31. **Sediment and Erosion Control.** The applicant shall install appropriate sediment control devices in accordance with an approved plan **prior** to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary.

ITEM 2 (continued)

ATTACHMENT 1

Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

32. **Compliance Certificate.** A Compliance Certificate should be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and City of Ryde, Development Control Plan 2010: - Part 8.1; Construction Activities
33. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The location, design and construction shall conform to the requirements of Council. Crossings are to be constructed in plain reinforced concrete and finished levels shall conform with property alignment levels issued by Council's Public Works Division. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

Critical stage inspections

34. The person having the benefit of this consent is required to notify the Principal Certifying Authority to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.

Noise and vibration

35. The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations.
36. The L₁₀ noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.

Survey of footings and walls

37. All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
38. No sediment, dust, soil or similar material shall leave the site during construction work.

ITEM 2 (continued)

ATTACHMENT 1

39. Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
 - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
 - (c) the material is reused only to the extent that fill is allowed by the consent.
40. All materials associated with construction must be retained within the site.

41. Site Facilities

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

42. Site maintenance

The applicant must ensure that:

- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
- (b) building materials and equivalent are stored wholly within the work site unless an approval to store them elsewhere is held;
- (c) the site is clear of waste and debris at the completion of the works.

43. At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

Drop-edge Beams

44. Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

ITEM 2 (continued)

ATTACHMENT 1

Prescribed Condition

45. The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 392311, dated 1 September 2011.
46. All landscaping works approved by condition 1 are to be completed.
47. The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent.

Sydney Water

48. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Interim/Final Occupation Certificate.

49. An **Occupation Certificate** must be obtained from the Principal Certifying Authority (PCA) and a copy furnished to Council in accordance with Clause 151 of the Environmental Planning and Assessment Regulation 2000 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

Letterboxes and street/house numbering

50. All letterboxes are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.
51. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
52. **On-Site Stormwater Detention System - Marker Plate.** Each on-site detention system basin shall be indicated on the site by fixing a marker plate. This plate is to be of minimum size: 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. It is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. An approved plate may be purchased from Council's Customer Service Centre on presentation of a completed City of Ryde OSD certification form.

ITEM 2 (continued)

ATTACHMENT 1

53. **Work-as-Executed Plan.** A Work-as-Executed plan signed by a Registered Surveyor clearly showing the surveyor's name and the date, the stormwater drainage, including the on-site stormwater detention system if one has been constructed and finished ground levels **is to be submitted to the Principal Certifying Authority (PCA)** and to Ryde City Council if Council is not the nominated PCA.
54. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with plan the Construction Certificate version of Job No 107034 Drawing D1 to D4 dated 18/8/11 Issue A prepared by Storm civil engineering Solutions.
55. **Footpath Paving Construction.** The applicant shall, at no cost to Council, replace any damaged concrete path paving across the frontage of the property.
56. **Compliance Certificates – Engineering.** Compliance Certificates should be obtained for the following (If Council is appointed the Principal Certifying Authority [PCA] then the appropriate inspection fee is to be paid to Council) and **submitted to the PCA:**
- Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Development Control Plan 2010: - Part 8.3; Driveways.
 - Confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management
 - Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - Confirming that the vehicular crossing has been removed and the kerb and gutter have been constructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
 - Confirming that damaged footpath paving has been reconstructed in accordance with Council's *Environmental Standards Development Criteria -1999 section 4*
57. **Positive Covenant, OSD.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater detention system on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of Stormwater Detention Systems and to the satisfaction of Council.

ITEM 2 (continued)

ATTACHMENT 1

POST OCCUPATION CERTIFICATE

58. Within 2 days of issuing a final Occupation Certificate, the Principal Certifying Authority (PCA) is required to generate a BASIX Completion Receipt in accordance with the provisions of the EP & A Regulation 2000. The PCA is to refer to the BASIX Completion Receipt tool at www.basix.nsw.gov.au/administration/login.jsp in order to generate the BASIX Completion Receipt and a printed copy of the receipt is to be placed on the PCA file.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation

The meeting closed at 5.40pm.

CONFIRMED THIS 1ST DAY OF MAY 2012.

Chairperson

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 4/12 held on 3 April 2012

Report prepared by: Meeting Support Coordinator

Report dated: 8/03/2012

File No.: GRP/12/5/5/5 - BP12/250

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 4/12 held on 3 April 2012. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1, 2 and 4 were dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 3 and 5 are submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

3 TREE MANAGEMENT REVIEW - 35 ELSTON AVENUE, DENISTONE

Report: The Committee inspected the property at 35 Elston Avenue, Denistone.

RECOMMENDATION: (Moved by Councillors Maggio and Tagg)

- (a) That Council indicate its support for the removal of the two *Eucalyptus saligna* (Sydney Blue Gum) at 35 Elston Avenue, Denistone subject to a copy of a Section 91 Licence being submitted to Council prior to an approval being issued by Council for the removal.
- (b) That the applicant agree to replace the trees with two species that are endemic to the locally Endangered Ecologically Community that attain a minimum height of no less than 15m at maturity.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation.

5 PLAYGROUND UPDATE

RECOMMENDATION: (Moved by Councillors Maggio and Perram)

- (a) That Council endorse the proposed engagement with the community and the Council Committees as part of the development of the Children's Play Implementation Plan.

ITEM 3 (continued)

- (b) That Council defer consideration for the replacement of equipment until the draft Children's Play Implementation Plan is reported to Council.
- (c) That the draft Children's Play Implementation Plan list the locations of playgrounds where equipment has been removed.
- (d) That Council implement the removal of the playground equipment identified as unsafe in the report.
- (e) That Council implement the Media Plan emphasising Council's management of playgrounds.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation.

ATTACHMENTS

- 1 Minutes - Works and Community Committee - 3 April 2012

ITEM 3 (continued)

ATTACHMENT 1

**Works and Community Committee
MINUTES OF MEETING NO. 4/12**

Meeting Date: Tuesday 3 April 2012

Location: Committee Room 1, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 4.30pm

Councillors Present: Councillors Perram (Chairperson), Li, Maggio, Petch and Tagg.

Apologies: An apology was received from Councillor Campbell after the meeting.

Staff Present: Group Manager – Community Life, Group Manager - Public Works, Manager – Open Space, Tree Management Officer and Councillor Support Coordinator.

Councillor Li arrived during the inspection of Item 3 – Tree Management Review – 35 Elston Avenue, Denistone. He was not present for the remainder of the Items.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 20 March 2012

RESOLUTION: (Moved by Councillors Petch and Tagg)

That the Minutes of the Works and Community Committee 3/12, held on Tuesday 20 March 2012, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

2 TREE MANAGEMENT REVIEW - 33 BOULTON STREET, PUTNEY

RESOLUTION: (Moved by Councillors Petch and Tagg)

That Council approve the removal of one (1) *Schinus spp.* (Pepper Corn Tree) and request replacement planting of suitable species that would attain a minimum height of no less than 10 metres at maturity.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

ITEM 3 (continued)

ATTACHMENT 1

3 TREE MANAGEMENT REVIEW - 35 ELSTON AVENUE, DENISTONE

Note: Councillor Li arrived during the inspection of this Item.

Report: The Committee inspected the property at 35 Elston Avenue, Denistone.

RECOMMENDATION: (Moved by Councillors Maggio and Tagg)

- (a) That Council indicate its support for the removal of the two *Eucalyptus saligna* (Sydney Blue Gum) at 35 Elston Avenue, Denistone subject to a copy of a Section 91 Licence being submitted to Council prior to an approval being issued by Council for the removal.
- (b) That the applicant agree to replace the trees with two species that are endemic to the locally Endangered Ecologically Community that attain a minimum height of no less than 15m at maturity.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation.

4 TREE MANAGEMENT REVIEW - 36 ANDREW STREET, MELROSE PARK

RESOLUTION: (Moved by Councillors Petch and Tagg)

- (a) That Council approve the removal of the one (1) *Acer negundo* (Box Elder).
- (b) That Council request replacement planting of suitable species.
- (c) That the replacement planting be maintained until they reach the required size for protection under DPC Part 9.6 – Tree Preservation.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

5 PLAYGROUND UPDATE

RECOMMENDATION: (Moved by Councillors Maggio and Perram)

- (a) That Council endorse the proposed engagement with the community and the Council Committees as part of the development of the Children's Play Implementation Plan.

ITEM 3 (continued)

ATTACHMENT 1

- (b) That Council defer consideration for the replacement of equipment until the draft Children's Play Implementation Plan is reported to Council.
- (c) That the draft Children's Play Implementation Plan list the locations of playgrounds where equipment has been removed.
- (d) That Council implement the removal of the playground equipment identified as unsafe in the report.
- (e) That Council implement the Media Plan emphasising Council's management of playgrounds.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **10 APRIL 2012** as substantive changes were made to the published recommendation.

The meeting closed at 5.38pm.

CONFIRMED THIS 17TH DAY OF APRIL 2012.

Chairperson

4 MOTIONS FOR CONSIDERATION AT THE NATIONAL GENERAL ASSEMBLY - 17 to 20 June 2012

Report prepared by: Councillor Support Coordinator

Report dated: 28/03/2012

File No.: CLR/07/8/25/8 - BP12/348

REPORT SUMMARY

The National General Assembly of Local Government Conference will be held in Canberra between Sunday, 17 June and Wednesday, 20 June 2012. Motions for inclusion on the business paper are due to the Australian Local Government Association by 27 April 2012.

ATTACHED for Council's consideration are two motions from the Executive Team and one motion from Councillor Campbell. The motions are relevant to this year's Conference theme – *“National Voice, Local Choice – Infrastructure, Planning, Services”*.

This report seeks Council's endorsement of the attached Motions for consideration at the Conference.

RECOMMENDATION:

That Council endorse Motions 1, 2 and 3 as detailed in the report for submission to the National General Assembly of Local Government held in Canberra on 17 to 20 June 2012.

ATTACHMENTS

1 National General Assembly Conference Motions

Report Prepared By:

Sheron Chand
Councillor Support Coordinator

Report Approved By:

Shane Sullivan
Manager - Governance

Roy Newsome
Group Manager - Corporate Services

ITEM 4 (continued)**Discussion**

Council at its meeting on Tuesday, 27 March 2012 resolved that a report be provided to Council on 10 April 2012 for the consideration of motions to the National General Assembly (NGA).

The Australian Local Government Association (ALGA) circulated a Discussion Paper to Council to assist in framing motions to the NGA. Motions must be relevant to the theme of *“National Voice, Local Choice – Infrastructure, Planning, Services”*. The Discussion Paper was distributed to all Councillors as part of the report to Council on 27 March 2012 and can be viewed at <http://www.alga.asn.au/>

Councillors were requested to submit motions for Council’s consideration by 20 March 2012. **ATTACHED** are three motions that have been proposed based on Councillor feedback, with one motion from Councillor Campbell. The motions are as follows:

- Motion 1 – Collection Of Quantifiable Information, Relating To Women’s Participation In Local Government. **Category - Services** (Councillor Campbell)
- Motion 2 – Development of Climate Change Land Development Provisions and Guidelines **Category - Infrastructure**
- Motion 3 – The Review of the National HECS Debt Mechanism **Category - Planning**

The above Motions demonstrate the City of Ryde’s commitment and leadership in influencing critical issues relating to the national agenda for Local Government.

Financial Implications

Adoption of the recommendation will have no financial impact.

ITEM 4 (continued)

ATTACHMENT 1

2012 National General Assembly of Local Government
17-20 June 2012

“National Voice, Local Choice – Infrastructure, Planning, Services”

MOTION 1 – COLLECTION OF QUANTIFIABLE INFORMATION RELATING TO WOMEN’S PARTICIPATION IN LOCAL GOVERNMENT	SUBMITTED BY
<p>MOTION That the National General Assembly call on the Australian Local Government Association, to work in consultation with the Australian Local Government Women’s Association, to establish, collect and maintain consistent industry wide measurements of women’s participation in local government , both in managerial and elected roles.</p> <p><u>NOTES FROM CITY OF RYDE IN SUPPORT OF MOTION:</u></p> <p>Without a clear understanding of the current realities of gender inequity across local government it is impossible for our industry to identify opportunities for development and redress.</p> <p>The City of Ryde currently collects the following critical information, allowing us to monitor gender equity, participation and opportunities across our business:</p> <ul style="list-style-type: none"> • Women in management positions (by level from GM down to Team Leader) • Average salaries for males and females at each of the above levels • Voluntary separations (turnover) by gender • Tertiary sponsorship by gender • Internal promotions by gender • Part time positions held by gender • Age and gender profile (demographics) of workforce • Carers leave hours and frequency taken by gender <p>In order to effectively address gender inequity in local government we must have a clear and quantifiable understanding of the current situation. This will allow us to make and monitor change and, ultimately, celebrate and embed our successes.</p>	<p>Councillor Campbell</p>

ITEM 4 (continued)

ATTACHMENT 1

MOTION 2 – DEVELOPMENT OF CLIMATE CHANGE LAND DEVELOPMENT PROVISIONS AND GUIDELINES	SUBMITTED BY
<p>That the National General Assembly recommends a uniform set of model climate change land development provisions and related planning guidelines be developed by the Federal Government in close liaison with State, Regional and Peak Government Groups that provides clear and unambiguous guidance for Local Government and allows a standardised approach that local councils can take on climate change considerations when assessing land development.</p> <p><u>NOTES FROM CITY OF RYDE IN SUPPORT OF MOTION:</u></p> <p>Local Government across the country are required to undertake climate change risk assessment and to map vulnerabilities around sea level rise, bush fire hazard, temperature, flooding and ecosystem degradation so that information can be used to inform future planning controls and community awareness programs. However, there is a lack of clear direction and guidance from National, State and Regional Governments on how to use and apply this information which is resulting in inconsistent decision making.</p> <p>This is preventing local councils from taking a proactive role on climate change considerations when assessing land development or when informing local communities.</p> <p>In addition, Councils in NSW are also finding it difficult to notate Section 149 certificate applications during property enquiries without fear of legal action if property values are affected.</p> <p>A model set of provisions, clauses and guidelines similar to the way the contamination land legislation is administered and containing statutory protection for decisions that follow the guidelines in good faith would benefit local councils response to climate change and would ensure a more standardised local government response to adapting to climate change.</p>	<p>Executive Team</p>
MOTION 3 – THE REVIEW OF THE NATIONAL HECS DEBT MECHANISM	SUBMITTED BY
<p>That the National General Assembly call on the Australian Local Government Association to seek the Federal Government to review the HECS debt mechanism, with the intent of reducing or removing the HECS liability for graduates who take up employment in rural Council areas.</p> <p><u>NOTES FROM CITY OF RYDE IN SUPPORT OF MOTION:</u></p> <p>This Motion has been proposed in collaboration with Central Darling Shire Council, in reflecting their challenges and those of many other rural councils, in attracting and retaining key staff in rural areas.</p> <p>It has been widely documented that many councils in rural areas around Australia are suffering from skill shortages, particularly in the professional and technical fields. Although there have been many studies completed contributing</p>	<p>Executive Team</p>

ITEM 4 (continued)

ATTACHMENT 1

<p>to some innovative approaches to address this issue by all levels of governments, educational institutions and communities - the situation largely remains unresolved.</p> <p>A report was prepared for the (then) NSW Department of Local Government on behalf of the Training and Professional Skills Shortages Taskforce in 2005 entitled '<i>Survey of Skills Shortages in NSW Local Government</i>'. This report recommended the following initiatives;</p> <ol style="list-style-type: none"> 1. Investigate models of success for overcoming skills shortages, especially councils in regional NSW, where respondents reported higher levels of retraining or up-skilling as a means of addressing the skills shortages. 2. Investigate suitable training and development programs to assist senior managers develop creative responses to the additional workload they and their managers are bearing, as a result of the skills shortages. 3. Develop strategies to help councils which are experiencing difficulties in their efforts to implement up-skilling or retraining of staff, especially those in rural locations. 4. Investigate opportunities for local government in NSW to attract younger candidates for employment, whether via direct links with educational institutions or by collaborative efforts with other public and private sector organisations. 5. Develop strategies to address the skills shortages in statutory and strategic planning. 	
<p>New figures reveal students currently owe the federal government \$22 billion in university loans and HECS fees for Degrees. These debts are indexed to reflect inflation and must be paid back through the taxation system after students' earnings reach \$47,000 a year. A big increase in the number of students entering university this year is set to drive up that figure, with the Gillard Government removing the cap on places.</p> <p>By June, 2009, \$3.93 billion of the National HECS debt had been written off by the Government. Recent changes to the HECS eligibility is likely to further increase the student numbers and therefore the likelihood of greater risk to harbouring debt that will be required to be written off.</p> <p>The Federal Government could change the HECS system to reward graduates who work in rural council areas currently suffering skills shortages. Whilst not attempting to over simplify the philosophy - the more disadvantaged the council, the greater the 'time versus debt write-off' sacrifice. (A similar system to Tax Zones – different tax rates for remote areas).</p> <p>The ALGA should seek the support of the Department of Regional Australia, Regional Development and Local Government to establish a national approach to this issue.</p>	

NOTICES OF MOTION

1 REMOVAL OF PLAYGROUND EQUIPMENT FROM PUBLIC PARKS - Councillor Terry Perram

File Number: CLM/12/1/4/6 - BP12/323

MOTION:

That action to remove playground equipment from public parks without replacement in the same park be suspended until the matter has been reported to Council for consideration.

2 FEASIBILITY STUDY ON MULTIPURPOSE SYNTHETIC (ARTIFICIAL) FIELDS - Councillor Roy Maggio

File Number: CLM/12/1/4/6 - BP12/325

MOTION:

1. That the General Manager prepare a feasibility study on multipurpose synthetic (artificial) fields to be installed in the City of Ryde. This study should outline a comprehensive consultation process, projected financial impacts, construction cost estimates and a funding and grants program with all sports facility users and stakeholders in the LGA.
2. A report detailing possible sports funding grants through the State and Federal Governments in the next financial year to assist in this project should also be undertaken.

3 TRAINING FACILITIES FOR WOMEN'S NETBALL IN THE CITY OF RYDE - Councillor Roy Maggio

File Number: CLM/12/1/4/6 - BP12/327

MOTION:

That the General Manager investigate the feasibility of providing additional training facilities for women's netball in the City of Ryde. This investigation is to include discussions with local clubs, eg. (Ravens Netball). The resultant report should also include possible funding implications associated with improved and additional facilities.

**4 COMMEMORATIVE PLAQUE FOR NORTHERN DISTRICTS
CRICKET ASSOCIATION - Councillor Roy Maggio**

File Number: CLM/12/1/4/6 - BP12/328

MOTION:

That the General Manager endorses a commemorative plaque to be presented to the Northern Districts Cricket Association in recognition of their 100 seasons in the City of Ryde.

That the plaque be presented to the Northern Districts Cricket Association Committee at the next Sport and Recreation meeting with all Councillors invited.

**5 IVANHOE ESTATE, MACQUARIE PARK - Councillor Sarkis
Yedelian OAM**

File Number: CLM/12/1/4/6 - BP12/354

MOTION:

- 1). That Council writes to our local member, The Honourable Victor Dominello MP and the Ministers for Housing (Honourable Pru Goward) and Finance (Honourable Greg Pearce), in relation to Ivanhoe Estate and request that they provide Council and tenants:
 - with timely, honest and comprehensive explanation of their plans.
 - assurances that there will be a transparent consultative planning process.
- 2). That the redevelopment process (if any) includes tenants as stakeholders and listens to their voices and concerns and takes into account the strong sense of the Community in any decisions taken.

**6 WATER BOTTLE REFILL STATIONS - Councillor Gabrielle
O'Donnell**

File Number: CLM/12/1/4/6 - BP12/375

MOTION:

That Council investigate and report on the installation of water bottle refill stations in our major parks and/or centres.

7 BAN ON USE OF JET SKIS - Councillor Gabrielle O'Donnell

File Number: CLM/12/1/4/6 - BP12/376

MOTION:

That Council write to the Local Members for Ryde and Lane Cove asking them to lobby the State Government to maintain the current ban on the use of jet skis on Sydney Harbour and its waterways.

CONFIDENTIAL ITEMS

5 ADVICE ON COURT ACTIONS

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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: General Counsel, Public Officer

Report dated: 2 April 2012

File No.: GRP/11/7/1/6 - BP12/357

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