

Meeting Date: Tuesday 24 July 2012
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

*Council Meetings will be recorded on audio tape for minute-taking purposes
as authorised by the Local Government Act 1993.*

NOTICE OF BUSINESS

Item	Page
1 CONFIRMATION OF MINUTES - Council Meeting held on 26 June 2012	1
2 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 17 July 2012.....	42
3 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 9/12 held on 17 July 2012.....	61
4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 9/12 held on 17 July 2012.....	67
5 INVESTMENT REPORT - June 2012	72
6 DRAFT RYDE LEP 2011 - SUBMISSIONS.....	92
7 DRAFT DEVELOPMENT CONTROL PLAN 2011 PART 3.3 - DWELLING HOUSES AND DUAL OCCUPANCIES	133
8 INTEGRATED OPEN SPACE PLAN - FOR ADOPTION	179
9 FLOOD MODELLING FEES & CHARGES	189
10 SHRIMPTONS CREEK PLAN OF MANAGEMENT AND AUTHORISATION OF PROPOSED LEASE ARRANGEMENTS FOR THE RYDE COMMUNITY AND SPORTS CENTRE	195
11 UPDATE ON MANAGEMENT AND OPERATION OF RYDE COMMUNITY AND SPORTS CENTRE	202
12 ESTABLISHMENT OF A PANEL OF PREFERRED PROVIDERS TO PROVIDE LEARNING AND DEVELOPMENT SERVICES TO THE CITY OF RYDE	229
13 REQUEST FOR TENDER - RFT 08/12 - FOR THE PROVISION OF CATERING SERVICES TO THE CITY OF RYDE	232
14 REQUEST FOR TENDER - COR-RFT- 01/12 - Cleaning Services to City of Ryde Council Buildings	237
15 LIVVI'S PLACE PLAYGROUND, YAMBLE RESERVE - TENDER EVALUATION AND CONSTRUCTION PLANNING	241
16 REPORTS DUE TO COUNCIL	248

Meeting Date: Tuesday 24 July 2012
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

*Council Meetings will be recorded on audio tape for minute-taking purposes
as authorised by the Local Government Act 1993.*

NOTICE OF BUSINESS (continued)

Item		Page
PRECIS OF CORRESPONDENCE		
1	NOTICE OF MOTION - Public Domain Areas - West Ryde	289
2	MACQUARIE PARK TASKFORCE	291
3	SEPTEMBER 2012 LOCAL GOVERNMENT ELECTIONS - CARETAKER PROVISIONS	294
4	SEPTEMBER 2012 LOCAL GOVERNMENT ELECTIONS - USE OF COUNCIL RESOURCES AND ELECTORAL MATERIAL.....	297
NOTICES OF RESCISSION		
1	NOTICE OF RESCISSION: DEFERRED REPORT: DRAFT PART 3.4 MULTI DWELLING HOUSING DCP AND BANKSTOWN CITY COUNCIL BOARDING HOUSE CASES - Councillor Nicole Campbell, Councillor Gabrielle O'Donnell, Councillor Ivan Petch.....	300
2	NOTICE OF RESCISSION: COMPLETION OF BUSINESS - COUNCIL RESOLUTION TO CONDUCT AN EXTRAORDINARY COUNCIL MEETING AT 7.00PM ON 24 JULY 2012 - Councillor Bill Pickering, Councillor Roy Maggio, Councillor Gabrielle O'Donnell	300
CONFIDENTIAL ITEMS		
17	MACQUARIE UNIVERSITY - DRAFT DEVELOPMENT AGREEMENT	302
18	ADVICE ON COURT ACTIONS.....	308

1 CONFIRMATION OF MINUTES - Council Meeting held on 26 June 2012

Report prepared by: Meeting Support Coordinator**Report dated:** 19/06/2012**File No.:** GRP/12/5/5/5 - BP12/731

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 10/12, held on 26 June 2012 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 26 June 2012

ITEM 1 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 10/12**

Meeting Date: Tuesday 26 June 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 Butterworth arrived at 7.39pm during Public Participation in Items on the Agenda.

Councillor Maggio arrived at 7.41pm during Public Participation in Items on the Agenda

Apologies: Nil

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager Strategy and Organisation Development, Chief Financial Officer, Development Director – Civic Precinct Project, Service Unit Manager – Community Relations & Events, Service Unit Manager – Customer Service, Service Unit Manager – Regulatory Services and Service Unit Manager – Governance.

PRAYER

Pastor Stephen Cooper of the Eastwood Baptist Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Campbell disclosed a significant non-pecuniary interest in Mayoral Minute MM3/12 – Election of Nicole Campbell as Executive Member of NSW Branch of Australian Local Government Women's Association (ALGWA) for the reason that she is a member on the ALGWA Executive.

Councillor O'Donnell disclosed a significant non-pecuniary interest in Precis of Correspondence 2 – Australian Local Government Women's Association (ALGWA NSW) as she is the subject of the correspondence.

ITEM 1 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Barry Barton	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Linda Pringle (representing Ryde Community Alliance)	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Judith Partland (representing Gladesville Public School)	Item 19 – Gladesville Vacation Care Service – Transfer to Gladesville Public School P&C
Suzanne Marks	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Jill Hartley	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Denise Pendleton (representing Residents for Ryde)	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Philip Peake	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Leonie Dean	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Lee Cummings	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Stuart Maxwell	Item 25 – Update on Wolfe Road Reserve Neighbourhood Forum
Dennis Giraldi	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Julie Worsley	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Ping Tan	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Beth Kosnik	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Diane Erickson	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Jennie Minifie (representing Friends of Kittys Creek)	Item 25 – Update on Wolfe Road Reserve Neighbourhood Forum
Tony Saba	Item 25 – Update on Wolfe Road Reserve Neighbourhood Forum
Jasmina Moltter (representing residents in Edmondson Street, North Ryde)	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender
Lydia Scuglia (representing Harveyworld Top Ryde City and Ryde Business Forum)	Notice of Rescission 2 – City of Ryde Precinct Redevelopment Tender

ITEM 1 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Maggio and Campbell)

That the late request to address Council on Items Listed on the Agenda and members of the public who had requested to address Council on Items Not Listed on the Agenda be allowed to address the meeting.

Record of Voting:

For the Motion: Unanimous

Note: The Mayor called on Mr Albert Simoni to address the Meeting. Mr Simoni was not present and did not speak.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following person addressed the Council:-

Name	Topic
Brad Shaw (representing National Skateboard Association)	Skate Park

MAYORAL MINUTES

1 DEFERRED MAYORAL MINUTE: MM03/12 ELECTION OF NICOLE CAMPBELL AS EXECUTIVE MEMBER OF NSW BRANCH OF AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) - The Mayor, Councillor Artin Etmekdjian

Note: Councillor Butterworth left the meeting at 9.01pm and was not present for consideration of this Item.

Note: Councillor Campbell disclosed a significant non-pecuniary interest in this Item for the reason that she is a member on the ALGWA Executive.

RESOLUTION: (Moved by the Mayor, Councillor Etmekdjian and Councillor Yedelian OAM)

- (a) That Council congratulate Councillor Nicole Campbell's election to the executive of ALGWA and provide her the relevant support whilst she is an Executive Member of ALGWA (NSW) in the terms provided for in the "Payment of Expenses and Provision of Facilities to the Mayor and other Councillors" Policy; and
- (b) That the above support be provided to Councillor Campbell whilst she is both a member of the Executive of ALGWA (NSW) and a Councillor of City of Ryde.

Record of Voting:

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

ITEM 1 (continued)

ATTACHMENT 1

Against the Motion: Councillors Salvestro-Martin and Tagg

2 MM04/12 DEATH OF GLORIA LARDELLI OAM - The Mayor, Councillor Artin Etmekdjian

Note: Councillor Butterworth left the meeting at 9.01pm and was not present for consideration of this Item.

RESOLUTION: (Moved by the Mayor, Councillor Etmekdjian and Councillor Yedelian OAM)

- (a) That the death of Gloria Lardelli OAM be noted and that condolences and flowers be sent to her family on behalf of the Mayor, Councillors and staff of the City of Ryde.
- (b) That Council's sincerest condolences be extended to Councillor Salvestro-Martin at the loss of his mother and that condolences and flowers be sent to his family on behalf of the Mayor, Councillors and staff of the City of Ryde.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Butterworth returned to the meeting at 9.10pm.

ORDER OF BUSINESS

RESOLUTION: (Moved by The Mayor, Councillor Etmekdjian and Councillor Maggio)

That the following matters now be considered by Council as members of the public had addressed the meeting in relation to these matters, the time being 9.13pm:

- Notice of Rescission 2: City of Ryde Precinct Redevelopment Tender
- Item 19: Gladesville Vacation Care Service – Transfer to Gladesville Public School P&C
- Item 25: Update on Wolfe Road Reserve Neighbourhood Forum
- Item 13: Four Year Delivery Plan 2012-2016 Including One Year Operational Plan
- Item 14: Carryover Funds/Projects 2011/2012 to 2012/13
- Item 4: Report of the Works and Community Committee Meeting 8/12 held on 19 June 2012

Record of Voting:

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

ITEM 1 (continued)

ATTACHMENT 1

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

2 NOTICE OF RESCISSION - CITY OF RYDE PRECINCT REDEVELOPMENT TENDER - Councillor Ivan Petch, Councillor Jeff Salvestro-Martin, Councillor Victor Tagg, Councillor Justin Li

Note: Barry Barton, Linda Pringle (representing Ryde Community Alliance), Suzanne Marks, Jill Hartley, Denise Pendleton (representing Residents for Ryde), Philip Peake, Leonie Dean, Lee Cummings, Dennis Giraldi, Julie Worsley, Ping Tan, Beth Kosnik, Diane Erickson, Jasmina Moltter (representing residents in Edmondson Street, North Ryde) and Lydia Scuglia (representing Harveyworld Top Ryde City and Ryde Business Forum) addressed the meeting in relation to this Item.

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

That Council rescind the previous resolution in relation to ITEM 5 (PART 2) – CITY OF RYDE PRECINCT REDEVELOPMENT TENDER, passed at the Council Meeting held on 12 June 2012, namely:

1. *That Council note the report from the General Manager, and the report from the tender evaluation panel (**ATTACHMENT E – CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL**), in relation to responses received from Lend Lease Development Pty Limited and Billbergia Pty Limited/Frasers Property Australia Pty Limited to the Request for Tenders.*

That Council adopts the recommendation from the tender evaluation panel as reviewed and approved by the General Manager and not accept either tender on the basis that whilst the tenders received demonstrated substantial compliance with Council's project objectives of community benefit, revitalisation, design, sustainability, financial viability and traffic, the tenders displayed deficiencies in the following areas:

- (a) Council's preferred financial objectives were not fully achieved;*
- (b) the proposed risk allocations were not fully in accordance with Council's preferred risk profile;*
- (c) certain elements of Council's performance brief were not fully complied with; and*
- (d) the form of the tenders submitted were not sufficiently legally certain and complete as to enable Council to accept them.*

And that Council resolves *that having regard to clause 178(1) of the Local Government (General) Regulation 2005 and having regard to the tenders received in response to the Request for Tenders, the recommendations of the General Manager and the recommendations from the tender evaluation panel, no tender be accepted.*

ITEM 1 (continued)

ATTACHMENT 1

2. *That Council notes the recommendations of the General Manager and the tender evaluation panel that Council (subject to confirmation of Lend Lease board approval) enter into negotiations with Lend Lease Development Pty Limited with a view to concluding a contract, on the basis of the reasons set out in the confidential report from the tender evaluation panel:*

And that Council resolves *that having regard to clause 178(3)(e) of the Local Government (General) Regulation 2005 and having regard to the recommendations of the General Manager and the tender evaluation panel, to further the procurement process for the selection of an appropriate development partner (subject to confirmation of Lend Lease board approval) by entering into negotiations with Lend Lease Development Pty Limited with a view to entering into a Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) preferably by August 2012 in relation to the Ryde Civic Redevelopment for the reasons that:*

- (a) the tender submitted by Lend Lease Development Pty Limited achieved a superior ranking by the tender evaluation panel and subsequent meetings with both proponents to appreciate areas where negotiations might result in improvements to Council's position confirmed this ranking; and*
- (b) other options available to Council such as inviting fresh tenders or fresh applications from other persons or Council implementing one of several options ie: 'Do Nothing' or 'Refurbishment' or carrying out the redevelopment itself would not achieve a more satisfactory result for the following reasons:*
 - (i) the procurement process involving an expressions of interest and request for tenders has fully tested the market and any new tender process would be unlikely to produce a better result;*
 - (ii) any new tender process would involve Council in substantial additional costs without any certainty of a better result;*
 - (iii) any new tender process would involve a reputation risk to Council with tenderers being exposed to the substantial costs of tendering and having potentially lacking confidence in Council's process;*
 - (iv) the 'Do Nothing' option would lead to ultimate building failure over the next five to seven years;*
 - (v) the 'Refurbishment Option' will incur considerable additional costs to Council over the next ten years which would be significantly greater than the final net cost of proceeding with a Project Delivery Agreement with Lend Lease Development Pty Limited and in doing so would leave Council significantly*

ITEM 1 (continued)

ATTACHMENT 1

disadvantaged; and

- (vi) *as previously advised to Council, Council does not have the experience, capability, risk appetite or the cash available to undertake the project itself.*
3. *That Council note the recommendations of the General Manager that Council enter into a Project Development Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) with Lend Lease Development Pty Limited on terms the General Manager approves and is reasonably satisfied are substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G.*

And that Council resolves *that Council enter into a Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) on terms approved by the General Manager and which he is reasonably satisfied are substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in **ATTACHMENT G - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL.***

4. *That Council notes the recommendation that Council delegates to the General Manager the authority to negotiate with Lend Lease Development Pty Limited with a view to finalising and executing the Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) on terms approved by the General Manager and which he is reasonably satisfied are substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G.*

And that Council resolves *that pursuant to section 377(1) of the Local Government Act 1993, Council delegates to the General Manager the authority to finalise and execute the Project Delivery Agreement (and all documents referred to as Project Documents in the Project Delivery Agreement) with Lend Lease Development Pty Limited once he has approved the final form of that documentation and is reasonably satisfied the documentation is substantially consistent with or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G.*

That Council notes that a funding option offered by Lend Lease Development Pty Limited provides the best financial return to Council through the delivery of a low cost of capital solution by utilising Council's ability to borrow funds at a much lower levels than Lend Lease's cost of capital.

And that Council resolves *that it prefers the Lend Lease funding option and authorises the General Manager to undertake a tender process to provide the most advantageous outcome for Council for a \$35 million loan over a six year period, where the principal and interest is guaranteed by Lend Lease to Council and the funding is provided at no*

ITEM 1 (continued)

ATTACHMENT 1

net cost to Council, the details of which will form part of the Project Delivery Agreement.

5. *That Council notes that Stage 3 of the Civic Precinct project will be achieved upon the completion of negotiations with a preferred development partner.*

And that Council Resolves:

(a) *to implement Stage 4 in accordance with these recommendations and the indicative program provided in this report and maintain the Civic Precinct development team of contractors/consultants to do so and extend the delegation of the General Manager pursuant to section 377(1) of the Local Government Act 1993, to negotiate extensions of procurement arrangements and execute all relevant documentation with external providers for Stage 4, where Council's commitment to those providers will exceed \$150,000 over all 4 stages of the project; being:*

- (i) *Forbrook Group Pty Ltd;*
- (ii) *Kathy Jones and Associates; and*
- (iii) *Michael Collins and Associates, and*

(b) *that pursuant to section 55(3) of the Local Government Act 1993, that a satisfactory result would not be achieved by inviting tenders for the services to be provided by the external providers (as listed above) because of extenuating circumstances, by reason that a costly tender process to procure new external providers would not achieve a satisfactory result having regard to:*

- (i) *the whole of life costs for the project when taking into account the amount of time, risks and resources that may be required to brief new consultants;*
- (ii) *Council's desire for continuity in the project and the intellectual property held by those external providers in relation to the project; and*
- (iii) *the timetable adopted by Council to progress to Stage 4,*

and accordingly, that Council will not be inviting tenders for the services to be provided by the external providers (as listed above).

6. *That Council notes that until such time as Council resolves to proceed with the Civic Precinct redevelopment, or commits to a 'Do Nothing' approach, that Council is unable to integrate the financial models relating to this report into its Four Year Delivery Plan and its Long Term Financial Plan.*

And that Council Resolves: *to adjust its Four Year Delivery Plan and its Long Term Financial Plan to reflect the impacts of the Lend Lease funding option as outlined in the confidential attachments to this report*

ITEM 1 (continued)

ATTACHMENT 1

and finalised by negotiation with the General Manager.

7. *That Council enter into a legally enforceable Memorandum of Understanding with Lend Lease Development Pty Limited, consistent with the Project Delivery Agreement referred to in Parts 4 and 5 above, on terms approved by the General Manager, and which he is reasonably satisfied are substantially consistent with, or more favourable to Council than, the Commercial and Risk Principles set out in Confidential Attachment G, and that, pursuant to Section 377(1) of the Local Government Act 1993, Council delegates to the General Manager the authority to finalise and execute that Memorandum of Understanding should the General Manager deem it commercially appropriate to do so.*

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 Rescission Motion was LOST.

Record of Voting:

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

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

19 GLADESVILLE VACATION CARE SERVICE- Transfer to Gladesville Public School P&C

Note: Judith Partland (representing Gladesville Public School) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Petch)

- (a) That Council cease operating its Gladesville Vacation Care Service and transition parents using this Service to the new Service being operated by the Gladesville School Parent and Citizen Association from September 2012 school holiday period.
- (b) That Council communicates directly with parents, families and representatives from adjoining schools to ensure their smooth transition to the Service operated by the Parent and Citizen Association.
- (c) That Council staff review and report to Council on the above arrangements (to ensure service continues to meet the needs of families) after 12 months.

Record of Voting:

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

ITEM 1 (continued)

ATTACHMENT 1

Against the Motion: Councillor Butterworth

25 UPDATE ON WOLFE ROAD RESERVE NEIGHBOURHOOD FORUM

Note: Stuart Maxwell, Jennie Minifie (representing Friends of Kittys Creek) and Tony Saba addressed the meeting in relation to this Item.

Note: Stuart Maxwell and Tony Saba provided information to Councillors in relation to this Item and copies are ON FILE.

RESOLUTION: (Moved by Councillors Campbell and Maggio)

That this matter be deferred to the next Works and Community Committee Meeting.

Record of Voting:

For the Motion: Unanimous

13 FOUR YEAR DELIVERY PLAN 2012-2016 INCLUDING ONE YEAR OPERATIONAL PLAN 2012/2013

Note: Additional information was provided by the Group Manager Corporate Services and Chief Financial Officer in relation to this matter and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) That Council note the public submissions received during the public exhibition period and the responses to the submissions, as detailed in the report.
- (b) That in accordance with Sections 404 & 405 of the Local Government Act (1993), the Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 be adopted as the Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013, incorporating the amendments described in this report, and all changes consequential thereunto.
- (c) That, in accordance with Sections 534 and 535 of the Local Government Act, 1993, Council makes the following rates and charges for every parcel of rateable land within the City of Ryde for the year commencing 1 July 2012 as detailed in the Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013.
 - (i) A Residential Ordinary Rate of zero point one three three nine five six (0.133956) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as residential in accordance with Section 516 of the Local Government Act, 1993

ITEM 1 (continued)

ATTACHMENT 1

- subject to a minimum amount of four hundred and fifty seven dollars and seventy four cents (\$457.74).
- (ii) A Business Ordinary Rate of zero point six eight seven eight one five (0.687815) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as business in accordance with Section 518 of the Local Government Act, 1993, (excepting land sub-categorised as Business - Major Retail Centre - Macquarie Park or sub-categorised as Business - Major Retail Centre - Top Ryde, subject to a minimum amount of four hundred and fifty seven dollars and seventy four cents (\$457.74).
 - (iii) A Business - Major Retail Centre - Macquarie Park Ordinary Rate of one point one zero seven four six eight (1.107468) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre - Macquarie Park in accordance with Section 529(2)(d).
 - (iv) A Business - Major Retail Centre - Top Ryde Ordinary Rate of zero point six eight seven eight one five (0.687815) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre - Top in accordance with Section 529(2)(d).
 - (v) An Environmental Management Rate of zero point zero two one six two five (0.021625) cents in the dollar be levied on the value of all rateable land within the City of Ryde subject to a base amount of fifty three dollars and sixty nine cents (\$53.69), which will levy thirty five point seven three percent (35.73%) of the total amount raised within this rate.
 - (vi) A Macquarie Park Corridor Special Rate of zero point one three three six six one (0.133661) cents in the dollar be levied on the land value of all rateable land categorised as business in accordance with Sections 518 or 529(2)(d) and included in the Macquarie Park Corridor, as identified by the map contained in the Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013.
 - (vii) That aggregation of parcels of land, subject to a minimum or base amount, be permitted in accordance with Section 548A of the Local Government Act 1993.
- (d) That, in accordance with Section 496 (1) of the Local Government Act 1993, the charge for the Domestic Waste Management Service for each rateable residential property be set at three hundred and fifty four dollars (\$354.00) per service per annum and the following additional services be provided, on request, to each rateable residential property, for the following annual charges:

ITEM 1 (continued)

ATTACHMENT 1

- | | | |
|-------|---|----------|
| (i) | Upgrade from 140 litre to 240 litre service | \$258.46 |
| (ii) | Additional 140 litre Garbage bin | \$268.84 |
| (iii) | Additional 240 litre Garbage bin | \$527.30 |
| (iv) | Additional Recycle bin | \$ 42.56 |
| (v) | Additional Green bin | \$ 42.56 |
- (e) That, in accordance with Section 496 (2) of the Local Government Act 1993 the standard charge for the Domestic Waste Management service provided, on request, to non-rateable properties be set at three hundred and fifty four dollars (\$354.00) per service per annum and the following additional services be provided, on request, to each non-rateable property, for the following annual charges:
- | | | |
|-------|---|----------|
| (i) | Upgrade from 140 litre to 240 litre service | \$258.46 |
| (ii) | Additional 140 litre Garbage bin | \$268.84 |
| (iii) | Additional 240 litre Garbage bin | \$527.30 |
| (iv) | Additional Recycle bin | \$ 42.56 |
| (v) | Additional Green bin | \$ 42.56 |
- (f) That in accordance with Section 496A of the Local Government Act 1993, the Stormwater Management Service Charge be levied at the following rates:
- | | | |
|-------|--------------------------------------|--|
| (i) | Strata titled residential home units | \$12.50 per unit |
| (ii) | Other residential property | \$25.00 per rateable property |
| (iii) | Business rateable properties | \$25.00 per 350 sq metres of land area |
| (iv) | Business rateable Strata Properties | \$12.50 per unit |
- (g) That, in accordance with Section 611 of the Local Government Act 1993, the following annual charges be made:
- (i) the use of Council land for the vehicle overbridge situated in Herring Road be charged in accordance with the legal agreement between the City of Ryde and the owners of Macquarie Shopping Centre (anticipated income is \$69,397 including GST for 2012/2013).

ITEM 1 (continued)

ATTACHMENT 1

- (ii) the use of Council land for the Shell Oil company pipeline in the City of Ryde be charged in accordance with the pricing formula agreed with the Company, (anticipated income is \$60,837 including GST for 2012/2013).
- (iii) the use of Council land for AGL Gas Mains in the City of Ryde be charged at a rate based on an annual review by KPMG of AGL's revenue (anticipated income is \$56,938 including GST for 2012/2013).
- (h) That the rate of interest payable in respect of rates and charges that remain unpaid after they become due and payable be set at ten percent (10%) per annum.
- (i) That the Schedule of Fees and Charges, annexed to the Draft Four Year Delivery Plan 2012-2016 including One Year Operational Plan 2012/2013 as amended in terms of this report, be adopted as Council's Fees and Charges for 2012/2013.

Record of Voting:

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

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

14 CARRYOVER FUNDS/PROJECTS 2011/2012 TO 2012/2013

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

- (a) That Council endorse the following proposed carryovers and include them in the 2012/2013 Budget:
 - a. \$0.44 million for projects previously approved by Council
 - b. \$0.27 million for projects that will benefit from broader scope for efficiencies
 - c. \$0.01 million for projects that have contract disputes
 - d. \$5.54 million for projects that have been delayed for reasons detailed in this report
 - e. \$1.31 million for projects that were only added to the Delivery Plan as part of the March Quarterly Review
 - f. \$1.71 million for projects that were reported in March Quarterly Review as a carryover
- (b) That the proposed transfer to reserve for the public art component of projects, included in this report totalling \$0.16 million be endorsed for transfer to a Public Art Reserve.

ITEM 1 (continued)

ATTACHMENT 1

- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Reserves of \$8.16 million be adopted.

Record of Voting:

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

Against the Motion: Councillors Butterworth and Salvestro-Martin

EXTENSION OF TIME

RESOLUTION: (Moved by Councillors Campbell and Pickering)

That the meeting time be extended to allow Council to determine Items 4 and 3, the time being 11.05pm.

Record of Voting:

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

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

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 8/12 held on 19 June 2012

RESOLUTION: (Moved by Councillors Perram and Petch)

That Council determine Items 4(d), 4(k), 4(q) and 5 of the Works and Community Committee report, noting that Items 1, 2, 3, 4(a), 4(b), 4(c), 4(e), 4(f), 4(g), 4(h), 4(i), 4(j), 4(l), 4(m), 4(n), 4(o), 4(p) and 4(r) were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

4 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 24 May 2012

RESOLUTION: (Moved by Councillors Perram and Petch)

- (d) That in relation to Belmore Street, Meadowbank, the matter be deferred for confirmation that consultation with the restaurant owner has occurred.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

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

Against the Motion: Councillor Salvestro-Martin

RESOLUTION: (Moved by Councillors Perram and Petch)

- (k) (i) That the "GANNET STREET, GLADESVILLE Request for Parking Restrictions matter be referred to the next Traffic Committee for a further report addressing the concerns of the residents and that the residents be invited to address the committee.
- (ii) That compliance with the conditions of consent for Harris Farm and Woolworths be investigated.
- (iii) That the traffic and linemarking treatment carried out at Morrison Park be considered as a traffic measure in Gannet Street.
- (iv) That the need for a bench in the vicinity of the Harris Farm Market be investigated.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by Councillors Perram and Petch)

- (q) That Council adopt the following recommendations in relation to the report titled "OSGATHORPE ROAD, GLADESVILLE Request for Works Zone at construction site" as follows:
- i. That approval be granted for the Work Zone in front of No.328-332 Victoria Road property along Osgathorpe Road frontage for 40 metres in length over the period from 30 April 2012 to 20 September 2012, subject to the associated work zone permit fee being paid in accordance with Council's approved Fees and Charges 2011/12.
 - ii. That the Work Zone operates between the hours of 7am to 5pm, Monday to Friday, and 8am to 1pm on Saturday.
 - iii. That the RMS approved traffic controllers be employed at all times to control ingress / egress movements within the Work Zone.
 - iv. That an Investigation of current speed and crash history in Osgathorpe Road and Brereton and Evans Streets be carried out and further that speed calming measures be investigated in those three streets.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

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

Against the Motion: Councillor Butterworth

5 COMMUNITY MEMBERSHIP OF THE WHEELED SPORTS ADVISORY COMMITTEE

MOTION: (Moved by Councillors Perram and Petch)

That the formation of the Wheeled Sports Advisory Committee be deferred for consideration until after the Council election when the formation of all Advisory Committees will be considered.

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, Perram, Petch, Salvestro-Martin and Tagg

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

The matter was then AT LARGE.

RESOLUTION: (Moved by Councillors Campbell and Yedelian OAM)

- (a) That Council amend the Terms of Reference of the Wheeled Sports Advisory Committee to include seven (7) community representatives.
- (b) That Council endorse the membership of the following seven (7) community representatives to the Wheeled Sports Advisory Committee:
 - Kenrick Thompson
 - Ben Drayton
 - David McElroy
 - Brendan Gardoll
 - Brad Shaw
 - Le Zhang
 - Nathan Ho
- (c) That Council nominate two (2) Councillors as Councillor representatives on the Wheeled Sports Advisory Committee as follows:

ITEM 1 (continued)

ATTACHMENT 1

- Councillor Maggio; and
- Councillor Pickering

(d) That the first meeting of the Wheeled Sports Advisory Committee be held in early July 2012.

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, Perram, Petch, Salvestro-Martin and Tagg

Note: A Notice of Rescission signed by Councillors Perram, Butterworth, Tagg and Petch was received in relation to this Item after the meeting and will be considered by Council at its meeting to be held on 24 July 2012.

3 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 8/12 held on 19 June 2012

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

That Council determine Items 2, 3 and 4 of the Planning and Environment Committee report, noting that Item 1 was dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

2 252 MORRISON ROAD, PUTNEY. LOT 97 DP 8902. Local Development Application for demolition, construction of new dual occupancy (attached). LDA2012/0069

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

- (a) That Local Development Application No. 2012/69 at No. 252 Morrison Road, Putney being LOT 97 DP 8902 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

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

ITEM 1 (continued)

ATTACHMENT 1

Against the Motion: Councillors Butterworth and Salvestro-Martin

3 44 DAVID AVENUE, NORTH RYDE. LOT 49 DP 36455. Local Development Application for New two storey dual occupancy. LDA2011/0541

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Local Development Application No. 2011/541 at No. 44 David Avenue, North Ryde being LOT 49 DP 36455 be approved subject to the following Conditions of Consent:

GENERAL

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

1. **Approved Plans/Documents.** 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
Site Plan	August 2010	Sheet 1 of 9
Ground Floor Plan	August 2010	Sheet 2 of 9
First Floor Plan	August 2010	Sheet 3 of 9
Elevations (SW, SE, NE)	August 2010	Sheet 4 of 9
Elevation (NW) and Section A-A	August 2010	Sheet 5 of 9

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered 386555m_02, dated 18 October 2011.

Landscaping

4. The removal and construction management of trees is to be in accordance with the landscape plan prepared by Michael Siu, Revision A, dated 11th August, 2011.
5. A tree protection zone is to be established around trees 5 & 6, with no construction activity, site storage or stockpiling to occur within the root zone of the subject trees. Tree protection areas are to be installed prior to the commencement of demolition (under a separate application) and maintained for duration of the construction period.
6. Works within the root zone of tree 4 including: the establishment of the

ITEM 1 (continued)

ATTACHMENT 1

building platform, associated paving and stormwater pipes and trenching are to be supervised by a project arborist.

Protection of Adjoining and Public Land

7. **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.
8. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
9. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

General Engineering Conditions

10. **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* and relevant Development Control Plans except as amended by other conditions.
11. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
12. **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.
13. **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.

ITEM 1 (continued)

ATTACHMENT 1

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.

14. **Section 94.** 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	B
Community & Cultural Facilities	\$3,991.39
Open Space & Recreation Facilities	\$9,825.97
Civic & Urban Improvements	\$3,341.90
Roads & Traffic Management Facilities	\$455.76
Cycleways	\$284.75
Stormwater Management Facilities	\$904.74
Plan Administration	\$76.78
The total contribution is	\$18,881.29

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>.

ITEM 1 (continued)

ATTACHMENT 1

15. **Compliance with Australian Standards.** 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**.
16. **Security deposit.** 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 prior to the release of the **Construction Certificate**. (category: dwelling houses with delivery of bricks or concrete or machine excavation).
17. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
18. **Long Service Levy.** 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**.
19. **Fencing.** 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**.

Engineering Conditions to be complied with Prior To Construction Certificate

20. **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.
21. **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.
22. **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 1 (continued)

ATTACHMENT 1

23. **Stormwater Runoff.** Stormwater runoff from all roof impervious areas shall be collected and piped to an absorption drainage system located at the rear of the site via an OSD system and a BASIX required rainwater tank(s) in accordance with BASIX and the City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. *Runoff from driveways and other low lying impervious areas can be collected and piped to directly to the absorption system, by-passing the OSD and rainwater tanks system.*

Additionally, the BASIX required rainwater tank volume shall be increased for each dwelling to 3000 litres as specified by BASIX.

Accordingly, detailed amended engineering plans including certification indicating compliance with this condition are to be submitted with the construction certificate application.

24. **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 Department of Housing. 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 1 (continued)

ATTACHMENT 1

25. Site Sign

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (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.

26. **Residential building work – insurance.** 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.

27. **Residential building work – provision of information.** 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).

28. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

ITEM 1 (continued)

ATTACHMENT 1

Engineering Conditions to be complied with Prior to Commencement of Construction

29. **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.
30. **Compliance Certificate.** A Compliance Certificate must be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and the City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities.
31. **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.

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

ITEM 1 (continued)

ATTACHMENT 1

35. **Survey of footings/walls.** 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.
36. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
37. **Construction materials.** All materials associated with construction must be retained within the site.
38. **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.
39. **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 equipment 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.
40. **Tree protection – no unauthorised removal.** 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.
41. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.

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 1 (continued)

ATTACHMENT 1

42. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate numbered 386555m_02, dated 18 October 2011.
43. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.
44. **Sydney Water – Section 73.** 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.

45. **Letterboxes and street/house numbering.** All letterboxes and house numbering 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.

Engineering Conditions to be complied with Prior to Occupation Certificate

46. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
47. **Compliance Certificates – Engineering.** Compliance Certificates must 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 all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and Ryde City Council’s *Environmental Standards Development Criteria - 1999*.
 - Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Council’s *Environmental Standards Development Criteria - 1999*.

ITEM 1 (continued)

ATTACHMENT 1

- Confirming that the site drainage system servicing the development complies with the construction plan requirements and the 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.
 - From Council confirming that all external works have been completed to Council's satisfaction.
48. **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 the City of Ryde, Development Control Plan 2006: - 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.
49. **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. If there are proposed interallotment drainage easements on the subject property, **a Certificate from a Registered Surveyor is to be submitted to the PCA** certifying that the subject drainage line/s and pits servicing those lines lie wholly within the proposed easements.
50. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
51. **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.
52. **Positive Covenant, Dispersal.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater dispersal system. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of On-

ITEM 1 (continued)

ATTACHMENT 1

site Dispersal Systems and to the satisfaction of Council.

53. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with the construction certificate version of plan 22915 sheet 1 revision A dated 29/6/11 prepared by Auswide Engineering as amended in red.

(b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

4 46 DAVID AVENUE, NORTH RYDE. LOT 48 DP 36455. Local Development Application for a two-storey attached dual occupancy. LDA2011/0567

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

(a) That Local Development Application No. 2011/567 at 46 David Avenue, North Ryde, be approved subject to the following Conditions of Consent:

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:
 - Drawing Nos. 1 to 4 and 6 to 10, Issue 'B' prepared by 'Universal Property Group' dated 24 April 2012 and colour schedule, and
 - Arboricultural Assessment prepared by 'Horticultural Management Services' dated 22 November 2011, except as amended by the conditions hereunder.

Prior to the issue of a **Construction Certificate**, the following amendments shall be made:

- (a) The only tree permitted to be removed under this consent is the existing Black Bean tree (*Castanospermum australe*) located along the proposed rear boundary. The proposed screen planting along the front boundary of the site shall be limited to a maximum height of 900mm and the Landscape Plan shall be amended accordingly.
- (b) The Landscape Plan shall be amended to replace the Black Bean with a suitable advanced native having a minimum pot size of 75litres at the time of planting.

ITEM 1 (continued)

ATTACHMENT 1

2. **Building Code of Australia** – All building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
3. **BASIX** – Compliance with all commitments listed in BASIX Certificate No. 398422M_03 dated 25 April 2012.
4. **Drainage Construction** – The stormwater drainage on the site shall be constructed in accordance with the Construction Certificate version of Plan No. 1108181d issue 'C' dated 23 April 2012 prepared by Rammy Associates Pty Ltd.

Protection of Adjoining and Public Land

5. **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.
6. **Hoardings** – A hoarding or fence must be erected between the work site and any adjoining public place.

Any hoarding or fence erected pursuant this consent is to be removed when the work has been completed
7. **Development to be within site boundaries** – 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.
8. **Public space** – The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

Works on Public Road

9. **Public Utilities** – Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
10. **Roads Act** – Any works performed in, on, or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.

Engineering Conditions

11. **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

ITEM 1 (continued)

ATTACHMENT 1

amended by other conditions.

12. **Service Alterations** – All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
13. **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.
14. **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.

DEMOLITION CONDITIONS

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.

15. **Asbestos** – Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.
16. **Asbestos disposal** – All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal docket must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
17. **Imported fill type** – 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

ITEM 1 (continued)

ATTACHMENT 1

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.

18. **Section 94** – 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	B
Community & Cultural Facilities	\$3,991.39
Open Space & Recreation	\$9,825.97
Civic & Urban Improvements	\$3,341.90
Roads & Traffic Management Facilities	\$455.76
Cycleways	\$284.75
Stormwater Management Facilities	\$904.74
Plan Administration	\$76.78
The total contribution is	\$18,881.29

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>.

19. **Compliance with Australian Standards** – 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**.
20. **Structural certification** – The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements.

ITEM 1 (continued)

ATTACHMENT 1

21. **Security deposit** – 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: dwelling houses with delivery of bricks or concrete or machine excavation).
22. **Fees** – The following fees must be paid to Council in accordance with Council's Management Plan:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
23. **Long Service Levy** – 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**.
24. **Fencing**. 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**.
25. **Sydney Water – quick check** – The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.
Please refer to the website www.sydneywater.com.au for:
 - Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
 - Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.Or telephone 13 20 92.

Engineering Conditions Prior to Construction Certificate

26. **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**.
27. **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.

ITEM 1 (continued)

ATTACHMENT 1

28. **Sight Distance** – To facilitate safe sight distances, all proposed fencing and vegetation forward of the building alignment to McGregor Street shall be limited in height to a maximum of 900mm. Plans detailing compliance with this condition shall be submitted with the **Construction Certificate**.
29. **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.
Engineering plans, including certification indicating compliance with this condition are to be submitted with the **Construction Certificate** application.
30. **On-Site Stormwater Detention Tank** – All access grates to the on site stormwater detention tank are to be hinged and fitted with a locking bolt. Any tank greater than 1.2m in depth must be fitted with step irons.
31. **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.
32. **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 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.

ITEM 1 (continued)

ATTACHMENT 1

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.

33. 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.

34. Residential building work, insurance – 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.

35. Residential building work, provision of information – 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).

ITEM 1 (continued)

ATTACHMENT 1

36. **Safety Fencing** – 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.

Engineering Conditions Prior to Commencement of Construction

37. **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.

Note: 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.

38. **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
39. **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.

40. **Critical stage inspections** – The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
41. **Noise and vibration** – 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.
42. **Construction noise.** 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

ITEM 1 (continued)

ATTACHMENT 1

nearest affected residential premises.

43. **Survey of footings and walls** – 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.
44. **Sediment/dust control** – No sediment, dust, soil or similar material shall leave the site during construction work.
45. **Construction materials** – All materials associated with construction must be retained within the site.
46. **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; and,
 - (c) the site is clear of waste and debris at the completion of the works.
47. **Work within public road** – At all times when 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”.
48. **Drop-edge beams** – Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.
49. **Plumbing and drainage work** – All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation.
50. Only unpolluted water is to be discharged to Council’s stormwater drainage system.

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

ITEM 1 (continued)

ATTACHMENT 1

compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

51. **BASIX** – The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate No. 398422M_03 dated 25 April 2012.
52. **Landscaping** – All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.

Engineering Conditions Prior to Occupation Certificate

53. **Disused Gutter Crossing** – All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
54. **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 all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and *Ryde City Council's Environmental Standards Development Criteria – 1999, Section 4*.
 - Confirming that the driveway and the footpath paving works are constructed in accordance with the construction plan requirements and *Ryde 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 *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.
55. **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. If there are proposed interallotment drainage easements on the subject property, **a Certificate from a Registered Surveyor is to be submitted to the PCA** certifying that the subject drainage line/s and pits servicing those lines lie wholly within the proposed easements.

ITEM 1 (continued)

ATTACHMENT 1

56. **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.
 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.
 58. **Positive Covenant, Dispersal** – The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater dispersal system. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of On- site Dispersal Systems and to the satisfaction of Council.
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

NATIONAL ANTHEM

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

Note: The following Items listed on the Agenda for Council Meeting 10/12 were deferred for consideration at the Council meeting to be held on 24 July 2012 and will be listed on the Agenda for Council Meeting 11/12 to be held on Tuesday, 24 July 2012:

COUNCIL REPORTS

- 1 DEFERRED REPORT: CONFIRMATION OF MINUTES – Council Meeting held on 22 May 2012
- 2 CONFIRMATION OF MINUTES – Council Meeting held on 12 June 2012

ITEM 1 (continued)

ATTACHMENT 1

- 5 DEFERRED REPORT: PUTNEY PARK PLAN OF MANAGEMENT ACTION PLAN UPDATE
- 6 DEFERRED REPORT: ACCUMULATED LIBRARY FINES
- 7 DEFERRED REPORT: PROPOSED SITE FOR HOUSING COUNCIL STAFF AND MOVEMENT OF STAFF TO NEW PREMISES
- 8 DEFERRED REPORT: WEBCASTING OF COUNCIL MEETINGS
- 9 DEFERRED REPORT: SUMMARY OF EXPENSES RELATING TO THE GENERAL MANAGER AND SENIOR STAFF
- 10 DEFERRED REPORT: REPORTS DUE TO COUNCIL
- 11 DEFERRED REPORT: POLICY FOR THE INTERFACE AND DAY TO DAY OVERSIGHT OF THE GENERAL MANAGER BY THE MAYOR
- 12 DEFERRED REPORT: 2012/2013 CHRISTMAS / NEW YEAR ARRANGEMENTS – Business Operations
- 15 INVESTMENT REPORT – May 2012
- 16 REQUEST FOR TENDER – COR-RFT-04/12 – Implement Technology to Assist Transport – Parking Availability and Monitoring
- 17 DRAFT PART 3.4 MULTI DWELLING HOUSING DCP AND BANKSTOWN CITY COUNCIL BOARDING HOUSE CASES
- 18 DRAFT DEVELOPMENT CONTROL PLAN 2010 – PART 9.6 TREE PRESERVATION - SUBMISSIONS
- 20 CITY OF RYDE – SYDNEY OVER THE NEXT 20 YEARS – DISCUSSION PAPER DRAFT RESPONSE
- 21 EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH A DISABILITY
- 22 DEFERRED REPORT: ADVICE ON COURT ACTIONS
- 23 DEFERRED REPORT: ADVICE ON COURT ACTIONS
- 24 ADVICE ON COURT ACTIONS

PRECIS OF CORRESPONDENCE

- 1 DEFERRED PRECIS OF CORRESPONDENCE: FUNDING FOR THE POSITION OF ABORIGINAL EDUCATION OFFICER AT MARSDEN HIGH SCHOOL

ITEM 1 (continued)

ATTACHMENT 1

- 2 DEFERRED PRECIS OF CORRESPONDENCE: AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA NSW)
- 3 DEFERRED PRECIS OF CORRESPONDENCE: SYDNEY AIRPORT – THE RIGHT FUTURE, STARTING NOW
- 4 DEFERRED PRECIS OF CORRESPONDENCE: 50:50 VISION – COUNCILS FOR GENDER EQUITY PROGRAM
- 5 DEFERRED PRECIS OF CORRESPONDENCE: SYDNEY OVER THE NEXT 20 YEARS
- 6 DEFERRED PRECIS OF CORRESPONDENCE: FUTURE REZONING OF CUDAL RESERVE, RYDE TO RE1 PUBLIC RECREATION
- 7 DEFERRED PRECIS OF CORRESPONDENCE: BOARDING HOUSE TARIFFS FOR RESIDENTIAL RATING AND FEE FOR SECTION 603 CERTIFICATES FOR 2012/13
- 8 CARBON TAX

NOTICES OF MOTION

- 1 DEFERRED NOTICE OF MOTION: GLADESVILLE HORNSBY FOOTBALL ASSOCIATION
- 2 RECOGNITION OF NAIDOC WEEK
- 3 DCP 2011 – LINEAR SEPARATION FOR THE DEVELOPMENT OF MULTI UNIT DEVELOPMENTS

NOTICES OF RESCISSION

- 1 DEFERRED NOTICE OF RESCISSION – CITY OF RYDE PROCUREMENT PROCESSES

The meeting closed at 11.19pm.

CONFIRMED THIS 24TH DAY OF JULY 2012

Chairperson

2 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 17 July 2012

Report prepared by: Meeting Support Coordinator**Report dated:** 11/07/2012**File No.:** GRP/12/5/5/5 - BP12/831

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 Extraordinary Council Meeting 11/12, held on 17 July 2012 be confirmed.

ATTACHMENTS

- 1 Minutes - Extraordinary Council Meeting - 17 July 2012

ITEM 2 (continued)

ATTACHMENT 1

**Extraordinary Council Meeting
MINUTES OF MEETING NO. 11/12**

Meeting Date: Tuesday 17 July 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, Perram, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

Councillor Butterworth arrived at 7.35pm during discussion of the Memorandum from General Manager regarding Notice of Motion lodged on 26 June 2012.

Apologies: Nil.

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Service Unit Manager – Regulatory Services, Communications and Media Manager, Manager – Community Relations & Events and Meeting Support Coordinator.

PRAYER

The General Manager, Mr John Neish offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor O'Donnell disclosed a significant non-pecuniary interest in Precis of Correspondence 2 – Australian Local Government Women's Association (ALGWA NSW) as she is the subject of the correspondence.

**MEMORANDUM FROM GENERAL MANAGER REGARDING NOTICE OF MOTION
LODGED ON 26 JUNE 2012**

Note: The General Manager circulated a Memo regarding a Notice of Motion lodged on 26 June 2012 which advised Council that the Notice of Motion was unlawful. A copy of the Memo is attached to these Minutes.

Note: Councillor Butterworth arrived at 7.35pm during discussion of this Item.

ITEM 2 (continued)

ATTACHMENT 1

MOTION: (Moved by Councillors Petch and Tagg)

With reference to a Memorandum from the General Manager dated 17 July 2012, that a copy of the legal advice referred to in that Memorandum be made available to Councillors.

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, Perram, Petch, Salvestro-Martin and Tagg

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

RESOLUTION: (Moved by Councillors Petch and Tagg)

That this matter be dealt with in Confidential Session at the end of the Meeting.

Record of Voting:

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

Against the Motion: Councillors O'Donnell and Pickering

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Peter Sullivan (representing the Eastwood and Ryde Chambers of Commerce)	Item 12 – Deferred Report – REQUEST FOR TENDER – COR-RFT-04/12 – Implement Technology to Assist Transport – Parking Availability and Monitoring
David Tompkins (representing West Ryde Chamber of Commerce)	Item 12 – Deferred Report – REQUEST FOR TENDER – COR-RFT-04/12 – Implement Technology to Assist Transport – Parking Availability and Monitoring
Phil Peake	Notice of Motion 3 – Deferred Notice of Motion: DCP 2011 – Linear Separation for the development of multi unit developments
Denise Pendleton (representing Residents for Ryde)	Item 6 – Deferred Report – Webcasting of Council Meetings

ITEM 2 (continued)

ATTACHMENT 1

Andrew Wilson	Precis of Correspondence 6 – Deferred Precis of Correspondence: Future Rezoning of Cudal Reserve, Ryde to RE1 Public Recreation
Sherie Barton	Notice of Motion 3 – Deferred Notice of Motion: DCP 2011 – Linear Separation for the development of multi unit developments
Glen Castensen (representing Ryde Hunters Hill Hockey Club)	Notice of Motion 4 – Ryde Hunters Hill Hockey Club
Jill Hartley	Notice of Motion 7 – Resident Complaint regarding the Civic Precinct Development
Diane Erickson	Notice of Motion 7 – Resident Complaint regarding the Civic Precinct Development
Laurie Kennedy	Notice of Motion 7 – Resident Complaint regarding the Civic Precinct Development

Note: The Mayor called on Mr John Cicchini and Mr Warwick Cooper to address the Meeting. Mr Cicchini and Mr Cooper were not present and did not speak.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Campbell and Petch)

That the persons who have requested to address Council on Items Not Listed on the Agenda be allowed to address the meeting.

Record of Voting:

For the Motion: Unanimous

The following person then addressed the Council:-

Name	Topic
Mitchell Ophir	Civic Centre Development

MAYORAL MINUTES

MM5/12 REQUEST FOR EXTRAORDINARY MEETING

RESOLUTION: (Moved by The Mayor, Councillor Etmekdjian and Councillor Pickering)

That Council acknowledge that there will be an Extraordinary Meeting of Council on Monday, 23 July 2012 at 7.30pm to be held in the Council Chamber, Civic Centre, Ryde, to consider the request from two Councillors relating to a staff matter.

ITEM 2 (continued)

ATTACHMENT 1

Record of Voting:

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

Against the Motion: Councillors Maggio and O'Donnell

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Maggio and Campbell)

That Council now consider the following Items in order:-

- Item 6 – Deferred Report: Webcasting of Council Meetings,
- Item 12 – Deferred Report: Request for Tender – COR-RFT-04/12 – Implement Technology to Assist Transport – Parking Availability and Monitoring,
- Precip of Correspondence 6 – Deferred Precip of Correspondence: Future Rezoning of Cudal Reserve, Ryde to RE1 Public Recreation,
- Notice of Motion 3 – Deferred Notice of Motion: DCP 2011 – Linear Separation for the Development of Multi Unit Developments,
- Notice of Motion 4 – Ryde Hunters Hill Hockey Club,
- Notice of Motion 7 – Resident Complaint regarding the Civic Precinct Development.

Record of Voting:

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

Against the Motion: Councillor O'Donnell

6 DEFERRED REPORT: WEBCASTING OF COUNCIL MEETINGS

Note: Denise Pendleton (representing Residents for Ryde) addressed the meeting in relation to this Item.

Note: Councillor Li left the meeting at 8.23pm and did not vote on this Item.

Note: Councillor Tagg left the meeting at 8.23pm and did not vote on this Item.

RESOLUTION: (Moved by Councillors Pickering and Campbell)

- (a) That Council commence webcasting of Council and Civic Precinct Committee Meetings on a trial basis for six months, as soon as practicable after 1 July 2012.

ITEM 2 (continued)

ATTACHMENT 1

- (b) That Council allocate \$20,000 in the 2012/13 Operational Plan for the webcasting project noting ongoing costs of approximately \$1,000 per year.
- (c) That a report be provided to Council following the conduct of the 2012 Local Government Election outlining the outcomes of the trial and recommending appropriate changes to Council's Code of Meeting Practice.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Li returned to the meeting at 8.25pm.

Note: Councillor Tagg returned to the meeting at 8.25pm.

12 DEFERRED REPORT: REQUEST FOR TENDER - COR-RFT-04/12 - Implement Technology to Assist Transport - Parking Availability and Monitoring

Note: Peter Sullivan (representing Eastwood and Ryde Chambers of Commerce) and David Tompkins (representing West Ryde Chamber of Commerce) addressed the meeting in relation to this Item.

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

- (a) That Council accept the tender from Reino International Pty Ltd (trading as Duncan Solutions) for the project "*Implement Technology to Assist Transport - Parking Availability and Monitoring*", to the amount of \$500,000 as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Reino International Pty Ltd (trading as Duncan Solutions) on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

AMENDMENT: (Moved by Councillors Perram and Salvestro-Martin)

That this matter be deferred for consideration by the new Council at a meeting after 8 September 2012.

On being put to the Meeting, the voting on the Amendment was eight (8) votes For and four (4) votes Against. The Amendment was CARRIED. The Amendment then became the Motion.

ITEM 2 (continued)

ATTACHMENT 1

Record of Voting:

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Li, Perram, Petch, Pickering, Salvestro-Martin and Tagg

Against the Amendment: Councillors Campbell, Maggio, O'Donnell and Yedelian OAM

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

That this matter be deferred for consideration by the new Council at a meeting after 8 September 2012.

Record of Voting:

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

Against the Motion: Councillors Campbell, Maggio, O'Donnell and Yedelian OAM

6 DEFERRED PRECIS OF CORRESPONDENCE: FUTURE REZONING OF CUDAL RESERVE, RYDE TO RE1 PUBLIC RECREATION

Note: Andrew Wilson addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Tagg)

(a) That the correspondence be received.

(b) That any negotiations between Council and Sydney Water be reported to Council.

Record of Voting:

For the Motion: Unanimous

3 DEFERRED NOTICE OF MOTION: DCP 2011 - LINEAR SEPARATION FOR THE DEVELOPMENT OF MULTI UNIT DEVELOPMENTS - Councillor Gabrielle O'Donnell

Note: Phil Peake and Sherie Barton addressed the meeting in relation to this Item.

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

That in view of the proposed changes to the DCP 2011 Council advises the assessment team to no longer assess linear separation as a constraint for the development of multi unit developments.

ITEM 2 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Councillors Campbell, and O'Donnell

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

4 RYDE HUNTERS HILL HOCKEY CLUB - Councillor Roy Maggio

Note: Glen Castensen (representing Ryde Hunters Hill Hockey Club) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Tagg)

That the Mayor write to the Minister for Finance, the Honourable Greg Pearce, the Minister for Education, Adrian Piccoli and the Department of Education and Communities with signatures of all Councillors requesting them to extend the current arrangement for the Ryde Hunters Hill Hockey Club.

That the General Manager write to the Premier and the Minister for Education and the Department of Education and Communities on behalf of the organisation requesting to extend the current arrangement for the Ryde Hunters Hill Hockey Club.

And to provide appropriate reasons why an extended arrangement could not be accepted.

That a delegation of the Mayor and Councillor Maggio be made to the Premier to represent the interests of the Ryde Hunters Hill Hockey Club.

Record of Voting:

For the Motion: Unanimous

7 RESIDENT COMPLAINT REGARDING THE CIVIC PRECINCT DEVELOPMENT – Councillor Terry Perram

Note: Jill Hartley, Diane Erickson and Laurie Kennedy addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Perram and Butterworth)

That the General Manager explain to Council why, on 26 June 2012, when replying to a complaint from a resident regarding the Civic Precinct development he copied that reply to Councillors who support his position with regard to the development, but not to any other Councillor.

ITEM 2 (continued)

ATTACHMENT 1

To clarify the sequence of events:

25 June 2012 – resident sends email to all Councillors and the General Manager complaining about the Civic Precinct development among other things.

26 June 2012 – General Manager replies to the complainant by email and copies of the reply to the six Councillors who have voted in favour of the Civic Precinct development, ignoring other Councillors.

28 June 2012 – resident responds to the General Manager’s reply noting that the General Manager has copied the reply “to a select number of Councillors and a staff member instead of all parties that I referred my complaint”. Resident copies this reply to all Councillors.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillor Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Motion: Councillors Campbell, Maggio, O’Donnell, Pickering and Yedelian OAM

Note: The General Manager then provided Councillors with an explanation.

COUNCIL REPORTS

1 DEFERRED REPORT: CONFIRMATION OF MINUTES - Council Meeting held on 22 May 2012

RESOLUTION: (Moved by Councillors Petch and Pickering)

That the Minutes of the Council Meeting 8/12, held on 22 May 2012 be confirmed.

Record of Voting:

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

Against the Motion: Councillor O’Donnell

ITEM 2 (continued)

ATTACHMENT 1

2 DEFERRED REPORT: CONFIRMATION OF MINUTES - Council Meeting held on 12 June 2012

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

That the Minutes of the Council Meeting 9/12, held on 12 June 2012 be confirmed.

Record of Voting:

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

Against the Motion: Councillor Tagg

3 DEFERRED REPORT: PUTNEY PARK PLAN OF MANAGEMENT ACTION PLAN UPDATE

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

- (a) That Council receive and note the information contained in the body of this report.
- (b) That the short term key action to design and construct the foreshore park through to the punt and ferry be undertaken.

Record of Voting:

For the Motion: Unanimous

4 DEFERRED REPORT: ACCUMULATED LIBRARY FINES

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

- (a) That Council request the General Manager to write off as unrecoverable debts \$521,549.16 of library fines and fees registered in the Library Management System from prior to 2006/7 until 30 June 2011.
- (b) That Council promote an amnesty period for the month of August 2012, and that the General Manager, or his delegate, is given authority to waive accumulated fines and fees for 'lost' items returned to the library in good condition.
- (c) That Council commence appropriate external debt recovery procedures in September 2012 for all fines and fees accumulated in and beyond the financial year 2011/12 that remain following (b) and exceed \$50 per library member.

ITEM 2 (continued)

ATTACHMENT 1

- (d) That Council endorse the exclusion of borrowers who are aged under 18 or over 65 from the debt recovery process.

Record of Voting:

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

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

5 DEFERRED REPORT: PROPOSED SITE FOR HOUSING COUNCIL STAFF AND MOVEMENT OF STAFF TO NEW PREMISES

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

That Council receives and notes this Report.

Record of Voting:

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

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

6 DEFERRED REPORT: WEBCASTING OF COUNCIL MEETINGS

Note: This matter was dealt with earlier in the meeting as set out in these Minutes.

7 DEFERRED REPORT: SUMMARY OF EXPENSES RELATING TO THE GENERAL MANAGER AND SENIOR STAFF

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

That Council note the summary of expenses claimed by the General Manager and Senior Staff for the period between November 2011 and April 2012.

Record of Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

8 DEFERRED REPORT: REPORTS DUE TO COUNCIL

Note: Councillor Butterworth left the meeting at 10.15pm and did not vote on this Item.

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

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Butterworth returned to the meeting at 10.17pm.

9 DEFERRED REPORT: POLICY FOR THE INTERFACE AND DAY TO DAY OVERSIGHT OF THE GENERAL MANAGER BY THE MAYOR

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

That Council endorse the Policy for the Interface and Day to Day Oversight of the General Manager by the Mayor as **ATTACHED** to this report.

Record of Voting:

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

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

10 DEFERRED REPORT: 2012/2013 CHRISTMAS / NEW YEAR ARRANGEMENTS - Business Operations

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

- (a) That the changes to normal City of Ryde business operations over the 2012/2013 Christmas / New Year period, as outlined in the report be endorsed.
- (b) That the changes to normal business operations referred to in (a) above, be advertised in the Mayor's Column, the Ryde City View, on Council's website and by way of notice at the front of the Civic Centre, Council's branch libraries and the Ryde Aquatic Leisure Centre.
- (c) That Council endorse the staff Christmas Party being held at the Civic Hall on Friday, 21 December 2012.

ITEM 2 (continued)

ATTACHMENT 1

Record of Voting:

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

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

11 DEFERRED REPORT: INVESTMENT REPORT - May 2012

RESOLUTION: (Moved by Councillors Petch and Pickering)

- (a) That Council endorse the report of the Chief Financial Officer dated 7 June 2012 on Investment Report – May 2012.
- (b) That Council endorse joining the legal proceedings against the Commonwealth Bank of Australia for the Synthetic Collateralised Debt Obligation as a third party as per the funding agreement provided.

Record of Voting:

For the Motion: Unanimous

12 DEFERRED REPORT: REQUEST FOR TENDER - COR-RFT-04/12 - Implement Technology to Assist Transport - Parking Availability and Monitoring

Note: This matter was dealt with earlier in the meeting as set out in these Minutes.

13 DEFERRED REPORT: DRAFT PART 3.4 MULTI DWELLING HOUSING DCP AND BANKSTOWN CITY COUNCIL BOARDING HOUSE CASES

MOTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Council authorise public exhibition of draft Development Control Plan (DCP) 2011 – Part 3.4 Multi Dwelling Housing in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
- (b) That Council receive a further report on the outcomes of the exhibition of draft DCP 2011 - Part 3.4 Multi Dwelling Housing following the exhibition period.
- (c) That Council's DCP 2011 - Part 3.4 Multi Dwelling Housing not include reference to the permissible use of boarding houses in R2/Low Density suburbs until changes are made to the LEP that reflects the zoning definition similar to that in place at Bankstown City Council.
- (d) That Council amend its LEP to reflect the zoning that articulates boarding houses as a 'prohibited land use' in the residential R2(a) land use zone.

ITEM 2 (continued)

ATTACHMENT 1

AMENDMENT: (Moved by Councillors Petch and Campbell)

- (a) That Council authorise public exhibition of draft Development Control Plan (DCP) 2011 – Part 3.4 Multi Dwelling Housing in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
- (b) That Council receive a further report on the outcomes of the exhibition of draft DCP 2011 - Part 3.4 Multi Dwelling Housing following the exhibition period.
- (c) That at the earliest available opportunity, Councillors be provided with the maps that indicate the potential for villa development.

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

Record of Voting:

For the Amendment: Councillors Butterworth, Campbell, O'Donnell, Perram, Petch and Salvestro-Martin

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Li, Maggio, Pickering, Tagg and Yedelian OAM

RESOLUTION: (Moved by Councillors Campbell and Petch)

That the Motion be dealt with in Seriatim.

Record of Voting:

For the Motion: Councillors Butterworth, Campbell, Li, O'Donnell, Petch, Salvestro-Martin and Yedelian OAM

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Maggio, Perram, Pickering and Tagg

MOTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Council authorise public exhibition of draft Development Control Plan (DCP) 2011 – Part 3.4 Multi Dwelling Housing in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

Record of Voting:

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

Against the Motion: Councillors Perram and Salvestro-Martin

ITEM 2 (continued)

ATTACHMENT 1

MOTION: (Moved by Councillors Pickering and Yedelian OAM)

- (b) That Council receive a further report on the outcomes of the exhibition of draft DCP 2011 - Part 3.4 Multi Dwelling Housing following the exhibition period.

Record of Voting:

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

Against the Motion: Councillors O'Donnell, Perram and Salvestro-Martin

MOTION: (Moved by Councillors Pickering and Yedelian OAM)

- (c) That Council's DCP 2011 - Part 3.4 Multi Dwelling Housing not include reference to the permissible use of boarding houses in R2/Low Density suburbs until changes are made to the LEP that reflects the zoning definition similar to that in place at Bankstown City Council.

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 Li, Maggio, Pickering, Tagg and Yedelian OAM

Against the Motion: Councillors Butterworth, Campbell, O'Donnell, Perram, Petch and Salvestro-Martin

MOTION: (Moved by Councillors Pickering and Yedelian OAM)

- (d) That Council amend its LEP to reflect the zoning that articulates boarding houses as a 'prohibited land use' in the residential R2(a) land use zone.

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 Li, Maggio, Pickering, Tagg and Yedelian OAM

Against the Motion: Councillors Butterworth, Campbell, O'Donnell, Perram, Petch and Salvestro-Martin

ITEM 2 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Council authorise public exhibition of draft Development Control Plan (DCP) 2011 – Part 3.4 Multi Dwelling Housing in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
- (b) That Council receive a further report on the outcomes of the exhibition of draft DCP 2011 - Part 3.4 Multi Dwelling Housing following the exhibition period.
- (c) That Council's DCP 2011 - Part 3.4 Multi Dwelling Housing not include reference to the permissible use of boarding houses in R2/Low Density suburbs until changes are made to the LEP that reflects the zoning definition similar to that in place at Bankstown City Council.
- (d) That Council amend its LEP to reflect the zoning that articulates boarding houses as a 'prohibited land use' in the residential R2(a) land use zone.

Note: A Notice of Rescission relating to Parts (c) and (d) signed by Councillors Campbell, O'Donnell and Petch was received in relation to this Item and will be considered by Council at its meeting to be held on 24 July 2012.

COMPLETION OF BUSINESS

MOTION: (Moved by Councillors Petch and Tagg)

That all remaining Items of Business be considered at an Extraordinary Meeting of Council to be held on 24 July 2012, commencing at 7.00pm.

AMENDMENT: (Moved by Councillors Maggio and O'Donnell)

That the meeting time be extended to allow completion of all remaining Items of Business.

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

Record of Voting:

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

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

ITEM 2 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Petch and Tagg)

That all remaining Items of Business be considered at an Extraordinary Meeting of Council to be held on 24 July 2012, commencing at 7.00pm.

Record of Voting:

For the Motion: Unanimous

Note: A Notice of Rescission signed by Councillors Pickering, Maggio and O'Donnell was received in relation to this Item after the meeting and will be considered by Council at its meeting to be held on 24 July 2012.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

Mr Mitchell Ophir address the Council regarding the Civic Centre Development earlier in the meeting as set out in these minutes.

NATIONAL ANTHEM

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

Note: The following Items listed on the Agenda for the Extraordinary Council Meeting 11/12 were deferred for consideration at an Extraordinary Council Meeting to be held at 7.00pm on Tuesday, 24 July 2012:

COUNCIL REPORTS

- 14 DEFERRED REPORT: DRAFT DEVELOPMENT CONTROL PLAN 2010 – PART 9.6 TREE PRESERVATION - SUBMISSIONS
- 15 DEFERRED REPORT: CITY OF RYDE – SYDNEY OVER THE NEXT 20 YEARS – DISCUSSION PAPER DRAFT RESPONSE
- 16 DEFERRED REPORT: EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH A DISABILITY

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

- 1 DEFERRED PRECIS OF CORRESPONDENCE: FUNDING FOR THE POSITION OF ABORIGINAL EDUCATION OFFICER AT MARSDEN HIGH SCHOOL
- 2 DEFERRED PRECIS OF CORRESPONDENCE: AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA NSW)
- 3 DEFERRED PRECIS OF CORRESPONDENCE – SYDNEY AIRPORT – THE RIGHT FUTURE, STARTING NOW

ITEM 2 (continued)

ATTACHMENT 1

- 4 DEFERRED PRECIS OF CORRESPONDENCE: 50:50 VISION – COUNCILS FOR GENDER EQUITY PROGRAM
- 5 DEFERRED PRECIS OF CORRESPONDENCE: SYDNEY OVER THE NEXT 20 YEARS
- 7 DEFERRED PRECIS OF CORRESPONDENCE: BOARDING HOUSE TARIFFS FOR RESIDENTIAL RATING AND FEE FOR SECTION 603 CERTIFICATES FOR 2012/13
- 8 DEFERRED PRECIS OF CORRESPONDENCE: CARBON TAX

NOTICES OF MOTION

- 1 DEFERRED NOTICE OF MOTION: GLADESVILLE HORNSBY FOOTBALL ASSOCIATION
- 2 DEFERRED NOTICE OF MOTION: RECOGNITION OF NAIDOC WEEK
- 5 MORRISON BAY PARK
- 6 EASTWOOD FEASIBILITY STUDIES – SCOPE OF WORK

NOTICES OF RESCISSION

- 1 DEFERRED NOTICE OF RESCISSION – CITY OF RYDE PROCUREMENT PROCESSES
- 2 2012 LOCAL GOVERNMENT ELECTION – CARETAKER PROVISIONS AND MEETING SCHEDULE
- 3 COMMUNITY MEMBERSHIP OF THE WHEELED SPORTS ADVISORY COMMITTEE

CONFIDENTIAL ITEMS

- 17 DEFERRED REPORT: ADVICE ON COURT ACTIONS
- 18 DEFERRED REPORT: ADVICE ON COURT ACTIONS
- 19 DEFERRED REPORT: ADVICE ON COURT ACTIONS

The meeting closed at 11.20pm.

CONFIRMED THIS 24TH DAY OF JULY 2012

Chairperson

ITEM 2 (continued)

ATTACHMENT 1

MEMORANDUM

 City of Ryde

Lifestyle and opportunity
@ your doorstep

To: All Councillors
From: General Manager
Date: 17 July 2012
Subject: Notice of Motion lodged 26 June 2012 - D12/53306

This memo is to confirm my formal response to Councillors sent via email on 17 July 2012, that in accordance with clause 240 (2) of the Local Government (General) Regulation 2005, I have determined that the Notice of Motion lodged by six Councillors on 26 June 2012 is unlawful and therefore is not to be included on the agenda of the Extraordinary Council meeting requested for the 17 July 2012.

Councillors will note that Clause 240 (2) of the Regulation states that it is a matter for the General Manager to determine whether a matter is lawful. The Regulation further provides that I must report any such exclusion to the next meeting of Council which I have done with this advice.

As such I advise to Council as follows:

Council is advised that in accordance with Clause 240(2) of the Local Government (General) Regulation 2005, I have determined that the Notice of Motion lodged by Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg on 26 June 2012 is unlawful and as such not to be included in the Agenda of the Extraordinary Council Meeting of 17 July 2012.

This determination is based on the fact that the proposed Notice of Motion lodged on 26 June 2012 has the effect of altering Council's resolution relating to Item 5 of 12 June 2012 Council Meeting which was subject to an unsuccessful Rescission Motion on 26 June 2012. Specifically, if the Notice of Motion lodged on 26 June 2012 were to be passed, it would have the effect of altering the time-frame expressly involved in resolution 2 and implied in resolutions 3 and 4, which the Rescission Motion which was lost on 26 June 2012 had failed to do.

Therefore, in accordance with Section 372(5) of the Local Government Act, no similar motion can be brought forward within 3 months.

This advice has been confirmed by Council's lawyers, Clayton Utz and the Hon. Barry O'Keefe AM QC.


John Neish
General Manager

**3 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
9/12 held on 17 July 2012**

Report prepared by: Meeting Support Coordinator**Report dated:** 28/06/2012**File No.:** GRP/12/5/5/5 - BP12/775

REPORT SUMMARY

Attached are the Minutes of the Planning and Environment Committee Meeting 9/12 held on 17 July 2012. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

Items 1, 4 and 5 were dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 2 and 3 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 3-5 TRELAWNEY STREET, EASTWOOD. LOTS A & B in DP 401296.
Construction and strata subdivision of a mixed use development,
consisting of a building with 6 retail /commercial tenancies; 61 units and
basement parking for 108 cars. LDA 2011/0611.**

Report: The Committee inspected the property at 3-5 Trelawney Street, Eastwood.

Note: Mr Terry Morris, Mr Andy Ludvik and Mr Peter Sullivan (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: Correspondence from John Goubran (owner) was provided to Councillors in relation to this item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Salvestro-Martin and Yedelian OAM

- (a) That Local Development Application No. 2011/0611 at 3-5 Trelawney Street, Eastwood, being Lots A and B in DP 401296 be approved subject to specific conditions of approval being provided by the Group Manager Environment and Planning at the Council Meeting to be held 24 July 2012.
- (b) That the Voluntary Planning Agreement also be approved and that the Group Manager Environment and Planning be delegated to finalise the Voluntary Planning Agreement with N & G Projects Pty Ltd in accordance with the submitted Voluntary Planning Agreement and the applicable legal requirements under the *Environmental Planning and Assessment Act 1979* for a one-off monetary contribution of \$150,000.
- (c) That the persons who made submissions be advised of Council's decision.

ITEM 3 (continued)**Record of Voting:**

For the Motion: Councillors Pickering, Salvestro-Martin and Yedelian OAM

Against the Motion: Councillors Butterworth and O'Donnell

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as substantive changes were made to the published recommendation and dissenting votes were recorded

3 7-9 RUTLEDGE STREET, EASTWOOD, LOT 23 DP 4231, LOT 24 DP 653568. Construction and strata subdivision of a mixed use building with 6 retail / commercial tenancies, 79 units and associated basement parking for 155 cars. LDA 2011/0612.

Report: The Committee inspected the property at 7-9 Rutledge Street, Eastwood.

Note: Mr Terry Morris and Mr Andy Ludvik (on behalf of the applicant) and Mr Bruce Lyon (on behalf of the owner) addressed the Committee in relation to this Item.

Note: Correspondence from John Goubran (adjoining owner) was provided to Councillors in relation to this item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Salvestro-Martin and Yedelian OAM

- (a) That Local Development Application No. 2011/0612 at 7-9 Rutledge Street, Eastwood, being Lot 23 DP 4231 and Lot 24 DP 653568 be approved subject to specific conditions of approval being provided by the Group Manager Environment and Planning at the Council Meeting to be held 24 July 2012.
- (b) That the Voluntary Planning Agreement submitted by Rutledge Street Pty Ltd dated 8 June 2012 also be approved for a one-off monetary contribution of \$205,315.
- (c) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors Pickering, Salvestro-Martin and Yedelian OAM

Against the Motion: Councillors Butterworth and O'Donnell

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as substantive changes were made to the published recommendation and dissenting votes were recorded

ATTACHMENTS

- 1 Minutes - Planning and Environment Committee - 17 July 2012

ITEM 3 (continued)

ATTACHMENT 1

Planning and Environment Committee
MINUTES OF MEETING NO. 9/12

Meeting Date: Tuesday 17 July 2012
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 4.03pm

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

Councillor Salvestro-Martin arrived during inspections and apologised for his late arrival.

Apologies: Nil.

Staff Present: Group Manager – Environment & Planning, Service Unit Manager Assessment, Service Unit Manager Environmental Health & Building, Business Support Coordinator – Environment & Planning, Team Leader – Development Engineer, Team Leader – Assessment, Assessment Officer, Service Unit Manager Governance and Councillor Support Coordinator.

Stuart Harding and Anna Michal from Willana Associates (Consultants) were present on behalf of Council for Items 2 and 3.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 19 June 2012

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

That the Minutes of the Planning and Environment Committee 8/12, held on Tuesday 19 June 2012, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

ITEM 3 (continued)

ATTACHMENT 1

- 2 3-5 TRELAWNEY STREET, EASTWOOD. LOTS A & B in DP 401296. Construction and strata subdivision of a mixed use development, consisting of a building with 6 retail /commercial tenancies; 61 units and basement parking for 108 cars. LDA 2011/0611.**

Report: The Committee inspected the property at 3-5 Trelawney Street, Eastwood.

Note: Mr Terry Morris, Mr Andy Ludvik and Mr Peter Sullivan (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: Correspondence from John Goubran (owner) was provided to Councillors in relation to this item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Salvestro-Martin and Yedelian OAM

- (a) That Local Development Application No. 2011/0611 at 3-5 Trelawney Street, Eastwood, being Lots A and B in DP 401296 be approved subject to specific conditions of approval being provided by the Group Manager Environment and Planning at the Council Meeting to be held 24 July 2012.
- (b) That the Voluntary Planning Agreement also be approved and that the Group Manager Environment and Planning be delegated to finalise the Voluntary Planning Agreement with N & G Projects Pty Ltd in accordance with the submitted Voluntary Planning Agreement and the applicable legal requirements under the *Environmental Planning and Assessment Act 1979* for a one-off monetary contribution of \$150,000.
- (c) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors Pickering, Salvestro-Martin and Yedelian OAM

Against the Motion: Councillors Butterworth and O'Donnell

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as substantive changes were made to the published recommendation and dissenting votes were recorded

- 3 7-9 RUTLEDGE STREET, EASTWOOD, LOT 23 DP 4231, LOT 24 DP 653568. Construction and strata subdivision of a mixed use building with 6 retail / commercial tenancies, 79 units and associated basement parking for 155 cars. LDA 2011/0612.**

Report: The Committee inspected the property at 7-9 Rutledge Street, Eastwood.

Note: Mr Terry Morris and Mr Andy Ludvik (on behalf of the applicant) and Mr Bruce Lyon (on behalf of the owner) addressed the Committee in relation to this Item.

ITEM 3 (continued)

ATTACHMENT 1

Note: Correspondence from John Goubran (adjoining owner) was provided to Councillors in relation to this item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Salvestro-Martin and Yedelian OAM

- (a) That Local Development Application No. 2011/0612 at 7-9 Rutledge Street, Eastwood, being Lot 23 DP 4231 and Lot 24 DP 653568 be approved subject to specific conditions of approval being provided by the Group Manager Environment and Planning at the Council Meeting to be held 24 July 2012.
- (b) That the Voluntary Planning Agreement submitted by Rutledge Street Pty Ltd dated 8 June 2012 also be approved for a one-off monetary contribution of \$205,315.
- (c) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors Pickering, Salvestro-Martin and Yedelian OAM

Against the Motion: Councillors Butterworth and O'Donnell

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as substantive changes were made to the published recommendation and dissenting votes were recorded

4 28 GERARD STREET, GLADESVILLE. LOT 40 DP 10598. Local Development Application for the erection of a 2 storey dual occupancy (attached). LDA2011/328.

Note: An email from Mr Stephen Latham (objector) was tabled in relation to this Item and a copy is ON FILE.

Note: Mr Andrew Lau (applicant) addressed the Committee in relation to this Item.

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

- (a) That Local Development Application No. 2011/0328 at 28 Gerard Street, Gladesville, being Lot 40, DP 10598 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

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

ITEM 3 (continued)

ATTACHMENT 1

5 78 HERMITAGE ROAD, WEST RYDE. Lot 8 DP 24562. Local Development Application for Change of use to manufacturing and warehousing of pool/spa products and advertising signs. LDA2011/0022.

Note: An email from Mr Leigh Smart (objector) was tabled in relation to this Item and a copy is ON FILE.

Note: Mr Razmik Aghajanian (applicant) addressed the Committee in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Butterworth)

- (a) That Local Development Application No 2011/22 at 78 Hermitage Road, West Ryde, being Lot 8 DP 24562, be approved subject to the conditions of consent in Attachment 1.
- (b) That the person who made a submission be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 6.29pm.

CONFIRMED THIS 7TH DAY OF AUGUST 2012.

Chairperson

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 9/12 held on 17 July 2012

Report prepared by: Meeting Support Coordinator

Report dated: 28/06/2012

File No.: GRP/12/5/5/5 - BP12/776

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 9/12 held on 17 July 2012. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

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

The following Committee recommendations for Items 2, 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:

2 CHURCH STREET UPGRADE - Revised Concept Plan

RECOMMENDATION: (Moved by Councillors Maggio and Petch)

- (a) That Council endorse the Revised Concept Plan for Church Street, Top Ryde (**see ATTACHMENT 2**).
- (b) That Council endorse the public art concepts for Church Street, Top Ryde (**see ATTACHMENT 3**).

Record of Voting:

For the Motion: Councillors Campbell, Maggio, Perram and Petch

Against the Motion: Councillor Tagg

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as dissenting votes were recorded.

3 HERITAGE ADVISORY COMMITTEE - RYDE WHARF

RECOMMENDATION: (Moved by Councillors Campbell and Maggio)

- (a) That, at this time, Council does not expend any Council resources to upgrade the Ryde Wharf at Shepherds Bay.
- (b) That Council write to the appropriate Minister and the Roads and Maritime Services seeking them to undertake the works to upgrade Ryde Wharf at Shepherds Bay and that the response be reported back to the Works and Community Committee Meeting.

ITEM 4 (continued)

- (c) That the Maritime section of the RMS be invited to give a presentation on the upgrading of the Ryde Wharf to the Works and Community Committee.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as substantive changes were made to the published recommendation.

5 WOLFE ROAD NEIGHBOURHOOD FORUM UPDATE

Report: The Committee inspected the site at Wolfe Road.

Note: Mr Noel Plumb addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Petch and Tagg)

- (a) That Council note the information provided in the records from the Wolfe Road Reserve Neighbourhood Forum.
- (b) That Council proceed with the implementation of the actions as identified by the Neighbourhood Forum in the agreed action plan, with the addition of Council requesting an independent surveyor to demarcate and peg at two metre intervals all property boundaries of the Wolfe Road Reserve.
- (c) That Council thank the residents who attended the Forum for their participation and keep them informed as the implementation proceeds.
- (d) That Council request a further report be submitted to Councils Works and Community Committee on the outcome of the 7-part test for the changes to the Reserve, the proposed location of the delineation fence and Council's management plan for the Wolfe Road Reserve.

Record of Voting:

For the Motion: Councillors Campbell, Petch, Perram and Tagg

Against the Motion: Councillor Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as dissenting votes were recorded and substantive changes were made to the published recommendation.

ATTACHMENTS

- 1 Minutes - Works and Community Committee - 17 July 2012

ITEM 4 (continued)

ATTACHMENT 1

**Works and Community Committee
MINUTES OF MEETING NO. 9/12**

Meeting Date: Tuesday 17 July 2012

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

Time: 4.30pm

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

Councillor Tagg arrived at 4.35pm and was not present for consideration of Item 1.

Councillor Campbell arrived at 4.40pm and was not present for consideration of Item 1 or the inspection.

Apologies: Councillor Li.

Staff Present: Group Manager – Community Life, Group Manager - Public Works, Service Unit Manager – Open Space, Service Unit Manager – Community Relations and Events, Service Unit Manager – Urban Planning, Team Leader – Design and Development, Section Manager – Design, Section Manager – Open Space Planning and Assets, Open Space Planner and Meeting Support Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 19 June 2012

RESOLUTION: (Moved by Councillors Perram and Maggio)

That the Minutes of the Works and Community Committee 8/12, held on Tuesday 19 June 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.

ITEM 4 (continued)

ATTACHMENT 1

2 CHURCH STREET UPGRADE - Revised Concept Plan

RECOMMENDATION: (Moved by Councillors Maggio and Petch)

- (a) That Council endorse the Revised Concept Plan for Church Street, Top Ryde **(see ATTACHMENT 2)**.
- (b) That Council endorse the public art concepts for Church Street, Top Ryde **(see ATTACHMENT 3)**.

Record of Voting:

For the Motion: Councillors Campbell, Maggio, Perram and Petch

Against the Motion: Councillor Tagg

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as dissenting votes were recorded.

3 HERITAGE ADVISORY COMMITTEE - RYDE WHARF

RECOMMENDATION: (Moved by Councillors Campbell and Maggio)

- (a) That, at this time, Council does not expend any Council resources to upgrade the Ryde Wharf at Shepherds Bay.
- (b) That Council write to the appropriate Minister and the Roads and Maritime Services seeking them to undertake the works to upgrade Ryde Wharf at Shepherds Bay and that the response be reported back to the Works and Community Committee Meeting.
- (c) That the Maritime section of the RMS be invited to give a presentation on the upgrading of the Ryde Wharf to the Works and Community Committee.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as substantive changes were made to the published recommendation.

4 SPONSORSHIP POLICY AND PROCEDURES

RESOLUTION: (Moved by Councillors Campbell and Maggio)

That Council adopt the Draft Sponsorship Policy and Procedure.

Record of Voting:

For the Motion: Unanimous

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

ITEM 4 (continued)

ATTACHMENT 1

5 WOLFE ROAD NEIGHBOURHOOD FORUM UPDATE

Report: The Committee inspected the site at Wolfe Road.

Note: Mr Noel Plumb addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Petch and Tagg)

- (a) That Council note the information provided in the records from the Wolfe Road Reserve Neighbourhood Forum.
- (b) That Council proceed with the implementation of the actions as identified by the Neighbourhood Forum in the agreed action plan, with the addition of Council requesting an independent surveyor to demarcate and peg at two metre intervals all property boundaries of the Wolfe Road Reserve.
- (c) That Council thank the residents who attended the Forum for their participation and keep them informed as the implementation proceeds.
- (d) That Council request a further report be submitted to Councils Works and Community Committee on the outcome of the 7-part test for the changes to the Reserve, the proposed location of the delineation fence and Council's management plan for the Wolfe Road Reserve.

Record of Voting:

For the Motion: Councillors Campbell, Petch, Perram and Tagg

Against the Motion: Councillor Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **24 JULY 2012** as dissenting votes were recorded and substantive changes were made to the published recommendation.

The meeting closed at 5.45pm.

CONFIRMED THIS 7TH DAY OF AUGUST 2012.

Chairperson

5 INVESTMENT REPORT - June 2012

Report prepared by: Chief Financial Officer**Report dated:** 9/07/2012**File No.:** GRP/09/3/2/7 - BP12/808

REPORT SUMMARY

This report details Council's performance of its investment portfolio for the month of June 2012 and compares it against key benchmarks. The report includes the estimated market valuation of Council's investment portfolio, loan liabilities, an update on Council's legal action and a commentary on significant events in global financial markets.

Council's financial year to date return is 5.72%, 1.02% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$5.3 million, which is \$310K above budget projections, which will improve Council's Working Capital result at 30 June 2012.

RECOMMENDATION:

That Council endorse the report of the Chief Financial Officer dated 9 July 2012 on Investment Report – June 2012.

ATTACHMENTS

There are no attachments for this report.

Report Prepared and Approved By:

John Todd
Chief Financial Officer

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 5 (continued)

Discussion

Council's Responsible Accounting Officer, is required to report monthly on Council's Investment Portfolio and certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the Local Government Act.

Council's investments complied with the Minister for Local Government's Investment Order dated 12 January 2011 and Council's Investment Policy when acquired, however the following investments are now outside the Minister's Order:

Investment	Rating	Maturity	Face Value	Book Value
• Grange IMP - Merimbula CDO	N/R	20/06/2013	\$0.20m	\$0.00m
- Global Bank Note CDO	N/R	20/09/2014	\$0.50m	\$0.00m
• Oasis CDO *	CC	04/09/2014	\$1.00m	\$0.00m
• FOCUS Note	AA	20/12/2012	\$0.50m	\$0.50m

(* Council at its meeting of 25 May 2010 wrote down/ impaired the Oasis CDO to a nominal value, this being funded from the Financial Security Reserve.)

Under the Minister's Order, Council is required to divest itself of these investments as soon as practicable. These investments were purchased with the intention of holding them to maturity, with the exception of the investments in the Grange IMP, which was a managed fund.

Investment Performance Commentary

Council's performance against the benchmark for returns of its investment portfolio for the month of June 2012 and the financial year to date are as follows:

	Jun 2012	Fin YTD
Council Return	5.45	5.72
Benchmark	3.51	4.70
Variance	1.94	1.02

Council's investment portfolio as at the end of June was as follows:

Cash/Term Deposits	\$57.4M	61.2%
Floating Rate Notes	\$18.9M	20.1%
Fixed Rate Bonds	\$2.0M	2.1%
Other Financial Products	\$0.5M	0.5%
Total Cash Investments	\$78.8M	
Property	\$15.1M	16.1%
Total Investment Portfolio	\$93.9M	

Council continues to utilise the Federal Government's current guarantee (\$250K) investing in Term Deposits with a range of Authorised Deposit Taking Institutions (ADI's) on short to medium term investments (generally 30 days to six months maturity) where more competitive rates are available.

ITEM 5 (continued)

This guarantee is in a transitory period, where term deposits made before 10 September 2011 continue to be covered at the current \$1 million level from now until 31 December 2012, or until the deposit matures, whichever occurs sooner. Any term deposits made after 10 September 2011 are guaranteed by the Federal Government up to \$250K.

In June Council sold \$1M CBA FRN for a gain of \$14.5K, and used these funds to purchase \$1M longer dated CBA bonds at a discount of \$24K, resulting in a net capital gain to Council over the life of these investments of \$38K.

Financial Security Reserve (FSR)

The Financial Security Reserve has a balance of \$2.065M as at June 2012 as detailed below:

Financial Security Reserve	(\$'000)
Balance 1 July 2011	1,005
Interest on Written Down CDO's ⁽¹⁾	60
Proceeds from Sales & Maturities ⁽²⁾ of Written Down CDO's	1,000
Balance of Financial Security Reserve	2,065

- (1) Council continues to receive interest on the written down CDO investments.
- (2) There have been no sales to date in 2011/2012.

Economic Commentary

The RBA left rates on hold in July, with recent reductions in borrowing costs expected to help the Australian economy weather a subdued outlook. Barring external shocks, rates are expected to remain on hold for some months to come.

In the US, the outlook remains bleak, with the Federal Open Market Committee (FOMC) leaving rates in the 0.00-0.25% target range, and reiterating that current economic conditions will warrant these levels until late 2014.

In the EU, Greek elections resulted in a pro-EU coalition, with harsh austerity measures to be enacted. The risk of a Spanish default appears to have receded, after Spanish bonds hit a record high of 7.3%, the EU announced measures to directly support the regions ailing banks, and reducing the risk of default for now.

Legal Issues

As previously reported to Council, the LGFS Rembrandt CDO Investment and the Grange (Lehman Brothers) IMP Investment are currently before the Courts. Council at its meeting on 17 July 2012 endorsed being a third party to an action against the CBA for the Oasis CDO investment.

The following update is provided in respect of Council's legal action in these matters due to recent developments.

ITEM 5 (continued)

Lehman / Grange IMP

Legal action in respect of this matter has been on going for some time with the matter to be determined by the Federal Court in the next few months. No further information has been received on this matter since last reported to Council.

LGFS – Rembrandt

Legal proceedings concluded after 13 weeks. Since the conclusion, the Applicants filed further submissions on 28 May 2012. In response to this, ABN and S&P are now seeking leave of the Court to file further submissions. Given the length and complexity of these proceedings, judgement is not likely to be handed down until later in 2012.

CBA – Oasis

Council has endorsed Council being a third party to an action against CBA in relation to the Oasis CDO investment for \$1.0 million that Council has written down to zero. It is still early in this legal action being taken and no further updates have been received since last reported to Council.

Council's Property Investment Portfolio

The following properties were held as part of Council's Property Investment portfolio:

- 2 Dickson Avenue, West Ryde
- 1a Station St, West Ryde
- 8 Chatham Road, West Ryde
- 202 Rowe St, Eastwood (commercial)
- 226 Victoria Rd, Gladesville (commercial)
- West Ryde Car Park Site
- Herring Road Air Space Rights

The properties within this portfolio are under review as part of the updating of the Asset Management Plans to ensure that Council clearly identifies those properties that are held as an investment, which may also include commercial properties and other operational assets that may be earmarked for future development. Once this review is complete, it will be reported to Council for consideration.

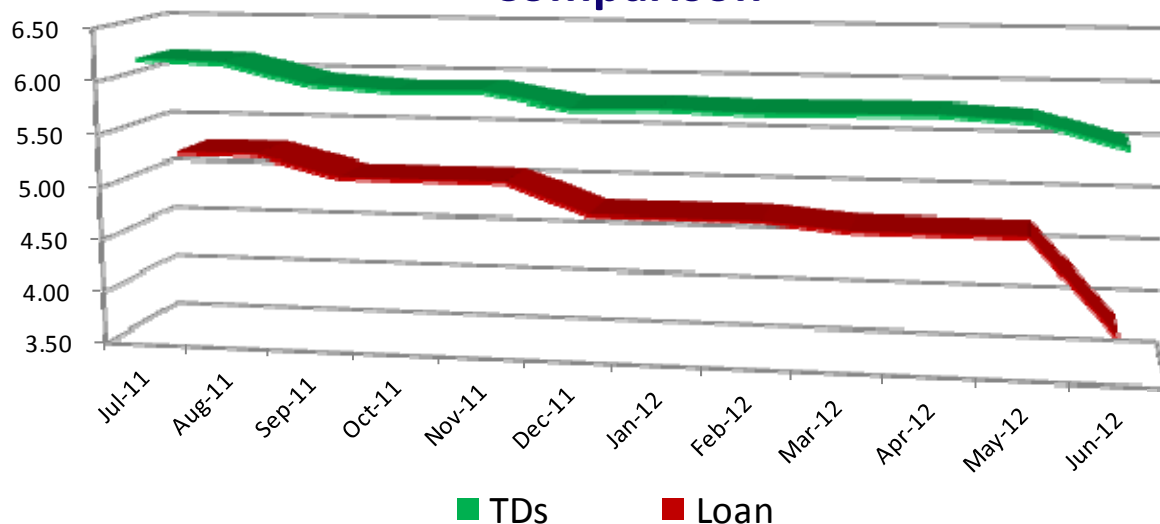
Loan Liability

Council's loan liability as at 30 June 2012 was \$3.9 million which represents the balance of one loan taken out in 2004 for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. This loan was for 15 years and was negotiated at a very attractive rate for Council at 90 Day BBSW + 20 basis points and is reset every quarter.

There is no advantage to Council in changing these arrangements or repaying this loan earlier than planned. Council is receiving a better rate of return on its investments than it is paying on the loan. The following graph shows the gap between the average interest rate earned on Council's term deposits (top line) compared to the interest rate applying to this loan (bottom line).

ITEM 5 (continued)

Term Deposits/Loan Interest Rate Comparison



Debt Service Ratio

It should be noted that whilst Council’s debt service ratio is low, all of Council’s funds are committed to operational costs and projects of a capital and non-capital nature. This means that Council does not have the capacity to take on any additional debt without a new dedicated revenue stream to fund the loan repayments or by cutting services.

Debt Service Ratio	
Category 3 Councils 2009/10	2.77%
City of Ryde 2010/11	0.83%

Types of Investments

The following are the types of investments held by Council:

- **At Call** refers to funds held at a financial institution, and can be recalled by Council either same day or on an overnight basis.
- A **Floating Rate Note (FRN)** is a debt security issued by a company with a variable interest rate. This can either be issued as Certificates of Deposit (CD) or as Medium Term Notes (MTN). The interest rate can be either fixed or floating, where the adjustments to the interest rate are usually made quarterly and are tied to a certain money market index such as the Bank Bill Swap Rate.
- A **Fixed Rate Bond** is a debt security issued by a company with a fixed interest rate over the term of the bond.

ITEM 5 (continued)

- A **Floating Rate Collateralised Debt Obligation (CDO)** is an investment backed by a diversified pool of one or more classes of debt. These investments are for longer terms and offer a higher rate of interest. Credit ratings are assigned to these investments as detailed in the portfolio.

Credit Rating Information

Credit ratings are generally a statement as to an institution's credit quality. Ratings ranging from AAA to BBB- (long term) are considered investment grade.

A general guide as to the meaning of each credit rating is as follows:

AAA:	the best quality companies, reliable and stable
AA:	quality companies, a bit higher risk than AAA
A:	economic situation can affect finance
BBB:	medium class companies, which are satisfactory at the moment
BB:	more prone to changes in the economy
B:	financial situation varies noticeably
CCC:	currently vulnerable and dependent on favourable economic conditions to meet its commitments
CC:	highly vulnerable, very speculative bonds
C:	highly vulnerable, perhaps in bankruptcy or in arrears but still continuing to pay out on obligations
D:	has defaulted on obligations and it is believed that it will generally default on most or all obligations

Note: Ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

A "p" after the rating is a commonly used shorthand method of indicating that the investment principal is given a rating, but the interest is not. This is most commonly used for capital protected products, where the income stream is derived from a number of factors and/or variables which are unable to be reliably estimated, such as share prices.

ITEM 5 (continued)
INVESTMENT SUMMARY AS AT 30 JUNE 2012

Issuer	Investment Name	Investment Rating	Invested at 30-Jun-12 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Helix Capital	1. OASIS	CC	0	5.45	6.59	0.00	0	0.00%
Westpac	2. Focus	AA-	500	0.00	0.00	0.63	495	99.10%
Grange	3. Grange IMP	Unrated	0	0.00	10.00	0.00	0	0.00%
Westpac	4. Westpac At Call	AA-	2,143	3.64	4.42	2.72	2,143	100.00%
Bank of Queensland	5. Bank of Queensland TD	BBB+	750	6.00	6.30	0.95	750	100.00%
Bankwest	6. Bankwest Term Deposit	AA-	1,000	5.62	6.06	1.27	1,000	100.00%
St George	7. St George Term Deposit	A+	1,000	5.63	5.63	1.27	1,000	100.00%
NAB	8. NAB Term Deposit	AA-	1,000	5.49	5.89	1.27	1,000	100.00%
Westpac	9. Westpac Term Deposit	AA-	1,000	5.15	5.15	1.27	1,000	100.00%
NAB	10. NAB Term Deposit	AA-	1,000	6.60	6.60	1.27	1,000	100.00%
AMP	11. AMP TD	A	1,000	6.08	6.08	1.27	1,000	100.00%
MyState CU	12. MyState CU TD	BBB	500	5.76	5.99	0.63	500	100.00%
NAB	13. NAB Term Deposit	AA-	1,000	5.32	5.75	1.27	1,000	100.00%
Police & Nurses Credit Union	14. Police & Nurses Credit Union	Unrated	500	5.67	5.84	0.63	500	100.00%
Bankwest	15. Bankwest Term Deposit	AA-	1,000	5.63	5.93	1.27	1,000	100.00%
Bankwest	16. Bankwest TD	AA-	1,000	5.24	5.93	1.27	1,000	100.00%
Bankwest	17. Bankwest TD	AA-	1,000	5.19	5.98	1.27	1,000	100.00%
Bankwest	18. Bankwest Term Deposit	AA-	1,000	5.67	5.99	1.27	1,000	100.00%
NAB	19. NAB Term Deposit	AA-	1,000	5.73	5.83	1.27	1,000	100.00%
Defence Bank	20. Defence Bank TD	Unrated	500	5.89	6.12	0.63	500	100.00%
Railways CU	21. Railways CU	Unrated	500	5.94	6.06	0.63	500	100.00%
Qld Police CU	22. Qld Police CU TD	Unrated	500	5.72	5.92	0.63	500	100.00%
Qld Country CU	23. Qld Country Credit Union	Unrated	500	5.42	5.93	0.63	500	100.00%
Community CPS	24. Community CPS TD	Unrated	500	5.82	5.79	0.63	500	100.00%
Bendigo and Adelaide Bank	25. Bendigo Bank TD	A-	1,000	5.78	5.83	1.27	1,000	100.00%
Hunter United Credit Union	26. Hunter United Credit Union TD	Unrated	500	5.51	5.51	0.63	500	100.00%
CUA	27. Credit Union Australia TD	BBB+	1,000	5.82	6.04	1.27	1,000	100.00%
Coastline CU	28. Coastline Credit Union TD	Unrated	500	5.34	5.61	0.63	500	100.00%
Peoples Choice CU	29. Peoples Choice CU	BBB+	500	4.94	5.93	0.63	500	100.00%
Australian Defence Credit Union	30. Australian Defence CU TD	Unrated	500	5.41	6.02	0.63	500	100.00%
Rural Bank	31. Rural Bank	A-	1,000	6.48	6.48	1.27	1,000	100.00%
Banana Coast CU	32. Banana Coast CU TD	Unrated	500	5.21	5.97	0.63	500	100.00%
Southern Cross CU	33. Southern Cross CU TD	Unrated	500	5.22	6.11	0.63	500	100.00%
B&E Ltd	34. B & E Building Soc TD	Unrated	500	5.56	5.83	0.63	500	100.00%
Victoria Teachers CU	35. Victoria Teachers CU	Unrated	500	5.06	6.06	0.63	500	100.00%

ITEM 5 (continued)

Issuer	Investment Name	Investment Rating	Invested at 30-Jun-12 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
CBA	36. CBA TD	AA-	2,000	5.76	5.76	2.54	2,000	100.00%
Me Bank	37. ME Bank TD	BBB	1,000	5.60	5.98	1.27	1,000	100.00%
Bankwest	38. Bankwest Term Deposit	AA-	1,000	7.00	7.00	1.27	1,000	100.00%
IMB	39. IMB TD	BBB	1,000	4.90	5.98	1.27	1,000	100.00%
Summerland CU	40. Summerland CU TD	Unrated	500	5.68	5.87	0.63	500	100.00%
Wide Bay CU	41. Wide Bay CU TD	BBB	500	5.83	5.99	0.63	500	100.00%
Queenslanders CU	42. Queenslanders CU TD	Unrated	500	5.58	5.88	0.63	500	100.00%
Warwick CU	43. Warwick CU TD	Unrated	500	5.88	5.92	0.63	500	100.00%
Maitland Mutual	44. Maitland Mutual Bldg Soc TD	Unrated	500	5.63	5.84	0.63	500	100.00%
AMP	45. AMP eASYSaver	A	926	4.85	5.41	1.18	926	100.00%
CBA	46. CBA Term Deposit	AA-	1,000	5.58	5.52	1.27	1,000	100.00%
Gateway CU	47. Gateway CU TD	Unrated	500	4.97	6.08	0.63	500	100.00%
Rabobank	48. Rabobank TD	AA	500	6.04	6.04	0.63	500	100.00%
Suncorp-Metway	49. Suncorp-Metway TD	A+	1,000	5.21	5.81	1.27	1,000	100.00%
Newcastle Perm Bldg Soc	50. Newcastle Perm Bldg Soc	BBB+	1,000	5.09	5.94	1.27	1,000	100.00%
QT Mutual Bank	51. QT Mutual Bank	Unrated	500	5.83	5.86	0.63	500	100.00%
ING	52. ING TD	A	1,000	6.62	6.62	1.27	1,000	100.00%
Greater Bldg Soc	53. Greater Bldg Soc TD	BBB	1,000	5.63	5.89	1.27	1,000	100.00%
Holidaycoast CU	54. Holidaycoast CU TD	Unrated	500	5.32	5.88	0.63	500	100.00%
The Rock Bldg Soc	55. The Rock Bldg Soc TD	BBB-	500	4.90	5.75	0.63	500	100.00%
Bank of Queensland	56. BoQ TCD	BBB+	2,000	5.35	6.10	2.54	2,000	100.00%
Suncorp-Metway	57. Suncorp Metway FRN	A+	1,000	5.18	5.78	1.27	1,001	100.13%
Intech CU	58. Intech CU TD	Unrated	500	5.82	5.81	0.63	500	100.00%
Beirut Hellenic Bank (Aust)	59. Beirut Hellenic Bank TD	Unrated	250	5.90	6.10	0.32	250	100.00%
AMP	60. AMP TD	A	1,000	7.14	7.14	1.27	1,000	100.00%
Rabobank	61. Rabobank TD	AA	500	5.88	6.07	0.63	500	100.00%
Bendigo and Adelaide Bank	62. Bendigo and Adelaide Bank FRN	A-	1,000	5.55	6.20	1.27	1,000	100.00%
Community First CU	63. Community First CU TD	Unrated	500	5.80	5.90	0.63	500	100.00%
Heritage Bank	64. Heritage Bank	BBB-	1,000	5.56	5.87	1.27	1,000	100.00%
CBA	65. CBA TD	AA-	1,000	4.64	5.49	1.27	1,000	100.00%
Rabobank	66. Rabodirect At-call	AA	599	4.51	5.15	0.76	599	100.00%
Me Bank	67. ME Bank At Call Account	BBB	1,005	4.44	5.27	1.28	1,005	100.00%
NAB	68. NAB FRN	AA-	1,001	5.39	5.88	1.27	992	99.17%
NAB	69. NAB FRN	AA-	997	5.50	5.95	1.27	992	99.17%
CBA	70. CBA FRN	AA-	999	5.18	5.81	1.27	990	99.05%
Westpac	71. Westpac FRN	AA-	997	5.04	5.83	1.27	992	99.16%
CBA	72. CBA FRN	AA-	997	5.23	5.87	1.27	990	99.05%
CBA	73. CBA FRN	AA-	999	5.37	5.74	1.27	996	99.58%
NAB	74. NAB FRN	AA-	991	5.69	6.13	1.26	992	99.17%
Westpac	75. Westpac FRN	AA-	998	4.98	5.73	1.27	997	99.69%
NAB	76. NAB FRN	AA-	992	5.68	6.06	1.26	992	99.17%
CBA	77. CBA FRN	AA-	992	5.41	5.96	1.26	990	99.05%
NAB	78. NAB Flexi Deposit	AA-	1,000	5.66	5.89	1.27	1,000	100.00%
ANZ	79. ANZ FRN	AA-	990	5.26	5.97	1.26	992	99.23%
Northern Beaches CU	80. Northern Beaches CU TD	Unrated	500	5.93	6.17	0.63	500	100.00%
Rabobank	81. Rabobank FRN	AA	987	5.70	6.07	1.25	980	98.01%
Police CU (SA)	82. Police CU - SA	Unrated	500	5.70	5.66	0.63	500	100.00%
NAB	83. NAB FRN	AA-	1,001	5.42	5.75	1.27	1,008	100.81%
Investec	84. Investec TD	BBB-	250	6.17	6.17	0.32	250	100.00%
Territory Insurance Office	85. TIO Term Deposit	AA+	1,000	5.12	5.54	1.27	1,000	100.00%

ITEM 5 (continued)

Issuer	Investment Name	Investment Rating	Invested at 30-Jun-12 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
NAB	86. NAB Fixed MTN	AA-	993	6.30	6.30	1.26	1,046	104.58%
Suncorp-Metway	87. Suncorp - Metway TD	A+	1,000	6.04	6.04	1.27	1,000	100.00%
Bankstown City CU	88. Bankstown City CU TD	Unrated	250	5.83	5.83	0.32	250	100.00%
Westpac	89. Westpac Fixed MTN	AA-	996	6.21	6.20	1.26	1,043	104.67%
ING	90. ING Direct	A	1,000	6.22	6.22	1.27	1,000	100.00%
Macquarie Bank	91. Macquarie Bank TD	A	500	6.50	6.50	0.63	500	100.00%
CBA	92. CBA Retail Bond	AA-	953	6.02	5.73	1.21	952	98.10%
B&E Ltd	93. B & E Building Society TD	Unrated	500	5.88	5.88	0.63	500	100.00%
Bank of Cyprus (Aust)	94. Bank of Cyprus TD	Unrated	250	6.05	6.05	0.32	250	100.00%
Rural Bank	95. Rural Bank TD	A-	1,000	5.24	5.24	1.27	1,000	100.00%
Me Bank	96. ME Bank TD	BBB	1,000	5.31	5.31	1.27	1,000	100.00%
CBA	97. CBA Retail Bonds	AA-	488	6.16	6.16	0.62	491	98.10%
CBA	98. CBA Retail Bonds	AA-	488	6.16	6.16	0.62	491	98.10%
Bank of Queensland	99. Bank of Queensland TD	BBB+	1,000	5.28	5.28	1.27	1,000	100.00%
			78,782	5.44	5.83	100	78,844	

*Monthly returns when annualised can appear to exaggerate performance

**Market valuations are indicative prices only, and do not necessarily reflect the price at which a transaction could be entered into.

Return including Matured/Traded Investments

Weighted Average Return	5.45	5.72
Benchmark Return: UBSA 1 Year Bank Bill Index (%)	3.51	4.70
Variance From Benchmark (%)	1.94	1.02

Investment Income

	\$000's
This Period	371
Financial Year To Date	5,310
Budget Profile	5,000
Variance from Budget - \$	310

I certify that as at the date of this report, the investments listed have been made and are held in compliance with Council's Investment Policy and applicable legislation, with the exception of the following investments:

Grange IMP	- Merimbula CDO	NR
	- Global Bank Note CDO	NR
Oasis CDO		CC
FOCUS Note		AA-



John Todd Date: 09/07/2012

Council's Investment Powers

Council's investment powers are regulated by Section 625 of the Local Government Act, which states:

- (1) A council may invest money that is not, for the time being, required by the council for any other purpose.
- (2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
- (3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.

ITEM 5 (continued)

- (4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.

Council's investment policy requires that all investments are to be made in accordance with:

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order (of the Minister) dated 12 January 2011
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2)
- Local Government (Financial Management) Regulation 1993
- Investment Guidelines issued by the Department of Local Government

Overview of Investments

An overview of all investments held by the City of Ryde is provided below:

1. **OASIS (Originally AA now CC):** This is a CDO that pays 140 bps above 90 day BBSW This investment was purchased on 4 September 2006. The investment is for eight years and matures on 4 September 2014 .This is a CDO that is actively managed by Société Générale. The CDO was downgraded to BBB- on 29 September 2008 with advice being received in early April 2009 that this investment has been further downgraded to CCC-. Defaults within the portfolio have resulted in a capital loss of approximately 35%. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.
2. **FOCUS Note (AA-p):** This investment was purchased on 20 December 2006. This is a medium to long term investment (three-seven years) and matures on 20 December 2012. The capital of the investment is guaranteed by Westpac on maturity. This investment consists of a dynamically managed portfolio comprising investments in the BT Focus Australian Share Fund, and aims to outperform the S&P/ASX 300 Accumulation Index by 5% over a three to five year horizon. Westpac receive a principal protection fee of 0.90 p.a., an upfront structuring and distribution fee of 2.50%. BT Financial Group receives a management fee of 0.60% p.a., and a performance fee of 15%. The performance fee is only paid if the performance of the fund before fees exceeds the S&P/ASX Accumulation index plus the management fee. On 28 October 2008 advice was received that the recent volatility in the global financial markets had triggered the capital protection mechanism in this investment with 100% of the portfolio now invested in a zero coupon bond . Council will not receive any further coupon payments between now and the December 2012 maturity date but will receive the full face value of the investment at maturity.
3. **Grange (Lehman Brothers) IMP:** This is a portfolio of FRNs, CDOs and Bank issued securities managed by Grange Securities on Council's behalf. Lehman Brothers have cancelled the management agreement, and this portfolio is currently static. The IMP comprises the following investments:

ITEM 5 (continued)

<i>Investment</i>	<i>Maturing</i>
Merimbula CDO	20/06/2013
AAA (Berryl) Global Bank Note CDO	20/09/2014

4. **Westpac at Call Account (AA-):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
5. **Bank of Queensland TD (BBB):** This investment is a 153 day term deposit, paying 6.00% (6.13% annualised), and matures on 2 August 2012.
6. **Bankwest Term Deposit (AA-):** This investment is a 105 day term deposit, paying 5.51% (5.62% annualised), and matures on 29 August 2012.
7. **St George Term Deposit (AA-):** This investment is a 181 day term deposit, paying 5.55% p.a. (5.63% annualised), and matures 5 November 2012.
8. **NAB Term Deposit (AA-):** This investment is a 180 day term deposit, paying 5.42% p.a. (5.49% annualised), and matures 7 November 2012.
9. **Westpac Term Deposit (AA-):** This investment is a one year term deposit, paying 5.15% % (5.15% annualised, and matures 30 May 2013.
10. **NAB Term Deposit (AA-):** This investment is a three year term deposit, paying 6.60% p.a., and matures 4 April 2014.
11. **AMP TD (A):** This investment is a 209 day term deposit, paying 6.00% (6.08% annualised, and matures 6 September 2012.
12. **MyState CU (BBB):** This investment is a 182 day term deposit paying 5.68% (5.76% annualised) and matures 20 August 2012.
13. **NAB Term Deposit (AA-):** This investment is a 179 day term deposit, paying 5.25% p.a. (5.32% annualised), and matures 16 November 2012.
14. **Police & Nurses Credit Union (Unrated):** This investment is a 182 day term deposit, paying 5.59% (5.67% annualised) and matures on 9 July 2012.
15. **Bankwest Term Deposit (AA-):** This investment is a 105 day term deposit paying 5.52% (5.63% annualised) and matures on 28 August 2012.
16. **Bankwest Term Deposit (AA-):** This investment is a 120 day term deposit, paying 5.15% p.a. (5.24% annualised), and matures 27 September 2012.
17. **Bankwest Term Deposit (AA-):** This investment is a 105 day term deposit, paying 5.10% p.a. (5.19% annualised), and matures 27 September 2012.
18. **Bankwest Term Deposit (AA-):** This investment is a 90 day term deposit, paying 5.55% p.a. (5.67% annualised), and matures 9 August 2012.

ITEM 5 (continued)

- 19. NAB Term Deposit (AA-):** This investment is a 180 day term deposit, paying 5.65% p.a. (5.73% annualised), and matures 26 November 2012.
- 20. Defence Bank Term Deposit (Unrated):** This investment is a 180 day term deposit paying 5.80% (5.89% annualised) and matures on 8 October 2012.
- 21. Railways CU Term Deposit (Unrated):** This investment is a 30 day term deposit paying 5.85% (5.94% annualised) and matures on 7 August 2012.
- 22. Queensland Police CU (Unrated):** This investment is a 182 day term deposit paying 5.64% (5.72% annualised) and matures on 9 July 2012.
- 23. Queensland Country Credit Union Term Deposit (Unrated):** This investment is a 182 day term deposit, paying 5.35% (5.42% annualised), and matures 19 November 2012.
- 24. Community CPS Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.70% (5.82% annualised) and matures on 2 July 2012.
- 25. Bendigo Bank Term Deposit (A-):** This investment is a 180 day term deposit paying 5.70% (5.78% annualised) and matures on 9 July 2012.
- 26. Hunter United Credit Union (Unrated):** This investment is a 90 day term deposit paying 5.40% (5.51% annualised) and matures on 15 August 2012.
- 27. Credit Union Australia Term Deposit (BBB+):** This investment is a 333 day term deposit paying 5.81% (5.82% annualised) and matures on 21 December 2012.
- 28. Coastline CU Term Deposit (Unrated):** This investment is a 122 day term deposit, paying 5.25% (5.34% annualised), and matures on 11 October 2012.
- 29. Peoples Choice Credit Union Term Deposit (Unrated):** This investment is a 30 day term deposit paying 4.83% (4.94% annualised) and matures on 25 July 2012.
- 30. Australian Defence Credit Union Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.30% (5.41% annualised) and matures on 5 September 2012.
- 31. Rural Bank Term Deposit (A-):** This investment is a five year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 32. Bananacoast CU Term Deposit (Unrated):** This investment is a 188 day term deposit paying 5.15% (5.21% annualised) and matures on 2 January 2013.
- 33. Southern Cross CU Term Deposit (Unrated):** This investment is a 183 day term deposit paying 5.15% (5.22% annualised) and matures on 12 December 2012.

ITEM 5 (continued)

- 34. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.45% (5.56% annualised) and matures on 8 August 2012.
- 35. Victoria Teachers CU Term Deposit (Unrated):** This investment is a 180 day term deposit paying 5.00% (5.06% annualised) and matures on 12 December 2012.
- 36. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 5.76% p.a. and matures on 8 December 2014.
- 37. ME Bank Term Deposit (BBB):** This investment is a 120 day term deposit paying 5.50% (5.60% annualised) and matures on 5 September 2012.
- 38. Bankwest TD (AA-):** This investment is a four year term deposit paying 7.00% (7.00% annualised) and matures on 13 February 2015.
- 39. IMB Term Deposit (BBB):** This investment is a 61 day term deposit paying 4.80% (4.90% annualised) and matures on 30 July 2012.
- 40. Summerland Credit Union Term Deposit (Unrated):** This investment is a 91 day term deposit paying 5.60% (5.68% annualised) and matures on 9 July 2012.
- 41. Wide Bay Building Society Term Deposit (BBB):** This investment is a 182 day term deposit paying 5.75% (5.83% annualised) and matures on 9 July 2012.
- 42. Queenslanders Credit Union Term Deposit (Unrated):** This investment is a 182 day term deposit paying 5.50% (5.58% annualised) and matures on 25 July 2012.
- 43. Warwick CU Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.75% (5.88% annualised), and matures 9 July 2012.
- 44. Maitland Mutual Building Society (Unrated):** This investment is a 180 day term deposit paying 5.55% (5.63% annualised) and matures on 30 October 2012.
- 45. AMP eASYSaver at call account (A):** This investment is an at-call account earning 5.60%. No fees are payable by Council on this investment.
- 46. CBA Term Deposit (AA-):** This investment is a 180 day term deposit paying 5.50% (5.58% annualised) and matures on 30 October 2012.
- 47. Gateway Credit Union Term Deposit (Unrated):** This investment is a 184 day term deposit paying 4.91% (4.97% annualised) and matures on 17 December 2012.
- 48. Rabodirect Term Deposit (AA):** This investment is a 181 day term deposit, paying 5.95% (6.04% annualised), and matures on 10 September 2012.

ITEM 5 (continued)

- 49. Suncorp Term Deposit (A+):** This investment is a 120 day term deposit, paying 5.12% (5.21% annualised), and matures on 4 October 2012.
- 50. Newcastle Permanent Building Society (BBB+):** This investment is a 90 day term deposit, paying 5.00% (5.09% annualised), and matures on 4 October 2012.
- 51. QT Mutual Bank (Unrated):** This investment is a 181 day term deposit paying 5.75% (5.83% annualised) and matures on 15 October 2012.
- 52. ING Term Deposit (A):** This investment is a two year term deposit paying 6.84% (6.62% annualised) and matures on 18 February 2013.
- 53. Greater Building Society (Unrated):** This investment is a 182 day term deposit paying 5.55% (5.63% annualised) and matures on 10 July 2012.
- 54. Holidaycoast CU Term Deposit (Unrated):** This investment is a 183 day term deposit, paying 5.25% (5.32% annualised), and matures on 30 November 2012.
- 55. The Rock Building Society (BBB-):** This investment is a 31 day term deposit paying 4.79% (4.90% annualised) and matures on 30 July 2012.
- 56. Bank of Queensland FRN (BBB):** This is a certificate of deposit issued at a margin of 140 points above 90 day BBSW, maturing 11 November 2013.
- 57. Suncorp Metway FRN (A+):** This is a floating rate note purchased at a margin of 106 points above 90 day BBSW, maturing 18 June 2013.
- 58. Intech CU Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.70% (5.82% annualised) and matures on 9 July 2012.
- 59. Beirut Hellenic Bank Term Deposit (Unrated):** This investment is a 151 day term deposit paying 5.80% (5.90% annualised) and matures 2 July 2012.
- 60. AMP Term Deposit (A):** This investment is a four year term deposit paying 7.14% which matures on 16 February 2015.
- 61. Rabobank Term Deposit (AA):** This investment is a 182 day term deposit paying 5.80% (5.88% annualised) and matures on 3 September 2012.
- 62. Bendigo & Adelaide Bank FRN (A-):** This is a floating rate note issued at a margin of 140 points above 90 day BBSW, maturing 17 March 2014.
- 63. Community First CU Term Deposit (Unrated):** This investment is a 90 day term deposit paying 5.68% (5.80% annualised), and matures on 9 July 2012.
- 64. Heritage Bank Term Deposit (BBB-):** This investment is a 90 day term deposit paying 5.45% (5.56% annualised), and matures on 6 August 2012.

ITEM 5 (continued)

- 65. CBA Term Deposit (AA-):** This investment is a 30 day term deposit paying 4.54% (4.64% annualised), and matures on 6 July 2012.
- 66. Rabodirect At-Call (AA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 67. Members Equity Bank At-Call Account (BBB):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 68. National Australia Bank Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note paying 115 above BBSW. This investment matures 21 June 2016.
- 69. National Australia Bank Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note paying 125 above BBSW. This investment matures 21 June 2016.
- 70. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 2 August 2016.
- 71. Westpac Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 123 above BBSW. This investment matures 9 May 2016.
- 72. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 125 above BBSW. This investment matures 2 August 2016.
- 73. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 110 above BBSW. This investment matures 21 July 2015.
- 74. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 21 June 2016.
- 75. Westpac Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 117 above BBSW. This investment matures 9 November 2015.
- 76. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 21 June 2016.
- 77. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 2 August 2016.

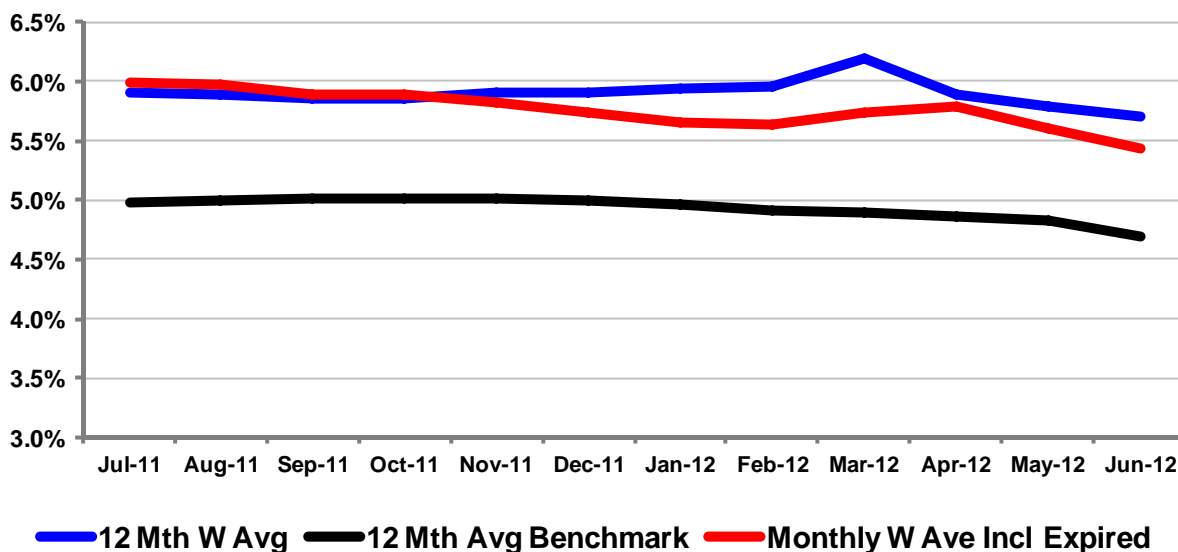
ITEM 5 (continued)

78. **NAB Flexi Deposit (AA-):** This is a one year Term deposit, paying 6.00% for the first quarter, then paying 125bps above BBSW every quarter after that. This investment matures 1 October 2012.
79. **ANZ FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 9 May 2016.
80. **Northern Beaches Credit Union Term Deposit (Unrated):** This investment is a 91 day term deposit paying 5.80% (5.93% annualised) and matures on 9 July 2012.
81. **Rabobank FRN (AA):** This investment is a senior, unsecured floating rate note purchased at a yield of 151 above BBSW. This investment matures 27 July 2016.
82. **Police CU (SA) Term Deposit (Unrated):** This investment is a two year TD paying 5.70% (5.70% annualised) and matures 18 April 2014.
83. **NAB FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 127 above BBSW. This investment matures 19 December 2014.
84. **Investec Term Deposit (BBB-):** This investment is a 180 day TD paying 6.08% (6.17% annualised) and matures 10 July 2012.
85. **TiO Term Deposit (AA+):** This investment is a 62 day TD paying 5.01% (5.12% annualised) and matures 27 August 2012. These funds are not covered by the Federal Government Guarantee, but are guaranteed by the NT State Government.
86. **NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
87. **Suncorp Metway Term Deposit (A+):** This investment is a 180 day term deposit paying 5.95% (6.04% annualised) and matures 15 August 2012.
88. **Bankstown City CU Term Deposit (Unrated):** This investment is a 182 day term deposit paying 5.75% (5.83% annualised) and matures 20 August 2012.
89. **Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
90. **ING Direct Term Deposit (A):** This is a 210 day term deposit paying 6.14% (6.22% annualised) and matures 22 October 2012.
91. **Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.

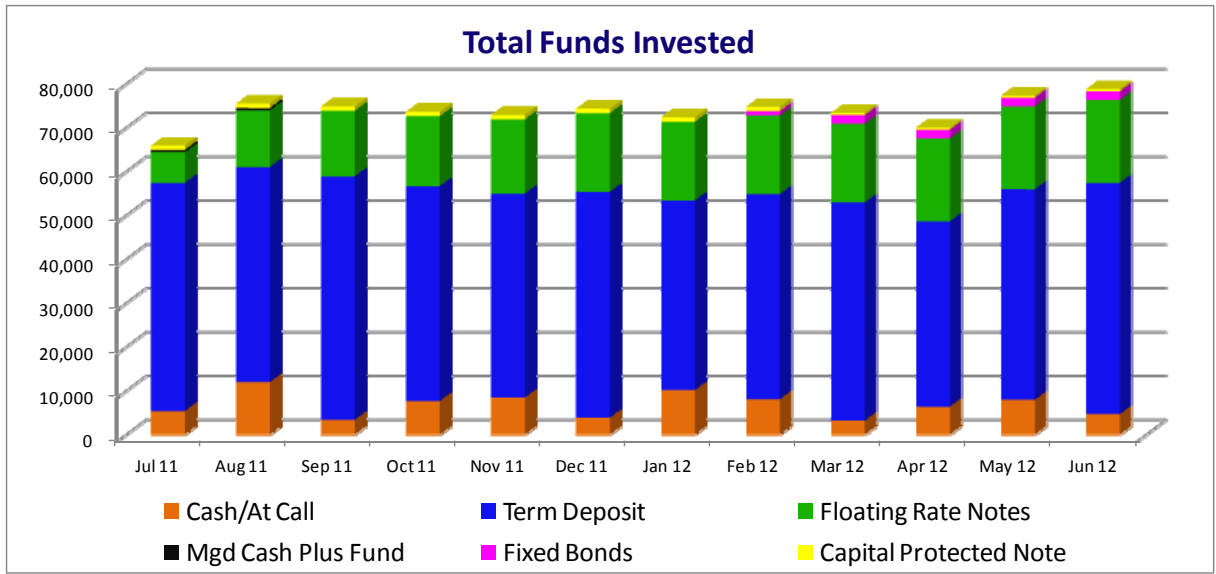
ITEM 5 (continued)

- 92. CBA Retail Bond (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 24 December 2015.
- 93. B & E Ltd Building Society Term Deposit (Unrated):** This investment is a 182 day term deposit paying 5.80% (5.88% annualised) and matures on 22 October 2012.
- 94. Bank of Cyprus Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.
- 95. Rural Bank Term Deposit (A-):** This investment is a 120 day term deposit paying 5.15% p.a (5.24% annualised). and matures on 2 October 2012.
- 96. ME Bank Term Deposit (BBB):** This investment is a five year term deposit paying 5.21% p.a. (5.31% annualised) and matures on 4 September 2012.
- 97. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 182 above BBSW. This investment matures 24 December 2015.
- 98. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 184 above BBSW. This investment matures 24 December 2015.
- 99. Bank of Queensland Term Deposit (BBB+):** This investment is a 151 day term deposit paying 5.20% (5.28% annualised) and matures 19 November 2012.

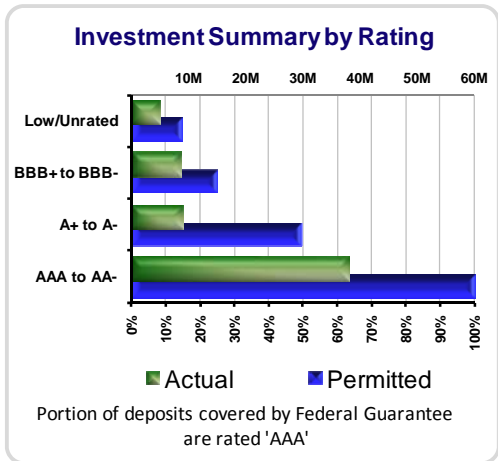
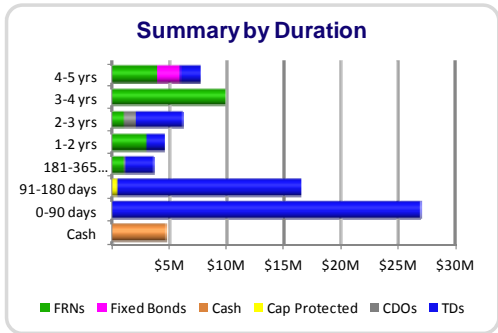
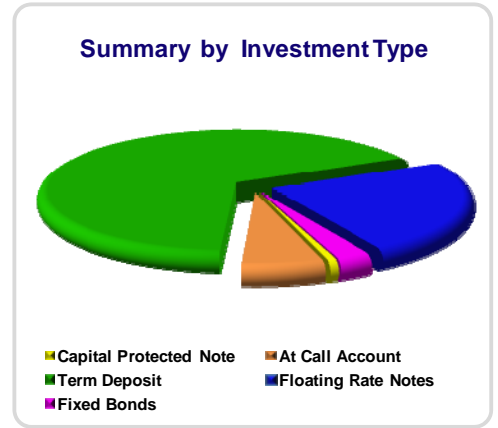
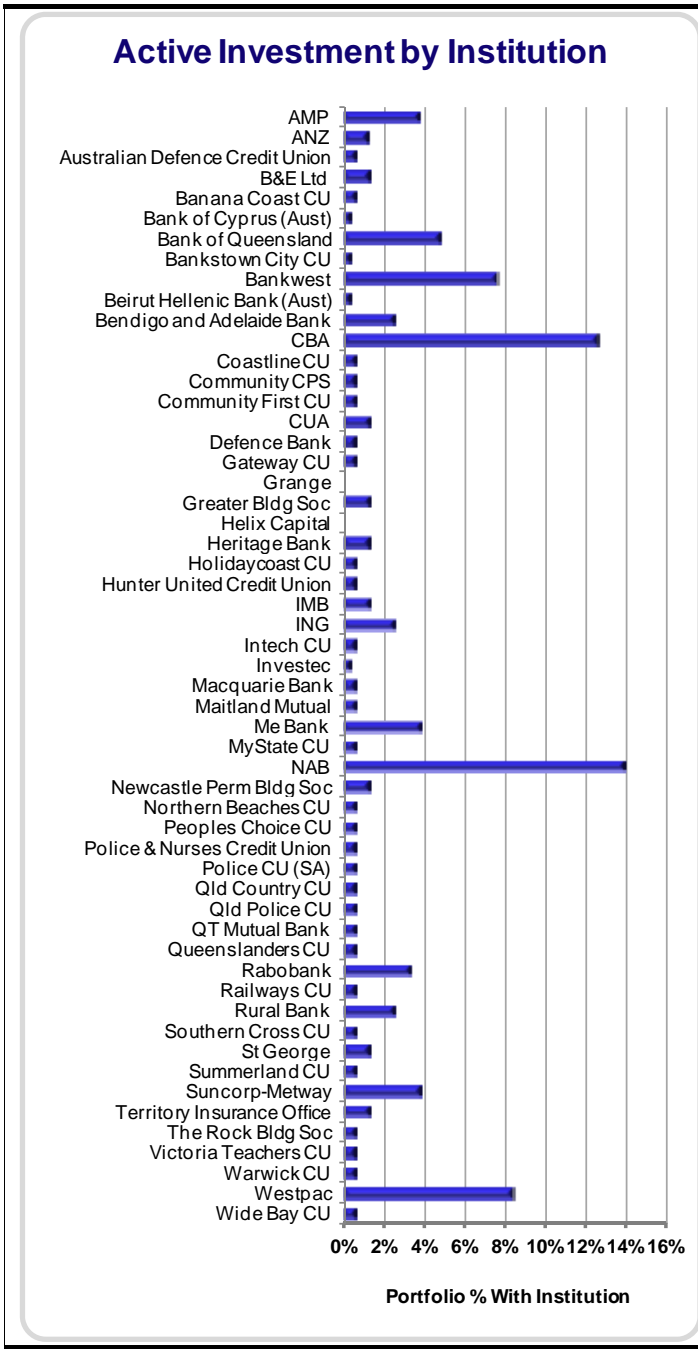
Performance - All Investments



ITEM 5 (continued)



ITEM 5 (continued)

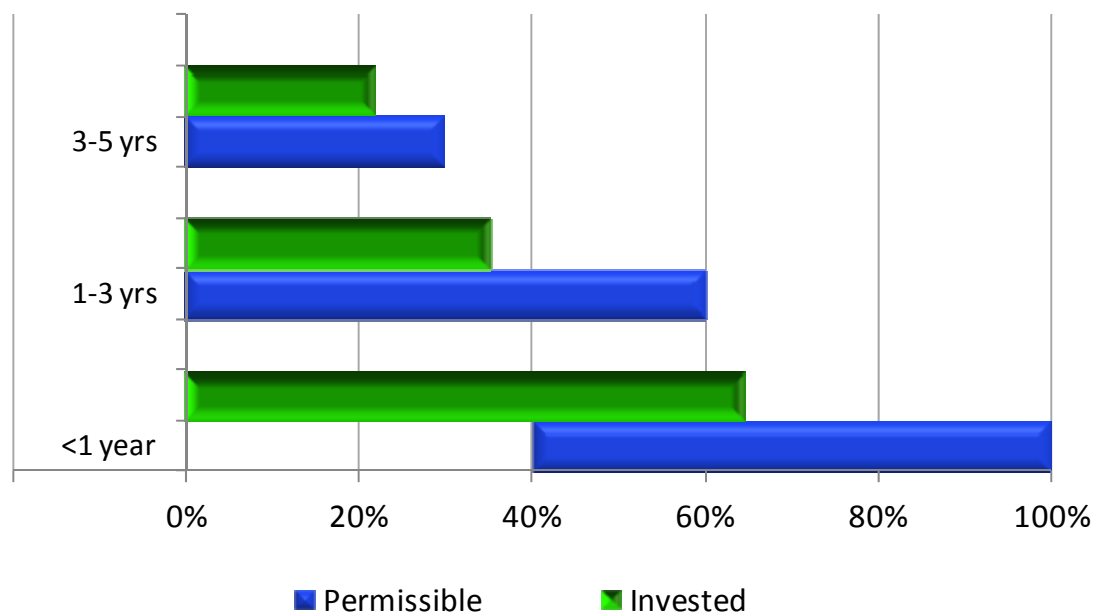


	>365 days	<365 days
Cash/TDs	\$7.3M	\$50.2M
FRNs	\$17.9M	\$1.0M
Fixed Bonds	\$2.0M	\$0.0M
Mgd Funds	\$0.0M	\$0.0M
Other	\$0.0M	\$0.5M
CDO's	\$0.0M	\$0.0M
Total	\$27.1M	\$51.7M

ITEM 5 (continued)

Context

Policy Limits on Maturities



The recommendation is consistent with Section 625 of the Local Government Act, which deals with the investment of surplus funds by Council's.

Financial Implications

Income from interest on investments and proceeds from sales of investments totals \$5.31M, being \$310K above budget projections as per the Delivery and Operational Plan, which will improve Council's Working Capital result as at 30 June 2012.

Interest received on written down CDO investments this year to date is \$60K. The Financial Security Reserve, following this transfer of additional funds, has a balance of \$2.065M.

6 DRAFT RYDE LEP 2011 - SUBMISSIONS

Report prepared by: Strategic Planner

Report dated: 28/05/2012

File No.: LEP2008/22/007 - BP12/643

REPORT SUMMARY

This report provides information on the exhibition of draft Ryde Local Environmental Plan (LEP) 2011 and on the outcomes of that community consultation process.

A total of 3 259 submissions were received during the exhibition of draft LEP under both 'Community Comment' which occurred from the 19 January 2011 to the 29 May 2012 and the formal exhibition of the Plan under the Environmental Planning and Assessment Act 1979 from the 30 May to the 13 July 2012.

The principal issues raised in submissions were;

- Requests for increased floor space and height provisions for certain sites within Centres and local business zones.
- Deleting Clause 4.1C (d) (b) which requires a minimum road frontage of 20m for dual occupancy and multi dwelling housing developments.
- Requests from State authorities that land zoned SP2 which is surplus to their needs be rezoned to an adjoining zoning.
- Concern over the viability of the IN2 zone and inclusion of additional land uses "permitted with consent".
- Retention of all open space land
- Objection to blanket prohibitions that exist within DLEP which fail to recognise "advertising signage" as a legitimate land use activity.

A summary of points raised in submissions, Council's response to those points and proposed actions are presented in Table 1 – Community Consultation Submissions and Table 2 – Formal Exhibition Submissions.

It is proposed to amend the draft LEP to address a number of the issues raised in submissions, the principal changes include:

1. Wholesale supplies, Building identification signs and Recreation facility (indoor) being added to uses permitted in the IN2 Light Industrial.
2. Home business and Home industries being added as a permitted use in the R2, R3 and R4 zones.
3. Land Reservation Acquisition Map being amended in line with requested RTA boundary changes.

Further amendments to the draft Plan are also proposed to bring the plan in line with changes in supporting documents such as the Draft DCP 2011 and to correct identified omissions and errors. All such changes are identified in TABLE 3 – Amendments to DLEP 2011.

The report recommends that Council amends the draft Plan in accordance with Table 3 and that the plan be forwarded to the Department of Planning and Infrastructure (DoPI) with a Section 68 report requesting that the Minister make the Plan.

ITEM 6 (continued)**RECOMMENDATION:**

- (a) That Council amend Draft Ryde LEP 2011 in accordance with the changes identified in *Table 3 – Amendments to LEP 2011* attached to this report titled Draft LEP 2011 – Submissions.
- (b) That Council forward to the Department of Planning and Infrastructure draft LEP 2011 as amended with a Section 68 report requesting that the Minister make the Plan.
- (c) That the General Manager write to the Minister for Planning seeking flexibility for the City of Ryde to develop boarding house controls that reflect local character and affordable housing.

ATTACHMENTS

- 1 Ryde City View - CIRCULATED UNDER SEPARATE COVER
- 2 Notification Areas - CIRCULATED UNDER SEPARATE COVER
- 3 Table 1 - Community Submission Table - 5 June - CIRCULATED UNDER SEPARATE COVER
- 4 Table 2 - Formal Submissions - CIRCULATED UNDER SEPARATE COVER
- 5 Table 3 - Changes to DLEP - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Susan Wotton
Strategic Planner

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 6 (continued)

History

Council resolved on the 11 December 2007 to prepare a comprehensive LEP in accordance with the Standard Instrument and based on the City of Ryde Local Planning Study.

Council adopted with amendments the City of Ryde Local Planning Study 2010 on the 7 December 2010 and resolved that the consultation process with Government agencies, required by Section 62 of the EP&A Act for draft Ryde LEP 2011 be carried out.

Council on 14 December 2010, after consideration of the comments from the government agencies, resolved that the Director General of the Department of Planning and Infrastructure (DoPI) be requested under Section 65 of the Environmental Planning and Assessment Act, 1979 to certify that the draft Plan, as amended, may be publicly exhibited.

The draft LEP as submitted to DoPI was placed on the Council website for "Community Comment" on the 19 January 2011. Details of the "Community Comment" exhibition of the draft Plan are provided later in this report.

A conditioned Section 65 Certificate was issued by the Director General of DoPI on the 5 September 2011.

Council resolved on the 27 September 2011 to hold a Council Workshop prior to resubmission of Draft LEP 2011 back to the Department of Planning and Infrastructure to seek a reissuing of the Section 65 Certificate.

The Council Workshop was held on the 8 November 2011 and covered the following areas: -

- Section 65 Conditions relating to open space,
- Rezoning of land at 158 – 194 Blaxland Road Ryde under DLEP 2011,
- Rezoning of SP2 land to the zoning of adjoining land.

A report on the outcomes of the Councillor Workshop was presented to Council on 13 December 2011. Council resolved the following with respect to the matters covered in that report:

(a) That the Director General of the Department of Planning and Infrastructure be requested to amend the Section 65 Certificate issued on 5 September 2011 for draft LEP 2011 in accordance with the following:

- *158 – 194 Blaxland Road Ryde - Add a new condition reverting the zoning, height and floor space controls for 158 – 194 Blaxland Rd Ryde to those that apply under LEP 2010 i.e. zoning 158 – 180 Blaxland Rd R2 Low Density Residential and 182 – 194 Blaxland Rd R4 High Density Residential.*

ITEM 6 (continued)

- *Cudal Reserve - Delete Condition 12 (b) rezoning Cudal Reserve from SP2 to R2 Low Density Residential and add a new condition requiring the rezoning of the land to RE1 Public Recreation.*
- *390 Pittwater Road North Ryde - Delete Condition 12(d) rezoning 390 Pittwater Road from E2 and R2 to SP2 Classified Road.*

(b) That a submission is made to the Department of Planning and Infrastructure and State Property Authority expressing Council's concern about the possible sale of land associated with Small's Road Ryde School and requesting that the Small's Road Ryde School land be retained either as a school site or dedicated open space.

(c) That the rezoning of Kitty's Creek Reserve adjacent to 46 Jeanette Street Ryde from an E2 zone to a R2 zone not proceed.

A letter requesting the above amendments and expressing Council's concerns with respect to Small's Road School was sent to the Director General of the Department of Infrastructure and Planning on the 15 December 2011.

In response to Council's letter of the 15 December 2011 an amended Section 65 Certificate dated 20 December 2011 was issued by DoPI. The Certificate addressed all of Council's issues with the exception of the following;

- The rezoning of Cudal Reserve to RE1 Public Recreation (Note: Cudal Reserve was to remain SP2).
- Rezoning a small area of Kitty's Creek Reserve from R2 Low Density Residential to E2 Environmental Conservation and the subsequent deleting of the proposed reclassification of the subject land to operational.

Council on the 14 February 2012 resolved in part:

1. *that an amended Section 65 Certificate be requested that did not rezone any current SP2 land to other purposes and that such zoning be reflected in the Draft LEP for public exhibition.*
2. *That Council authorise that Draft Ryde Local Environmental Plan 2011 be placed on exhibition in accordance with the requirements for the exhibition of draft local environmental plans as specified by the Environmental Planning and Assessment act 1979.*

Council forwarded to DoPI on 5 April 2012 draft LEP 2011 amended in accordance with the conditions of the Section 65 Certificate dated 20 December 2011, previous Council resolutions not addressed in Section 65 Certificate i.e. Kitty's Creek Reserve and amended maps reflecting the reinstatement of the SP2 zones.

Council on the 23 April 2012 received an unconditional Section 65 Certificate from the DoPI to exhibit draft Ryde LEP 2011.

ITEM 6 (continued)**Discussion**

Draft LEP 2011 was placed on Community Comment from the 19 January 2011 to the 29 May 2012.

The "Community Comment" exhibition of the draft Plan included the following;

1. Information on Council's webpage including;
 - a. DLEP 2011 written document and maps
 - b. Background information on LEPS , DCPs , City of Ryde Planning Study and DLEP 2011
 - c. Key documents e.g. Council reports , table of changes, land use matrix
 - d. An invitation to make submission

2. Hard copy of documents placed in all libraries
3. Information on 149 Certificates issued as to the zoning, heritage status etc of a property under the draft Plan and where to view the draft plan.

The draft LEP was placed on formal exhibition from the 30 May to 13 July 2012 and included the following;

- a. A public notice of the exhibition in each Ryde City View edition during the 6 week period. Specific aspects of the DLEP were identified in each edition. Copies of the advertisements that appeared in the four editions of the Ryde City View are **CIRCULATED UNDER SEPARATE COVER**.
- b. Use of Council Kiosks or computers in each of Council's libraries providing internet access to Ryde LEP 2010 and draft LEP 2011 for information and comparison purposes. Statutory information and background information was also provided. Similar computer access was also available to customers within the Civic Centre and Council's Business and Advisory Centre.
- c. Hard copies of both Ryde LEP 2010, draft LEP 2011 and key support and statutory information was on display within each library, the Civic Centre and Ryde Planning and Business Centre.
- d. A3 Information posters were displayed within each library, the Civic Centre and Ryde Planning and Business Centre advising of the exhibition.
- e. Brochures on the draft LEP and DCP were available at all areas where the LEP was on exhibition.
- f. Approximately 3 000 letters and brochures were sent out advising of the DLEP to various groups including ;
 - o land owners and adjoining landowners where a change in zoning, height and floor space is to occur in the following areas;
 - Ryde Town Centre
 - Meadowbank Urban Village
 - West Ryde Town Centre
 - Blenheim Road Shopping Centre
 - Glen Street /Lakeside Road Eastwood
 - Gladesville Town Centre

ITEM 6 (continued)

Maps identifying the areas notified are **CIRCULATED UNDER SEPARATE COVER.**

- Land owners where land under the DLEP is;
 - zoned B1 Business Neighbourhood and a change in FSR and Height occurs.
 - zoned IN2 Light Industrial and a change in height controls occur
 - rezoned to B1 Business Neighbourhood
 - newly identified on the Land Reservation Map as being required by Roads and Maritime Services for classified road or by Ryde Council for open space purposes
 - newly identified as a heritage item in Schedule 5 Environmental Heritage
 - returned to an SP2 zoning as a result of Council's resolution of the 14 February 2010
 - was reinstated to its zoning under LEP 2010 (158 – 194 Blaxland Rd Ryde – Council resolution 13 December 2011)
 - changes to car parking requirements has occurred e.g. areas of Macquarie Park
- Chamber of Commerce and Progress Associations
- State and Federal Members of Parliament
- State authorities and organisations that submitted a submission at the S62 stage.
- Adjoining Councils were notified. Ku-ring-gai Council was provided with specific information and maps relating to Porters Creek (a proposed rezoning of 160 – 162 Wicks Road from RE1 Public Recreation to IN2 Light Industrial) and a draft letter to be circulated to those Ku-ring-gai residents that the Council believed would be interested in the rezoning.

Council is to note that as advised in previous reports only the Body Corporate of a strata group was notified not the individual owners of strata units with respect to all letters.

- Information sessions were provided to the following groups;
 - Council Advisory Committees – Heritage , Economic Development and Climate Change and Sustainable Development
 - Community Groups – Meadowbank and West Ryde Progress Association
 - Targeted areas in and adjoining the centres of Ryde, Meadowbank, Eastwood, Blenheim Road and West Ryde.
 - Internal Council business units – Environment, Assessment, Property, Community Life, Public Works.
- Drop in information sessions were available at West Ryde, North Ryde and Ryde libraries.
- All internal Council business units were consulted through e-mail advising them of the exhibition, where to view the draft Plan and an invitation to comment on the draft Plan.

ITEM 6 (continued)

The consultation was in accordance with COR Engagement Matrix.

This report reviews the submissions received during Community Comment and Formal Exhibition separately.

“Community Comment” exhibition

By the close of business on the 29 May 2012 a total of 3012 submissions (including 2949 pro forma submissions) were received from the community to the exhibition of the draft Plan as submitted to DoPI on the 23 December 2010. The below table groups the submissions based on the geographic or subject area they relate to or the authority group they come from.

Area	No. Submissions Received	Area	No. Submissions Received
Ryde Council	1	Macquarie Park	2
State authorities	9	Ryde Town Centre	213 (includes 3 individual and 210 Pro forma Letters)
West Ryde Town Centre	3	General/Multiple areas	2756 (includes 17 individual and 2739 Pro forma Letters)
Eastwood Town Centre	5	Dual Occupancy Multi dwelling housing	16
Gladesville Town Centre	2	Heritage	1
Meadowbank Urban Village	4		

A summary of points raised in the submissions, Council response to those points and proposed action is provided in *Table 1 Community Consultation Submissions* which is **CIRCULATED UNDER SEPARATE COVER**.

Submission issues raised and identified in *Table 1 Community Consultation Submissions* include:

Ryde Council - 1 submission

Issue

Schedule 2 Exempt development – Signage (temporary sign for a cultural, educational, political, recreational, religious or social event). Request that a further condition be added that signs must not be illuminated

ITEM 6 (continued)Response

- It is considered that a condition prohibiting the illumination of temporary signs would reduce any concerns related to visual distraction of vehicles or pedestrians.

Recommended action

- Schedule 2 Exempt Development – Signage (temporary)
- Additional condition added – (d) Must not be illuminated

State Authorities – 9 submissions*Issue 1- Roads and Maritime Services (only part of submission)-*

- The following changes are required to the Land Reservation Acquisition Map;
 - M2 Motorway/Vimiera Rd (area approximately 9 500 sqm) is to be indicated on the LRA Map
 - Minor boundary changes to land identified on the LRA Map for SP2 Classified Road as per information provided by R&MS
- The R&MS requests amendment to DLEP to ensure child care centres, schools and places of worship and meeting halls are effectively prohibited where such properties have direct frontage to a classified Road.

Response

- In the development of LEP 2010 the R&MS requested that an area of land (M2 Motorway /Vimiera Rd) be indicated for acquisition on the Land Reservation Acquisition. DoPI by letter dated 22 August 2007 requested that as the land was owned by them that it be removed from the LEP 2010 Land Reservation Acquisition Map. The land was deleted from the subject map but retained as SP2 Classified Road on LEP 2010 Land Zoning Map
- As a result of a submission by the then RTA to LEP 2010 requesting that access for child care centres from classified roads be prohibited Clause 6.8 Access for child care centre must not be to a classified road was included in the LEP. At the pre s64 review of DLEP 2011 DoPI advised Council to delete the Clause from the draft Plan and include it into a DCP.

Recommended Actions

1. Land Reservation Acquisition Map be amended in line with requested R&MS boundary changes (Council should note that DoPI requires all land identified on the Land Reservation Acquisition Map to be zoned on the Land Zoning Map according to its future use and as a result minor changes to the Land Zoning Map will also be required) and that the inclusion of land in Vimiera Rd on the Land Reservation Acquisition Map be highlighted to DoPI for their consideration.
2. That DCP 2011 be amended to include a condition where relevant that access for child care centres, schools, meeting halls and places of public worship must not be to a classified road.

ITEM 6 (continued)**Issue 2- Sydney Water**

The SP2 zoning of 22 Henry St Ryde , 20 Goulding Street Ryde and 865 Victoria Rd West Ryde is in conflict with the Site Compatibility Certificates issued by DoPI .The LEP should be amended so the land is given the adjoining zoning.

Response

- Council resolved on 14 February 2012 that an amended s65 Certificate be requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI.
As such it is not considered that Council should support the rezoning of the lands to R2.

No amendment to the DLEP 2011 required.

West Ryde Town Centre – 3 submissions**Issue**

Properties located at 6-8 Wattle St, 80 Anzac Ave, 29 – 33 Herbert St should have the same FSR as properties along Herbert St – 1.25:1.

Response

- In the development of the draft LEP DoPI advised Council that the existing residential flat development density controls in LEP 2010 were no longer acceptable (they had been a transfer from the Ryde Planning Scheme into LEP 2010) and that it would be necessary to replace such controls with an FSR. Based on examination of existing developments in the R4 zone a FSR of 1:1 was determined to be an appropriate based on the nature of uses permitted in the zone (predominately residential flat buildings). The land referred to in Herbert Street is zoned B4 – Mixed Business and permits a large variety of different land uses. An FSR of 1.25:1 applies to all land at West Ryde with a zoning of B4. The FSR proposed within the draft Plan for the subject properties is considered appropriate in view of the zoning of the land.

No amendment to the DLEP 2011 required.

Eastwood Town Centre – 5 submissions**Issue 1**

Eastwood should be given same development potential as Ryde Town Centre and divided into Precincts like Ryde Town Centre.

Response

- A new Master Plan for the Eastwood Town Centre is presently being developed and includes areas of R4 land on the eastern side of Eastwood Town Centre. Based on the Small Centres Master Plan the commercial area of Eastwood has been expanded in DLEP 2011 to the northern side of Glen Street and Lakeside Road and has resulted in the rezoning of land to B4 and

ITEM 6 (continued)

R4. Further changes to Eastwood will be addressed in the Master Plan presently being developed.

No amendment to the DLEP 2011 required.

Issue 2

Supports proposed changes to Eastwood – regeneration of accommodation at the edge of the commercial area is needed.

Response

- Submission in support of DLEP changes to the Eastwood Centre

No amendment to the DLEP 2011 required.

Gladesville Town Centre – 2 submissions

Issue 1

Heights within all Precincts are too high – particularly Town Centre Precinct. Comments relating to DCP including traffic and pedestrian safety issues with respect to Gladesville Public School, traffic management and access to Victoria Rd. The Centre has insufficient green space for the imposition of a corridor of 6 and 8 storey buildings

Response

- The heights for the Gladesville area in DLEP 2011 are a straight transfer of heights gazetted in LEP 2010 – Gladesville Town Centre and Victoria Rd Corridor. A separate report on submissions relating to Draft DCP 2011 is to be presented to Council. The submission has been referred to the relevant person to be considered in that report.

No amendment to the DLEP 2011 required.

Issue 2

Commends Council on retaining R2 zoning for 44, 46 & 48 Eltham St Gladesville

Response

- Supports DLEP 2011 amendments.

No amendment to the DLEP 2011 required.

Meadowbank Urban Village – 4 submissions

Issue 1

Concerned that the land along the Shepherds Bay area has been designated as a long strip of 21m and 15m height buildings which will lead to a long wall of building rather than a stepped plane.

ITEM 6 (continued)

A central open parkland area which links the River to the land behind and which would provide for overflow drainage for the land behind should be considered. Developers if allowed will maximise the height of their development and have no concern for those further up the hill.

Response

- Draft DCP 2011 – 4.2 Shepherds Bay provides design controls to ensure variation and architectural relief will be provided to individual developments. Also the DCP requires setbacks and landscaping within all such developments.

No amendment to the DLEP 2011 required.

Issue 2

21 – 24 Railway Road Meadowbank.

A 10 storey building form is suitable for the site as it would provide a sense of solidity to strengthen the corner of the existing building fabric. Draft LEP proposed height control of 21.5m equates to 6 storeys – this is inconsistent with the most recent recommended heights for the land of 9 storeys. DLEP recommends a FSR for MEA – these have not been subject to any comprehensive study. The proposed FSRs are based on an approximated Precinct – wide FSR approach – this level of testing is considered to be too basic. The site is located within the Station Precinct which is comprised of small sites with little opportunity for amalgamation. A precinct wide FSR with low building heights will not encourage future development of smaller sites.

Response

- When considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherd's Bay should accommodate 6 storeys maximum. The council adopted Local Planning Study formed the basis of DLEP 2011. The DLEP FSRs were derived from the height envelopes and previous master plan studies.

No amendment to the DLEP 2011 required.

Macquarie Park – 2 Submissions**Issue 1**

Rectification of previous error with respect to the southern side of Peach Tree Rd has failed to eventuate.

Response

- Council resolved to include changes to both the FSR and Parking requirements for Peach Tree Rd in draft LEP 2010 – Amendment 1 Macquarie Park. In accordance with the requirements of DoPI housekeeping matters in DLEP 2010 (Amendment 1) were required to be incorporated into DLEP 2011.

ITEM 6 (continued)

DLEP 2011 Floor Space Ratio Map and Macquarie Park Parking Restrictions Map incorporate the amendments to Peach Tree Rd.

No amendment to the DLEP 2011 required.

Issue 2

Cottonwood and Lachlan Avenue – Council should consider rezoning the two areas from 6 storeys to 10 plus storeys similar to the corners next to the train station to encourage development.

Response

- A review of the planning controls in the Macquarie Park Corridor is currently being undertaken (Draft LEP 2010 (Amendment 1)). The submission will be addressed as part of this process.

No amendment to the DLEP 2011 required.

Ryde Town Centre – 213 submissions (includes 3 individual and 210 pro forma letters)

Issue 1

Submission supports rezoning of properties 3 Parkes Rd and 158 – 186 Blaxland Rd Ryde to B4 Mixed Business.

Response

- Council on 13 December 2011 resolved with respect to 158 – 194 Blaxland Road Ryde to request an amended s65 Certificate from DoPI reverting the zoning, height and floor space controls for 158 – 194 Blaxland Road Ryde to those that apply under LEP 2010. DoPI supported the request and the subject properties have reverted in DLEP 2011 to their zoning under LEP 2010 i.e. R2, SP2 and R4 and related FSR and Height controls.

No amendment to the DLEP 2011 required.

Issue 2 (210 Pro forma letters)

Pro forma 1 – Total number of submissions 209

Retain Civic Centre as public land and rebuild if necessary. Objects to two 24 storey towers.

Response

- This is a matter that related to the Planning Proposal for the Ryde Civic Precinct that was considered by Council on 14 February 2012. It should be noted that Ryde LEP 2010 (Amendment 2) which was gazetted on 2 March 2012 amended the Height of Buildings Map with respect to the Ryde Civic Precinct to a maximum height of 75m and reduced the nett usable floor area permitted in the Precinct from 100 000sqm to 60 000sqm (*Schedule 6 Planning controls for Ryde Town Centre precincts*).

ITEM 6 (continued)

With respect to DLEP 2011 the following is to be noted:

1. DLEP 2011 does not amend the height controls presently available to the subject land under LEP 2010.
2. DoPI required that the floor space (FS) controls for Ryde Town Centre be provided as a floor space ratio (FSR) on the FSR Maps rather than a floor area defined by square metres. As a result the nett usable floor areas specified for Precincts 1 and 2 in LEP 2010 (60 000sqm & 150 000sqm respectively) were converted to a gross floor area and then converted into a ratio on the FSR Maps. It should be noted that Precinct 1 is divided into 3 FSR areas which are:-
 - 150 – 156 Blaxland Rd (carpark sites) – 2.2:1
 - 1 Devlin Street – 4.37:1 and
 - 1 Devlin Street (area containing access ramps) 0:1 (no development permitted)

The matter of the sale of public land is not a matter relevant to DLEP 2011.

No amendment to the DLEP 2011 required.

General – 2756 submissions (17 individual and 2739 pro forma letters)**Issue 1**

Present controls prevent operating food business from a dwelling house – controls should be changed.

Response

Home businesses and Home industries are defined as a business and industrial activity respectively that is carried out in a dwelling used by one or more permanent residents of the dwelling that does not involve:

- the employment of more than 2 people other than the residents,
- the sale of items (except for those produced at the dwelling) ,
- interference with the amenity of the neighbourhood
- exposure of unsightly matter
- the exhibition of any signage

A Home occupation is an occupation carried out in a dwelling that does not involve the employment of persons other than residents.

Home occupations are permitted without consent in all residential zones however home industries and home businesses are prohibited under the land use table in all residential zones except R1 General Residential.

Under SEPP (Exempt and Complying Development Codes) 2008 home businesses, home industries and home occupations that do not involve the manufacture of food products or skin penetration procedures is exempt development.

Council has received numerous enquiries with respect to being able to carry out cake making and other food preparation activities which are defined as a home industry and prohibited under the land use table and not permitted as exempt development.

ITEM 6 (continued)

It is considered that as all other forms of home business and home industry are permitted by virtue of the SEPP the land use table for the R2 , R3 and R4 zones should be amended to include both home industries and home businesses. It is also considered that a policy document such as a fact sheet relating to such activities should be undertaken.

Recommended Action

1. Home business and Home industries be added as a permitted with Council consent in the R2, R3 and R4 zone and permitted under the SEPP - Exempt and Complying Development Code

Issue 2

Concern over viability of IN2 zone because of the difficulty in leasing industrial buildings as a result of industrial uses relocating to western Sydney seeking more affordable premises. The submission requests that Council review the range of uses permitted in the zone and consider including the following as uses permitted with consent;

Bulky goods premises
Wholesale supplies
Hardware and building supplies
Storage premises
Recreational facilities – indoor
Emergency services facilities

Response

- Bulky goods premises is defined as a building used for the sale , hire or display of bulky goods being of such size or weight to require a large handling display area and includes goods such as floor and window supplies , furniture , household electrical goods and swimming pools. Under *Schedule 1 Additional permitted uses* a bulky goods premises is permitted at 461 Victoria Rd. This was based on a submission to and a recommendation of the Ryde Local Planning Study that was adopted by Council on 7 December 2010.

DoPI on 20 June 2012 advised Council of the following with respect to bulky goods retail;

“Our preference is to exclude bulky goods retail from industrial zones as an additional use across the zone because the inclusion of 'bulky goods' is now considered fundamentally to be a retail use that is likely to reduce the amount of industrial land

The preference now is to either:

- 1. cluster permissibility of these uses in a suitable area (close to commercial is ideal but may not be achievable) and to give them a B5 zoning or*
- 2. allow the use by a Schedule 1 amendment for the particular site based on suitability criteria (less preferable but less damaging to the whole zone)*

In either case the PP should assess the proposal against the Employment Lands Development Program Strategic Assessment checklist

ITEM 6 (continued)

The retail nature of bulky goods and its likely impact on reducing the land available for industrial uses is such that they should be considered on an individual basis through a Planning Proposal.

No amendment to the DLEP 2011 required.

- Under DLEP 2011 the IN2 zone permits with consent a number of new land uses such as funeral homes, hardware and building supplies, landscaping material supplies and storage premises. Under SEPP (Infrastructure) emergency service facilities are permitted in the zone (the use is listed as *prohibited* in the land use table and should be deleted to be in accordance with the SEPP).

Wholesale supplies which are defined as a building or place used for the display sale or hire of goods by wholesale only to business that have an ABN registered under a 1999 Tax Act is considered to be very similar in nature to a *warehouse or distribution centre* (defined as a building used for the sorting or handling items pending their sale but from which no retail sales are made). As such it is considered to be a suitable use with council consent in the IN2 zone.

A number of indoor recreation facilities exist within the industrial areas of Ryde and are considered a use that should be permitted with Council consent in the zone.

Recommended Action

Wholesale supplies and *Recreation facility (indoor)* be added to uses permitted in the IN2 Light Industrial zone.

Emergency services facility be deleted from the prohibited list of land uses for the IN2 Light Industrial zone.

Issue 3 – (2739 Pro forma letters) A number of general matters were identified including;

- Civic Centre should be retained as public land. Do not want high rise towers on civic centre site.
- All open space should be kept for parks, gardens, green links, bushland restoration and playing fields.
- All Special Uses zonings should be retained so that the people of Ryde have a real say in the future of land presently used for schools, hospitals, churches and other community uses.
- All of the Field of Mars Reserve and Wildlife Refuge should be zoned as E2 Environmental Conservation. Council must fully restore the Reserve and remove the RE1 zoning that allow playing fields and other such development in part of the Reserve

Response

- For comment on the Ryde Civic Site refer to comments above re Ryde Town Centre.

ITEM 6 (continued)

- DLEP 2011 identifies 3 new properties to be acquired by Council for open space purposes one of which is 28 Argyle Avenue Ryde within the Ryde Town Centre. Areas where a change in zoning from RE1 to another zone has occurred under DLEP 2011 are:-
 - 160 - 162 Wicks Road Macquarie Park (Porters Creek site) Council resolved on the 24 August 2010 to rezone the land IN2 Light Industrial
 - 55A Pellisier Road Ryde . Council resolved on the 16 November 2004 to zone the subject land to Residential 'A'(R2).All other RE1 and E2 zoned land is to retain its zoning.

- Council resolved on 14 February that an amended s65 Certificate be requested from DoPI that does not rezone any current SP2 land to any other purpose. This request was supported by DoPI.
As such all land zoned SP2 in LEP 2010 has been maintained in DLEP 2011 with the exception of SP2 land subject to a Council resolution that related to land at 390 Pittwater Rd and minor SP2 Classified Road changes requested by the RTA.

- Council on the 5 May 2009 resolved in part to draft LEP 2010 the following with respect to the E2 zoning.
*(c) That Draft Ryde Local Environmental Plan 2008 be amended as follows:
.....(iii) to apply E2 zoning to all land in the City of Ryde categorised as bushland under Section 36 of the Local Government Act, 1993.*

Field of Mars Reserve and Wildlife Refuge has been predominately zoned E2 in accordance with the above resolution. Council is to note that the Field of Mars Plan of Management that was adopted by Council on 9 September 2009 identifies that for the majority of the land categorisation under the Local Government Act is not required as the land in the ownership of the Crown. The areas which are categorised are indicated as Natural Area – Bushland, Natural Area – Wetland and Parks. The area zoned RE1 in DLEP 2011 equates to the area indicated as Park in the Plan of Management for the areas that require categorisation. Additional areas which are categorised as Park under the generic Plan of Management for the Field of Mars (which are identified as not requiring classification under the 2009 Plan) are also zoned RE1 Public Reserve in DLEP 2011. They represent a small percentage of the overall area of the Park.

Based on the land categorisation in the Plan of Management the land zones in DLEP 2011 are considered to be appropriate.

No amendment to the DLEP 2011 required.

ITEM 6 (continued)**Dual occupancy/Multi dwelling housing – 15 submissions**

Issues The issues raised in relation to the provisions for dual occupancy and multi dwelling housing are outlined as;

- The wording is confusing regarding whether existing approved dual occupancies can be strata subdivided – do they need a 20m frontage?
- Strata subdivision of dual occupancy is supported
- The 20 m frontage is onerous and greater land area or width of block does not equal good design
- The 20m frontage requirements should be reviewed – a more realistic provision would be 16m frontage and 700sqm minimum land size.

Response

- Clause 4.1B of DLEP 2011 permits the subdivision of dual occupancy development or duplex buildings in the R2 zone subject to the land being a minimum 580sqm. This clause makes no reference to a minimum frontage. The minimum area of 580sqm has been in place as a control for the development of dual occupancy developments for many years and it is intended to continue to support *Clause 4.1C Minimum lot sizes for dual occupancy and multi dwelling housing* of DLEP 2011. Previously approved dual occupancy or duplex developments would be capable of being subdivided subject to the land being the minimum area of 580sqm.
- The Ryde Planning Study 2010 – Housing study states the following with respect to the requirement of a 20m frontage for dual occupancy developments.
*A slightly higher minimum lot size together with a 20 metre minimum frontage width would deliver better design outcomes, particularly with regard to compatibility with existing streetscapes, landscape and deep soil areas, as well as the placement of garages and other car parking structures.
If an increased minimum lot size for duplex buildings was introduced, the number of sites available for duplex developments would significantly decrease.(P4 – 72).*

The 20m frontage should be retained.

No amendment to the DLEP 2011 required.

Heritage – 1 submission*Issue*

The submission supports the removal of 32 Gaza Road West Ryde from Maxim Street Heritage Conservation Area

Response

- No response required.

No amendment to the DLEP 2011 required.

ITEM 6 (continued)
Public “Formal” exhibition of DLEP 2011

The draft LEP was placed on formal exhibition from the 30 May to 13 July 2012. By the close of business on the 13 July 2012 a total of 247 submissions (including 2 petitions of 26 names and 47 names and 71 pro forma letters) were received from the community to the exhibition of the draft Plan as approved by DoPI on the 23 April 2012 for exhibition. The below table groups the submissions based on the geographic or subject area they relate to or the authority group they come from.

Area	No. Submissions Received	Area	No. Submissions Received
Ryde Council	4	Macquarie Park	13
State authorities	11	Ryde Town Centre	12 (11 individual and 1 petition of 47 names)
West Ryde Town Centre	4	General/Multiple areas	33
Eastwood Town Centre	25(24 individual and 1 petition of 26 names)	Dual Occupancy Multi dwelling housing	15
Gladesville Town Centre	117 (includes 45 individual and 71 Pro forma letters)	Meadowbank Urban Village	13

A summary of points raised in the submissions, Council response to those points and proposed action is provided in *Table2 Formal Exhibition Submissions* which is **CIRCULATED UNDER SEPARATE COVER.**

Submission issues raised and identified in Table 2 Formal Exhibition Submissions include:

Ryde Council
Issue 1 Public Works Group - 130 Talavera Rd Macquarie Park

Under DLEP 2011 the land is zoned B7 Business Park as is the land immediately adjoining the site to the south east. All other land to the south east and south west is proposed to be zoned B4 Mixed Use.

The submission requests the rezoning of the land to B4 Mixed Use for the reasons that the proposed B7 zoning will isolate the land from the rest of the B4 zone and there appears to be no planning justification for this. FSR and heights proposed for the land are consistent with the adjoining B4 zone.

A mixed use zoning i.e. B4 would be more appropriate and allow suitable uses such as:

- Tourist and visitor accommodation.’
- Bulky goods development
- Student housing.

ITEM 6 (continued)Response

- The land is;
 - Zoned B7 Business Park under DLEP 2011
 - A deferred matter under LEP 2010 and
 - Zoned Open Space under the Ryde Planning Scheme (RPS).

As a result of the construction of the M2 portion of Christie Park (130 Talavera Rd) was severed off from the main area of the park. The severed land adjoins the land owned by DoPI who approached Council to do a joint rezoning of the land with a view to disposing of both parcels. This action would necessitate the need for the reclassification of the land to Operational.

A public hearing was held on 12 November 2004 in respect of the reclassification and Council on the 14 December 2004 resolved in part that the public be invited to participate in the development of options for the use of the land.

Council on the 4 October 2005 resolved that the subject land be rezoned 3(f) Business Special (Research and Development). Under the RPS the majority of the lands adjoining the subject site was zoned 3(f) - this was considered the most appropriate zone. The 3(f) zone is equivalent to the B7 zone in the SI and reclassified to Operational Land.

In view of the level of community involvement in the decision made on the zoning of the land from RE1 to B7, the reclassification of the land and the connection of the land to the adjoining DoPI owned site it is not considered appropriate to rezone the land B4 as part of DLEP 2011.

The land is located in the Macquarie Park Corridor and the planning provisions for the corridor and currently under review and are being considered separately to DLEP 2011.

The requested rezoning will be considered as part of the review of the existing controls in the Corridor (review of DLEP 2010 Amendment 1) this will be reported to Council later in 2012/2013.

No amendment to the DLEP 2011 required.

Issue 2 The Public Works submission also requested the rezoning of a number of other parcels of council land located throughout the City. The requests relate to matters such as rezoning SP2 land to residential/business and up zoning residential land to high density residential or a business zone.

Response

- It is considered that a planning proposal should be lodged to allow comprehensive consideration of the rezoning. Such a process would enable community consultation on the proposed rezonings.

ITEM 6 (continued)

No amendment to the DLEP 2011 required.

Issue 3 - Submission wishes to ensure that the LEP will allow for Council to provide outdoor advertisement/sponsorship signage on land that is owned by or under the care control and management of Council. At present the blanket prohibition of general advertising is considered to inflexible.

Providing such signage will allow Council to make a financial return that can support council facilities and services

Submission requests

- *Schedule 1 Additional permitted uses* be amended to allow signage on Council land permissible with consent and
- an amendment is sought to SEPP 64 which prohibits such signage from land zoned RE1 Public Recreation.

Staff and Management are aware of the need for such signage to be carefully controlled and as such would look to the preparation of a policy or code to manage such development

Response

- All residential, business, industrial and recreation zones within DLEP 2011 allow for either business identification signs or building identification signs, all other signage is prohibited i.e. third party or general advertising.

It is considered for the community to have an opportunity to consider an expansion of land uses on Council owned land to permit general advertising a planning proposal (pp) should be submitted. Prior to such a pp Council should request advice from DoPI with respect to any proposed exemption it may require to overcome constraints that exist though
SEPP 64- Advertising and Signage.

No amendment to the DLEP required.

State Authorities – 11 submissions**Issue 1- Rural Fire Service**

Concerned with Home based childcare being permitted without consent in the land use table. This type of development is classed by RFS as Special Fire Protection Purpose and requires an assessment under section 100B of the Rural Fires Act 1997. Home based childcare should be permitted with consent only.

Response

- Home based child care centres are considered exempt development under the SEPP (Exempt and Complying) Codes except if the use is proposed to occur on bushfire prone land. Under DLEP 2011 the use is permitted without consent in all residential zones and a number of business zones. It is considered to

ITEM 6 (continued)

satisfy the requirements of the RFS home based child care centres should be listed as *permitted with consent* in all zones.

Recommended Actions

1. Home based child care centres where “permitted without consent “in the land use table be made development “permitted with consent”.

Issue 2 – NSW Health – Northern Sydney Local Health District (only part of submission)

Requests amendments to the following;

- Clause 4.5B(c) Macquarie Park Corridor to be expanded to read
“To encourage greater public transport and active transport options”
- Clause 6.6 (f) – Environmental Sustainability be expanded to include the need for a workplace travel plan
- Schedule 2 – Exempt Development for signage- a new control stating advertisements for fast food or unhealthy food outlets etc are not visible for child care centres, pre- schools and schools.

Response

- The requested changes to the objectives associated with off street car parking development controls for Macquarie Park and Clause 6.6 (f) are considered appropriate.
- General advertising is not permitted under DLEP 2011 and therefore any sign must be reflective of the land use or building type of where it is located. It is considered that control over the location of signs associated with unhealthy food or lifestyle choices is a State Government issue and should be directed to DoPI for their consideration.

Recommended Actions

1. Clause 4.5B(c) Macquarie Park Corridor be expanded to read
“To encourage greater public transport and active transport options”
2. Clause 6.6 (f) – Environmental Sustainability be expanded to read
“Transport initiatives to reduce car dependence such as providing cycle facilities, car share, small vehicle parking spaces and the development of a workplace travel plan.”

Issue 3 – NSW Planning and Infrastructure

The submission requests rezoning of M2 surplus land as follows;

- 3 lots corner of Talavera and Busaco Rds Marsfield SP2 Classified Rd to R3 and RE1
- Corner Talavera Road and Christie Road B7 to B4

Response

- The sites are located either in the Macquarie Park Corridor or adjacent to it – the planning provisions for the corridor and currently under review and are being considered separately to DLEP 2011.

The issues raised in the submission will be considered as part of the review of the existing controls in the Corridor (review of DLEP 2010 Amendment 1) this will be reported to Council later in 2012/2013.

ITEM 6 (continued)

No amendment to the DLEP required.

West Ryde Town Centre – 4 submissions**Issue 1**

Supports the changes made under the draft Plan in particular the rezoning of the property at 2A Mellor Street West Ryde to B6.

Response

- Supports DLEP 2011 amendments.

No amendment to the DLEP required.

Issue 2

127, 131, 133 Rydedale Rd, 4,6,10 Terry Rd West Ryde – There is the potential for listed properties to be developed with 129, 135 & 137 Rydedale Road and 8 Terry Road for higher density residential development.

This would:

- provide a sense of closure to the West Ryde Town Centre
- be consistent with Metro Plan, principles of transit orientated development and contemporary town planning practice.

The properties comprise an area of 7500sqm and are zoned R2 under the DLEP.

The submission requests

- Land be rezoned to R4
- FSR Map be amended to permit a FSR varying from 1.1 to 1.5:1 (per plans contained in Urban Design's report.

Height Map be amended to permit building a height varying from 9.5m to 15.m. There is potential for the subject properties to be developed with 129, 135 & 137 Ryedale Rd and 8 Terry Rd for higher density residential development.

Response

- A Draft West Ryde Master Plan was presented to Council on the 3 August 2010 in which land in the north east quadrant of the town centre was to undergo the most significant changes - the area was seen as having better traffic and public transport access, high residential amenity and proximity to shops. The draft master plan rezoned Terry's Road/Ryedale Road to R4 with similar controls to other areas of the Centre.

Council resolved that the sites on Ryedale Road (north of Terry Road) and sites in Terry Road being deleted from the master plan

No amendment to the DLEP required.

Eastwood Town Centre – 25 submissions (including 1 petition of 26 names)**Issue 1**

Eastwood has undergone change in the last 10 years. Council needs to create more car parking for the community.

ITEM 6 (continued)**Response**

- Car Parking is identified as an issue in the Eastwood area. The proposed change in zoning to Glen St/Lakeside Rd will enable formalised development with the necessary car parking on site being provided.

No amendment to the DLEP required.

Issue 2

Support the draft plan however it should allow the whole of Glen Street to be the same zoning rather than split it. It is already a heavy commercial zone.

Response

- The proposed zoning of the land in Glen Street/Lakeside Road/Shafesbury Road corresponds largely to the zoning of land, existing land uses and built form which is located opposite i.e. those properties zoned B4 are opposite land zoned B4 which is developed as part of the Eastwood Shopping Centre whilst land zoned R4 is largely opposite land zoned RE1 Public or R2 Low Density Residential.

It should be noted that the R4 zone does permit a number of retail uses such as shop top housing, neighbourhood shops and health consulting rooms (which are permitted under the Infrastructure SEPP).

The proposed zoning of land is considered appropriate in view of adjacent land use activities.

No amendment to the DLEP required.

Issue 3 Petition (signed by 26 people)

In support of the LEP including the Small Centre (Glen St & Lakeside Rd Eastwood because it will bring the following benefits:

- reduce the parking problems in the area
- meet the state government guideline to develop near stations
- create more professional service suites for the community
- create more community facilities
- increase business opportunities and job opportunities
- create better commercial and residential environments in Eastwood.

Response

- Supports DLEP 2011 amendments

No amendment to the DLEP required.

Issue 4 100 – 104 Rowe St Eastwood

The submission objects to zoning of property RE1 as it

- adversely impacts on family
- prejudicial as nearby properties have similar flood issues
- recent developments have reduced flood risk to Rowe St
- Rezoning of land will not address flood risk in area.

ITEM 6 (continued)

Response

- The Public Work Group advised that in past discussion with the owners of the site - the owner has refused for storm water amplifications works through his property. The design was completed. The site was recommended for acquisition
- A report to Council dated 4 May 2010 titled *Potential Property Acquisitions – S94 Funding* prepared by Manager – Building and Property outlined a process to be adopted for future acquisitions of land for open space purposes. The subject property was one of 11 properties identified as being of a high priority in terms of future Council acquisition.
- Council on the 18 May 2010 resolved that all such properties be included in *the Land Reservation Acquisition Map in the comprehensive Local Environmental Plan 2011 and marked as “Local Open Space*.
- Council on the 21 June 2011 reviewed the properties proposed to be acquired and resolved that 8 of them be deleted from DLEP 2011 and there previous zonings reinstated. The resolution reinforced Council’s previous resolution to rezone the subject property for open space purposes.

No amendment to the DLEP required.

Gladesville – 117 submissions (includes 45 individual and 71 Pro forma letters)**Issue 1**

Supports DLEP 2011 with respect to proposed changes to the zoning of properties 11 – 15 Farm Street.

Response

- Supports DLEP 2011 amendments.

No amendment to the DLEP required.

Issue 2

2 College Street Gladesville. - Land adjoins B4 zoned properties to the south – east and south – west. The land is separated from residential properties to the west in College St by a 3.66m right of carriageway over the adjoining property 2A College Street .The carriageway which provides vehicular access to 2,4,6 and 6A Monash Rd is paved and has a 1.8m high fence each side. The shape of the allotment being 30.5m wide 20.3m deep would result in any new residential building being out of character.

Submission requests

- rezoning of land from R2 to B4 Mixed Use
- FSR of 1.8:1 – reflects ratio applying to 10 Monash Rd
- Height 12 – 13m – reflecting adjoining properties

Response

- The property contains a dwelling house and is zoned R2. Land opposite and adjoining to the west is also zoned R2 with other properties zoned B4.

ITEM 6 (continued)

In view of the access way adjoining to the west separating the property from 2A College Street and the zoning of land to the south and east the rezoning of the land is considered reasonable. However to allow community consideration of proposed zoning, FSR and height changes to the land and to enable detailed design criteria to be incorporated into *DCP 2011 - Part 4.6 Gladesville Town Centre and Victoria Road Corridor* it is considered that a Planning Proposal for the site should be submitted to Council.

No amendment to the DLEP required.

Issue 3

Submission objects to the rezoning of Lady Queen of Peace School (14 – 28) Oxford St from R2 to B4. The existing zoning permits the operation of the school and does not unreasonably limit any alterations and permits other development that is appropriate to the street. If the school was closed it could be redeveloped for commercial uses which could diminish the character of the street and amenity of residents. The street which currently receives through traffic cannot take 2 way traffic will on street parking. Permitting develop that will increase traffic flow with adversely affect safety of street. Rezoning is inconsistent with aims of LEP.

Response

- The Local Planning Study that was adopted by Council on the 7 December 2010 recommended that the subject property be rezoned B4 with a FSR of 1.5:1 and a height of 3 storeys. Ryde LEP (Gladesville Town Centre and Victoria Rd Corridor) 2010 was gazetted in 2011. A number of properties on the periphery of the LEP boundary were not included in the LEP because of timing and technical issues. In the Centres and Corridors Study it was considered appropriate those properties e.g. 14 – 28 Oxford St should now be included in the Gladesville Town Centre with zoning and development controls similar to the surrounding land in the Centre. Any DA for the subject land would require notification of adjoining owners and traffic and amenity issues would be considered on an individual basis.

No amendment to the DLEP required.

Issue 4 – 44 - 46 – 48 Eltham Street and 2a and 2b Westminster

The submissions request that 2a and 2b Westminster be rezoned from B6 to B4 and 44 – 48 Eltham be rezoned from R2 to B4 as retaining the existing zoning will result in undue conflict particularly with regard to residences.

The rezoning of corner to B4 would be in line with zoning along Monash Rd and adjacent corner.

The submissions also request an increase in the FSRs and heights for the site

ITEM 6 (continued)Response

- The planning provisions for Gladesville Town Centre and Victoria Road Corridor were reviewed as part of the Local Planning Study. Expansion of the B4/B6 zone into Eltham St was not considered as part of the study due to the residential nature of the street and the approach that the non residential use be contained to Victoria Rd.
- The B6 zoning applying to 2a & 2b Westminster is considered appropriate and is to be retained.

No amendment to the DLEP required.

Issue 5 (Pro forma letters 71)

DLEP 2011 does not meet the community interest in Gladesville in particular increased height limits along Victoria Rd and surrounding residential streets e.g. Farm St and Gladesville & Victoria Rd precinct.

New heights of 6 and 8 storeys along Victoria Rd and 4 storeys in Farm St will have adverse impact on local community due to noise, traffic, road safety, and loss of privacy, increased pressure on amenities and public transport and loss of sunlight. Maximum heights of 4 storeys along Victoria Rd and 2 storeys in surrounding residential streets e.g. Farm St more appropriate.

Response

- Changes to zoning, height and FSRs in the Gladesville Town Centre (GTC) have resulted from the gazettal of LEP (Gladesville TC & Victoria Road Corridor) and the Local Planning Study adopted by Council in December 2010. The LEP involved extensive community consultation with the Local Study involving more targeted consultation (land owners affected by proposed change). The purpose of the changes is to facilitate the revitalisation of the GTC as a vibrant, attractive and safe urban environment with a diverse mix of land uses.

No amendment to the DLEP required.

Meadowbank – Submissions 12**Issue 1** 125 – 135 Church St Ryde

Generally supportive of changes however FSR and height controls could be increased on the site with no adverse impacts – particularly corner of Wells and Church St which would be suitable for a signature landmark building.

Response

- Under DLEP 2011 a height of 21.5m (6 storeys) with a FSR of 2:1 is proposed.
- Heights and FSRs for all of Meadowbank were reviewed in Ryde Local Planning Study 2010 - Centres and Corridors that was adopted by Council on 7 December 2010. The controls within DLEP 2011 for the site reflect the recommendations of the Study and are considered appropriate for the area.

ITEM 6 (continued)

No amendment to the DLEP required.

Issue 2 - 21-24 Railway Rd Meadowbank.

DLEP 2011 proposes an FSR of 2.3:1 and a height of 21.5m for 21-24 Railway Rd Meadowbank. The submission argues for an FSR of 4.5:1 and height of 8-9 storeys (27.5m – 33.5) based on existing development heights and FSRs and proposed Part 3A heights and FSRs

Response

- When considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherd's Bay should accommodate 6 storeys maximum. The council adopted Local Planning Study formed the basis of DLEP 2011. The DLEP FSRs were derived from the height envelopes and previous master plan studies.

No amendment to the DLEP required.

Issue 3 -11-13 Angus St Meadowbank

The submission relates to 11-13 Angus St and argues on the basis of state and regional plans encouraging growth and residential development near rail stations that the FSR should be increased from 2.5:1 to 3.2:1 and that the height should be increased from DLEP 2011 HOB 21.5m to 29.6m. A number of DCP matters are also raised.

Response

- When considering the Ryde Local Planning Study, Council directed that the LEP building heights in Shepherd's Bay should accommodate 6 storeys maximum. The council adopted Local Planning Study formed the basis of DLEP 2011. The DLEP FSRs were derived from the height envelopes and previous master plan studies.

No amendment to the DLEP required.

Macquarie Park – Submissions 13**Issue - 31 – 33 Waterloo Rd Macquarie Park**

Land is zoned B3 – the only form of residential development permitted is “serviced apartments”. This is contrary to

- Metro Plan for Sydney 2036
- Principles of transit orientated development
- Strategies proposed by Transport for NSW for land adjacent to railways
- Contemporary town planning practice.

Height and FSR for the land under DLEP 2011 is not in keeping with the future character of the area in view of development recently approved at 396 Lane Cove Rd and 1 Giffnock Avenue

ITEM 6 (continued)

Submission requests

1. Shop top housing be added to permitted with consent in B3 zone to facilitate housing in the areas surrounding railway stations
2. FSR for the land be increased to 5:1
3. Height Map be amended to permit buildings ranging from 37m and 70m (per urban design analysis prepared for the site)

Response

- Council on the 12 June 2012 resolved in part with respect to 31 – 33 Waterloo Rd
1. The landowner be request to prepare a residential commercial mix draft master plan for the land, in accordance with the principles of at transit orientate development to activate the precinct.
 2. That the master plan incorporates the principle of high density living, diverse employment opportunities while integrating adjacent public transport infrastructure.
 3. If owner agrees to prepare draft master plan at own cost then they be request to present the outcome to Council in October 2012.

It is considered that any changes to the land uses permitted or development controls for the site should be subject to a separate planning proposal, which will be considered when the master plan is completed.

No amendment to the DLEP required

Ryde – Submissions 12 (11 individual and 1 petition of 47 names)**Issue 1 - Club Ryde X**

The LEP will enable the club to develop facilities and incorporate new community infrastructure helping to improve and integrate the Southern Commercial edge of the Ryde Town Centre. The DLEP is seen as crucial in moving the Town Centre and Ryde into the 21st century.

Response

- Comments in support of DLEP 2011 amendments are noted.

No amendment to the DLEP required

Issue 2 Precinct 3 Ryde Town Centre

The DLEP provides for an FSR of 1.8:1 and height of 18.5m (5 storeys) on 120-128 Blaxland Rd. FSR and height incentives will allow max development of 2.5:1 and 3m if a laneway is provided. Submission argues for increased development potential up to 4.8:1 and height of 30m (9 storeys)

Argues that additional FSR and height should be considered on this site to address issues relating to feasibility and to ensure that redevelopment occurs that is more in line with the scale of the surrounds.

ITEM 6 (continued)**Response**

The arguments for increased height and FSR are based in part on a misreading of the DDCP 2011.

Arguments in relation to scale and feasibility carry some weight. The FSR was set low so the incentive would be attractive. It is accepted that the base FSR is too low and proposed to raise this from 1.8:1 to 2:1 but keep the maximum FSR of 2.5:1 as was proposed by the DLEP 2011

The height should also be amended. It is suggested that the base height of 18.5:1 be retained but that the height incentive is amended to be 6m. This may create taller building forms but will not add to the floor space capacity of the centre (and therefore the traffic generation).

To ensure equity the same height and FSR controls should be applied across the whole of Precinct 3 – Main Street (generally retail parts of Blaxland Rd of Church St and areas in Ryde Town Centre presently with an FSR of 1.8:1.

The height incentives (if taken up) are in the central part of the Top Ryde and will not affect the low density residential areas surrounding the centre.

Recommended Action

The following amendment by made to the DLEP 2011:

- Amend FSR map to 2:1 for the whole of Precinct 3 and land within the Ryde Town Centre with an FSR 1.8:1 under the Draft Plan.
- Amend the HOB map for the corresponding area mentioned above to a height of 18.5 m.
- Amend HOB Map to make area E as referred to in Clause 4.3(2A) to correspond with area described above.
- Amend FSR Map for Ryde Town Centre by combining area H and I into area H.
- Amend Clause (4.4)(2A) as follows;
 - Subclause (h) amended to read:
(h) 0.5:1 if the building is in area H and if the building is on a site having an area of at least 900sqm and provides laneway access and is mixed development.
- Clause 2 (4.4)(2A) (i) to be deleted

General –Submissions 32**Issue 1**

Requests a workshop so that representatives for owners of industrial land at 33 -51 College St and 28 & 48 Buffalo Road Gladesville can address Councillors with respect to the widening of land uses in IN2 zone. Principles behind the widening of land uses in zone are;

ITEM 6 (continued)

- To ensure the promotion and co – ordination of the orderly and economic development of the land in accordance with EP& A Act
- To establish any use for which there maybe local community demand which is compatible and appropriately located in IN2 zone.

Analysis has identified following uses are appropriate for the zone:-

- *Bulky goods premises* – the site needs and characteristics of the use make it inappropriate in a Business zone – only suitable zone where the use can be accommodated is IN2 zone.
- *Wholesale supplies* – use virtually identical to warehouse or distribution centre which is permitted in the IN2 zone. Such a use generally needs large sites. There is a local demand for such uses which can be satisfied in IN2 zone.
- *Recreation Facilities (Indoor)*. Such facilities have been permitted in the IN2 zone. The site needs and characteristics of the use make it inappropriate in business zones.
- *Emergency Service Facilities* – there is demand for these facilities and no reason to prohibit them from IN2 zone.
- *Building identification signs* there is no rationale town planning reason to prohibit such signs in IN2 zone.
- *Storage premises* should be identified in the land use table as permitted with consent.

Response

- A number of meetings have occurred between the Council staff and the author of the submission and other landowners to discuss their issues and land use matters relating to the IN2 zone. It is considered that proposed amendments to the IN2 land use table will address many of the concerns of the submissions. Council should note that a similar submission was made to the “Community Consultation” of the Draft LEP with respect to these issues and matters relating to the inclusion of some of the listed additional land uses in the IN2 zone have been addressed in the “Community Consultation” section of this report. In that section the following recommendation was made:-
 - Wholesale supplies and Recreation facility (indoor)* be added to uses permitted in the IN2 Light Industrial zone.
 - Emergency services facility* be deleted from the prohibited list of land uses for the IN2 Light Industrial zone.

Two additional land uses not requested in the submission to the *Community Consultation* were Business Identification signs and Storage premises.

- Storage premises are not listed as a prohibited use in the IN2 land use table and as such are permitted with consent. No further listing of the land use is required.

ITEM 6 (continued)

- A building identification sign is a sign that identifies the names a building, the street name and number of a building and a logo but does not include general advertising of products etc. Such signs are permitted in the principle business zones and are most in evidence in the Macquarie Park. The introduction of such signage into the IN2 zone is considered reasonable.

- Bulky goods premises, which is discussed earlier in this report is not supported in the IN2 zone as the retail nature of bulky goods and its likely impact on reducing the land available for industrial uses is such that they should be considered on an individual basis through a Planning Proposal. This approach is support by DoPI.

Recommended Actions

1. That Building identification signs be added to IN2 zone *Permitted with consent*. Council should note that based on the submission to the *Community Consultation and the Formal Exhibition the following changes to the land use table for the IN2 zone will occur:*

Land uses to be added to IN2 zone *Permitted with consent*

- Recreation facility (indoor)
 - Wholesale supplies
 - Building identification signs
2. Land use be deleted from IN2 zone *Prohibited*
 - Emergency Service facilities

Issue 2

Submission is seeking a rezoning of properties 131 – 133 Herring Rd & 209 Epping Rd to establish a medical facility on the basis that such a facility will play an important role when approved as it will fill a major need for a primary care centre in area – particularly with projected growth in housing in the area. (A submission to the community consultation of the Draft LEP was also submitted with respect to this issue.)

Response

- Approval was given by Council in 1999 for use of the property 133 Herring Rd Marsfield as a *professional consulting room*. Access to parking on the site is via Herring Road in close proximity to the intersection of Herring and Epping Roads. Adjoining properties 131 Herring Rd and 208 Epping Rd contain dwelling houses.

The property opposite is presently used as a hotel and a planning proposal has been submitted for the expansion of uses on the site to include a retail outlet. Whilst a rezoning of the land is not supported, the expansion of uses on the three properties to include a medical centre is considered reasonable in that:

- Part of the land is presently being used with Council consent as a doctor's surgery

ITEM 6 (continued)

- Development of all three sites would result in a better traffic and parking outcome in that access could be relocated further away from the intersection of Epping and Herring Rds.

*Recommended Action**1. Add to Schedule 1 Additional permitted uses*

131 & 133 Herring Rd and 208 Epping Road – development for the purposes of a medical centre is permitted with consent.

Issue 3 - 86 Blenheim Rd/12 – 14 Epping Rd

Request the rezoning of subject land from R2 to R4 with an increase in planning controls from height 9.5m to 25m and FSR 0.5:1 to 2.8:1.

The site has an area of over 2000sqm and is occupied by dwelling houses. The land abuts Blenheim Park

The site is located in proximity to North Ryde Station and the State Government land, which are the subject of a re – development proposal by the TCA.

Response

- The site is considered an island site being surrounded by parkland and located on Epping Road.
- It is recommended that the R2 zone associated planning controls are retained as:
 - The site is not contextually associated with Macquarie Park Corridor.
 - the surrounding area is zoned R2 and parkland (RE1)
 - a high density residential development may have an adverse impact on Blenheim Park.
 - community concerns with the Part 3a development known as Allengrove, which was recently refused by the Planning Assessment Commission.
- Council's strategic approach is that the increased housing densities be provided for within our existing centres. Council is to note that CoR can meet the State Government housing targets through its current planning frameworks.

No amendment to the DLEP is required.

Issue 4 - 142, 144 – 148, 203 – 213 and 215 Cox's Rd N Ryde

The submission outlines that Council is considering two master plans for the redevelopment of the Centre and surrounding Council land.

Both master plans involve significant variations to height and FSR proposed in DLEP 2011.

In these circumstances no building height or FSR controls should be applied to the land and Council should rely on the master plan that it adopts to control development. This is consistent with

ITEM 6 (continued)

- the approach taken for church and council owned land in the Centre under DLEP 2011
- consistent with no building heights under LEP 2010
- consistent with no FSR in the Eastwood Town Centre under LEP 2010 and DLEP 2011.

FSR and height controls should be included in a Centre specific DCP after Council has determined the master plan for redevelopment of centre.

215 Coxs Rd is zoned SP2 under DLEP 2011 – land is not required for a place of public worship and as it adjoins 203 – 213 Coxs Rd it should be zoned B1.

Response

- Council on the 24 April 2012 resolved to accept both a landowner's master plan and Council's master plan for public exhibition. The exhibition occurred from the 9 May to the 20 June 2012. The outcomes of the exhibition will be reported to Council later in 2012.
- The DLEP and the development of the controls for Cox's Road Centre have always been considered two separate processes. Upon a decision being made by Council as to what controls should apply to the Centre a planning proposal amending LEP 2011 will be undertaken.
- It should be noted that as per the RPSO and LEP 2010 land in DLEP 2011 zoned SP2 has no FSR or height controls.
- The Local Planning Study adopted by Council recommended a height of 9.5m and FSR of 0.8:1 for land zoned B1 (under LEP 2010 a 0.5:1 FSR exists with no height control).
- The controls of FSR 0.8:1 and building height of 9.5m is appropriate for Cox's Road until the Council makes a decision on the future controls for the Centre. FSR controls for Eastwood are currently being developed through a master plan process. The draft master plan should be reported to Council in late 2012.
- Eastwood Town Centre under LEP 2010 and DLEP 2011 has no FSR controls - development is controlled through height and design criteria. The FSR controls are currently being developed as part of a master planning process for the Centre. The draft master plan will be reported to Council later in 2012.

No amendment to the DLEP is required.

Dual occupancy/Multi dwelling housing – Submissions 15

Issue 1– The issues raised in relation to the provision for dual occupancy are the same as those identified from the “community consultation” i.e.

- Supports strata subdivision
- Minimum 20m road frontage is too prohibitive as there are only a few lots in Ryde that would comply.

ITEM 6 (continued)Response

- Refer to “Community consultation” response on page 16 of this report.

No amendment to the DLEP is required.

Issue 2

Land was recently subdivided with the intent of building a dual occupancy on the hatched shaped lot. The submission expresses concern that the access way to the hatched shaped block will be considered to be the road frontage, making a dual occupancy development prohibited.

Response

- Under the Ryde Planning Scheme Ordinance a duplex building was defined as being 2 dwellings each of which is designed so that its front door faces a street. As a result of the definition duplex buildings were prohibited on hatchet shaped allotments.

Under LEP 2010 there are no restrictions preventing a dual occupancy on a hatchet shaped allotment, no approvals however for such development has occurred since the gazettal of LEP 2010 in June of 2010.

Under DLEP 2011 Clause 4.1C *Minimum lot sizes for dual occupancy and multi dwelling housing* a minimum road frontage of 20m or greater is required for the development of a dual occupancy development. As such dual occupancy development on a hatchet shaped allotment is prohibited.

No amendment to the DLEP is required.

Summary of Proposed Changes to Draft LEP 2011

As a result of consideration of submissions received during the community consultation and the formal exhibition period the following changes are proposed to Draft LEP 2011;-

1. The addition of *Wholesale supplies, Building identification signs* and *Recreation facility (indoor)* to uses permitted with Council consent in the IN2 Light Industrial zone.
2. The deletion of *Emergency services facilities* from uses prohibited in the IN2 Light Industrial zone.
3. The addition of *Home business* and *Home industries* to uses permitted with Council consent in the R1, R2, R3 and R4 zones.
4. Clause 4.5B(c) Macquarie Park Corridor amended to read “*To encourage greater public transport and active transport options*”
5. Clause 1.2(2)(f) amended to read “*to improve access to the city, minimise vehicle kilometres travelled, facilitate the maximum use of public transport and encourage walking and cycling*”

ITEM 6 (continued)

6. Clause 6.6 (f) – Environmental Sustainability amended to read
“Transport initiative to reduce car dependence such as providing bicycle and pedestrian facilities, car share /carpool/small vehicle parking spaces and public transport information and the development of a workplace travel plan.”
7. Amendment to the Centres Map to include land now part of Ryde Town Centre, West Ryde Town Centre and Gladesville Town Centre.
8. Amendment of the Land Reservation Acquisition Map to be in line with requested R&MS boundary changes (with corresponding changes to the Land Zoning Map) and that the inclusion of land in Vimiera Rd on the Land Reservation Acquisition Map be highlighted to DoPI for their consideration.
9. *Schedule 2 Exempt development* – The addition of new condition to - *Signage (temporary sign for a cultural, educational, political, recreational, religious or social event) (4) Must not be illuminated*
10. *Schedule 1 Additional permitted uses* - The addition of the following - :
Use of certain land at 131 & 133 Herring Rd and 208 Epping Road –
Development for the purposes of a medical centre is permitted with consent.
11. Amendment of the Land Use Table so that *Home based child care centres* where listed in a zone are permitted only with Council consent.
12. Amendment to the Land Zoning Map to rezone the property at 391 Blaxland Road Ryde from B1 to R2.
13. Amendment to the wording on Land Zoning Map to identify St Michaels Church and School as SP2 Educational Establishment and Place of Public Worship.
14. Amendment to the planning provisions in Ryde Town Centre:
 - Amend FSR map to 2:1 for the whole of Precinct 3 and land within the Ryde Town Centre with an FSR 1.8:1 under the Draft Plan.
 - Amend the HOB map for the corresponding area mentioned above to a height of 18.5 m.
 - Amend HOB Map to make area E as referred to in Clause 4.3(2A) to correspond with area described above.
 - Amend FSR Map for Ryde Town Centre by combining area H and I into area H.
 - Amend Clause (4.4)(2A) as follows;
 - Subclause (h) amended to read:
(h) 0.5:1 if the building is in area H and if the building is on a site having an area of at least 900sqm and provides laneway access and is mixed development.
 - Clause 2 (4.4)(2A) (i) to be deleted

ITEM 6 (continued)**Other amendments to DLEP 2011**

A number of minor updates are needed to DLEP 2011 to bring it into line with DoPI requirements and Council changes that occurred after the submission of the draft LEP in December 2010 to DoPI as well as to rectify minor errors and omissions that have occurred. The changes which are detailed in Table 3 – Amendments to DLEP 2011(**CIRCULATED UNDER SEPARATE COVER**) include;

- Amendment to Ryde LEP 2011 Centres Map with respect to the areas identified as :
 - Ryde Town Centre
 - West Ryde Town Centre
 - Gladesville Town Centre

Reason - As a result of land being rezoned adjacent to the three centres *Ryde LEP 2011 Centres Map* needs to be amended to include such land.
- Amend LEP 2011 Heritage Map to be in line with DoPI requirements that Archaeological Heritage Items be identified separately to General Heritage Items.

Reason - Council has one archaeological heritage item in Gladesville which is identified in *Schedule 5 Environmental heritage* as an archaeological item but which has been mapped as a general item.
- Amend Clause 4.5A(b) *Density Controls for Zone R2 Low Density Residential* by deleting reference to access to private open space.

Reason – The clause requires that separate access to private open space from an unbuilt upon portion of the site. This requirement is more appropriately covered in a DCP in that specific ways of achieving such access such as through a garage can be specified.
- Amend LEP 2011 Lot Size Map to delete all areas from the map which are not zoned residential on the Land Zoning Map.

Reason- The Lot Size Map specifies the minimum lot size for residential subdivision. A number of properties have been rezoned in the Land Zoning Map from a residential to a business zoning. This change was not carried through to the Lot Size Map and as such the Lot Size Map should be amended
- Update LEP 2011 Ryde Civic Precinct Map to include additional areas as identified in Draft DCP 2011 - Part 4.4 Ryde Town Centre

Reason - The new precinct areas were identified after the submission of the DLEP into DoPI.
- Amend LEP 2011 Floor Space Ratio Map with respect to 1 Monash Road Gladesville to bring it in line with LEP Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010 Floor Space Ratio Map

Reason - Under 2010 the subject property, which is a heritage item has no FSR. An error occurred in the transfer of FSR controls for the site and under DLEP 2011 resulting in the property being given an FSR.
- Amend Clause 4.3 (2C) so that the maximum height for dwellings in both multi dwelling housing and dual occupancy (attached) developments that do not have frontage to a street is 5m. The clause at present only relates to multi dwelling housing developments. To ensure consistent controls exist governing the height of all rear dwellings the clause should include dual occupancy developments.

ITEM 6 (continued)

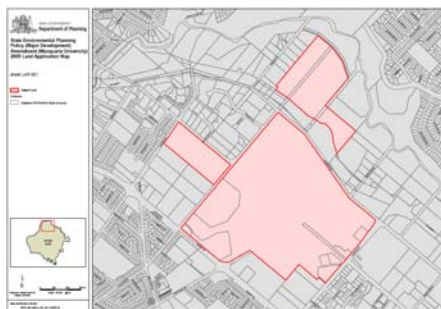
- Schedule 2 – Exempt development - Amend conditions for *Signage (real estate sign for a residential site)*
Reason - An error occurred in the Schedule in that the conditions for *Signage (retail premises windows)* were inadvertently repeated for *Signage (real estate sign for residential sites)*. It is proposed to reinstate the existing conditions under LEP 2010 for *Signage (real estate sign for residential sites)*.

Other matters related to draft LEP 2011

There are a number of other matters that the Council should consider in relation to DLEP and land within the City.

1. Macquarie University

In September 2009 Macquarie University was identified under SEPP (Major Development) 2005 in *Schedule 3 State Significant Sites*. Under the SEPP the site (Figure 1) is zoned SP2 Educational establishment and B4 Mixed Use. The SEPP also specifies a Gross Floor Area Map and a Height of Buildings Map for the site. The zoning, FSR and height maps are significantly different to both LEP 2010 and the draft LEP.



(Figure 1)

The DoPI have advised the following with respect to the differences between the zoning of land and controls in DLEP 2011 and the SEPP for the site.

- *The Department does not expect Council to update the maps to incorporate the Major Development SEPP controls for Macquarie University into the DLEP at this stage. However, the Department may seek Council's assistance at a later date.*
- *No action is necessary in relation to LEP 2010.*
- *The Department will liaise with Council should the controls for Macquarie University need to be transferred from the Major Development SEPP into the DLEP 2011. Council's assistance with map changes may be required.*

Recommended Action

It is considered that unless directed by DoPI there is no requirement to amend the Draft LEP to bring it in line with its zoning, FSR or height under the SEPP.

ITEM 6 (continued)

2. 461 Victoria Road Gladesville

Under *Schedule 1 Additional permitted uses* a bulky goods premises is permitted at 461 Victoria Rd Gladesville. This was based on a recommendation of the Ryde Local Planning Study that was adopted by Council on 7 December 2010. The Local Planning Study comprised a number of individual studies including the Centres and Corridors Study. A report on the community consultation and submissions received to that study was submitted to Council on the 2 November 2010 where it was identified that a submission had been received from the landowner of 461 Victoria Road Gladesville seeking bulky goods premises as an additional land use on the site. The request was supported as the lands are identified as strategic employment lands in the Inner North Sub regional Strategy.

Council has recently received a planning proposal for the site which is seeking a rezoning for additional land uses, including '*bulky goods premises, garden centre and hardware and building supplies*' under Ryde Local Environmental Plan 2010. The proposal also includes an amendment to the Ryde Height of Buildings Map to include maximum RL's over the subject site. It is anticipated that a report on the Planning Proposal will go to Council in October 2012.

3. Boarding Houses

Council on the 17 July 2012 considered a report on a media release posted by Bankstown City Council regarding two class 1 appeals to the Land and Environment court heard in May 2012 against Bankstown City Council's refusal of two DA s for boarding house developments on land in the Residential 2 (a) zone under Bankstown LEP 2001. At this meeting the Council in part resolved:

- (d) *That Council amend its LEP to reflect the zoning that articulates boarding houses as a 'prohibited land use' in the residential R2(a) land use zone.*

Council is to note that this part of the resolution is subject to a Notice of Rescission.

In relation to the Bankstown case - as the LEP prohibited boarding houses in the 2(a) zone approval was sought for the developments under SEPP (Affordable Rental Housing) 2009. The SEPP identifies zones within the Standard Instrument (SI) within which boarding houses may be carried out. The SEPP also states that for Councils that do not yet have a LEP under the SI it applies to land within a land use zone that is equivalent to the listed SI zones.

The Court found there were no equivalent zones within the Bankstown LEP (which is not under the SI) and as such the SEPP did not apply. Both cases were dismissed in favour of Bankstown Council.

LEP 2011 is under the SI and boarding houses are a mandated use permitted with Council consent in the R1, R2, R3 and R4 residential zones. It unlikely that the Department would support the removal of this mandated land use.

ITEM 6 (continued)

Council should also note that the SEPP (Affordable Rental Housing) 2009 prevails over the provisions of a local planning instrument and any inconsistencies.

However it is recognised that the City Of Ryde has already done extensive work in developing a policy and DCP controls for boarding houses. This report includes a recommendation to have this work recognised by the Minister for Planning.

4. Macquarie Park – Serviced Apartments

Under the Standard Instrument (SI) a *Serviced apartment* is defined as a building containing self contained tourist and visitor accommodation. *Serviced apartments* are the only type of residential development permitted in the B3 Commercial Core zone.

In a report dated 27 September 2011 Council was advised that DoPI required *Clause 4.5B (5) Macquarie Park Corridor – Serviced apartments in Zone B3 Commercial Core* to be deleted from the LEP. The clause required that serviced apartments in the B3 zone comprise at least 2 serviced apartments and that all serviced apartments were on the same lot (that is, not on a separate strata or other title).

By deleting clause 4.5B (5) serviced apartments can now be strata subdivided. This is considered undesirable as by permitting the separate ownership of dwellings, *Serviced apartments* (which will inevitably be used as permanent residential accommodation) will become a more desirable development type in the zone. This may result in undermining the corridor as a commercial precinct.

In the report of the 27 September 2011 it was stated that Council should make a formal submission to DLEP 2011 once on exhibition requesting the reinstatement of Clause 4.5B(5) with respect to prohibiting the subdivision of such developments. As such it is considered that DLEP 2011 should be amended by adding the Clause prior to submission to the Minister for gazettal of the LEP.

5. Under draft LEP 2011 secondary dwellings which are defined in the SI as a self-contained dwelling that:

(a) is established in conjunction with another dwelling (the principal dwelling), and

(b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and

(c) is located within, or is attached to, or is separate from, the principal dwelling.

are prohibited in all residential zones. However under SEPP (Affordable Rental Housing) 2009 secondary dwellings are permitted in all residential zones as either complying development or with Council consent.

ITEM 6 (continued)

At present if a development does not satisfy complying conditions a DA is required and approval given by Council under the SEPP to the secondary dwelling. This is procedurally complicated and difficult to assess as there are no design criteria for secondary dwellings (as they are prohibited under the LEP).

Recommended Action

It is considered that to provide relevant design standards for secondary dwellings the use should be permitted with Council consent in all residential zones as per the SEPP and that DCP 2011 –Part 3.3 Dwelling houses and dual occupancy amended to incorporate setback, landscaping requirements etc.

Consultation

The consultation undertaken with respect to draft LEP 2011 has been detailed in the body of the report

Draft Development Control Plan 2011

Draft Development Control Plan 2011 was exhibited with the DLEP 2011. The draft Plans key amendments relate to:

- supporting provisions in the DLEP 2011
- implementing the recommendation of the LPS
- administrative updates

The exhibition process and the issues raised in submissions received will be reported to Council at a later date.

Context

The following deadlines are required to be met:

Under State Governments timetabling for the development of a comprehensive LEP for all Council areas within NSW the Ryde LEP 2011 - a comprehensive plan for the City of Ryde was to be completed by March 2011. No formal extension to this period has been given by DoPI. The March deadline has not been met due to:-

- the delay in the gazettal of LEP 2010 (Stage 1 of the 3 Stage process towards a comprehensive LEP for the City of Ryde) by the Minister for DoPI.
- the delay in receiving the S65 Certificate for draft LEP 2011 and
- the changes to the Standard Instrument by DoPI that occurred in February 2011.

The Department is now requesting that we finalise the LEP by the end of 2012.

Financial Implications

Should Council resolve to adopt Draft LEP 2011 upon the gazettal of the Plan Council policy is to place an advertisement in the local paper. The cost of such an ad would be \$1,000 and this is within the current budget Urban Planning budget for 2011/2012.

ITEM 6 (continued)**Policy Implications**

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

Other Options

1. Council has an option not to proceed with DLEP 2011 - This option would result in the proposed changes to centres, small centres, residential choice and sustainability not being available to the community.

Outcomes

- Redevelopment and revitalisation opportunities of Centres and Small Centres not realised.
 - Residential development and choice not being expanded through the strata subdivisions.
 - Flood, stormwater and sustainability controls not being applied through an LEP
 - Numerous Planning Proposals being submitted to Council for land which under the DLEP was indicated for zoning floor space or height changes
 - City of Ryde not being in compliance with the State Governments directions that all Council in NSW have a comprehensive LEP in place.
 - LEP 2010 being maintained as the principle planning instrument for the City of Ryde.
2. Council has an option to defer consideration of the draft LEP - It should be noted that the process has already been underway for more than 5 years and it is considered that further significant delay in finalising the LEP has the potential to precipitate State Government involvement in Council's plan making functions.

7 DRAFT DEVELOPMENT CONTROL PLAN 2011 PART 3.3 - DWELLING HOUSES AND DUAL OCCUPANCIES

Report prepared by: Client Manager**Report dated:** 4/06/2012**File No.:** PM2010/116 - BP12/676

REPORT SUMMARY

Part 3.3 – Dwelling houses and Dual Occupancies (attached) of Ryde DCP 2011 provides objectives and controls for low density residential development within the City of Ryde. The Local Planning Study which was adopted by Council in December 2010 recommended that the DCP controls for dwelling houses and dual occupancies be reviewed. This was also supported by the recommendations of the Best Value Review of Council's Assessment Unit.

In accordance with these recommendations, a comprehensive review of Part 3.3 – Dwelling houses and Dual Occupancies (attached) has been undertaken. This has resulted in the updating and/or deletion of some of the existing controls and the introduction of new controls.

This report recommends that draft Development Control Plan (DCP) 2011 Part 3.3 – Dwelling houses and Dual Occupancies (attached) be placed on public exhibition.

RECOMMENDATION:

- (a) That Council adopt the draft Development Control Plan (DCP) 2011 Part 3.3 – Dwelling houses and Dual Occupancies (attached) to be placed on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
- (b) That a report be prepared for Council's consideration following the exhibition period of draft DCP 2011 Part 3.3 – Dwelling houses and Dual Occupancies (attached).

ATTACHMENTS

- 1 Draft DCP 2011 - Part 3.3 Dwelling Houses and Dual Occupancy

Report Prepared By:

Adrian Melo
Client Manager

Report Approved By:

Meryl Bishop
Manager - Urban Planning**Dominic Johnson**
Group Manager - Environment & Planning

ITEM 7 (continued)**Background**

The Local Planning Study which was adopted by Council in December 2010 recommended numerous amendments to Ryde LEP and DCP 2010. On 14 February 2011 Council resolved:

That Council authorise that a Development Control Plan (DCP) to be known as DCP 2011 be prepared in line with the Council report of 27 September 2011.

Specific amendments that were identified in the report of 27 September 2011 have been incorporated into Draft Ryde LEP and DCP 2011, both of which are on public exhibition from 30 May until 13 July 2012.

Part 3.3 – Dwelling Houses and Dual Occupancy (Attached) of the draft DCP provides objectives and controls for low density residential development within the City. In relation to Part 3.3, the exhibited draft DCP 2011:

- Deletes the linear separation requirements for dual occupancies (attached). The linear separation controls generally require that only one property in every three can be a dual occupancy.
- Deletes the lot design requirements for the subdivision of land. The minimum lot size is still maintained within the LEP 2011, however the minimum frontages and minimum lot widths are deleted.
- Provide for the strata subdivision of dual occupancy (attached) on land greater than 580m².

The exhibited draft LEP 2011:

- Provides a minimum lot size for dual occupancies of 580m².
- Provides a minimum lot frontage of 20m for dual occupancies.
- Provides a minimum lot size for subdivision of 580m² for regular lots and 740m² for battleaxe allotments.

Review of Part 3.3 – Dwelling houses and Dual Occupancies (attached)

The approach applied to reviewing Part 3.3 involved:

- Removing controls covered elsewhere in DCP 2010 or that are readily addressed by standard conditions of consent,
- Amending or deleting controls no longer considered relevant or improving their functionality and clarity,
- Introducing new controls to improve design outcomes.

ITEM 7 (continued)

The key changes made are detailed below:

Control	Change	Reason
1.1 Land to which this Part Applies	Clarification provided	<p>Whilst this part of the DCP applies to the majority of the Local Government Area, some parts of Ryde are subject to specific Character Area controls contained both within this part and other parts of the DCP.</p> <p>In these areas, development can be subject to specific requirements of the Character Area controls and this part of the DCP.</p> <p>A reference has been added to make this clearer for future users of the DCP.</p>
1.2 Development Covered by this Part	Clarification provided	The DCP has been expanded to apply to all forms of development that may occur within Low Density Residential Areas such as subdivision and secondary dwellings. This has been made clear within this section
1.3 Purpose of this Part	Clarification provided	Reference to subdivision included.
1.7 Desired Future Character Area	Controls relating to Desired Future Character have been removed from control section and placed within Introduction.	<p>Previously, each DA had to be assessed against the desired future character. Given the nature of the assessment process, this was a complicated and unclear process. These controls are contained elsewhere within this part of the DCP.</p> <p>Through the relocation of this section, the intent of the DCP is still captured by the desired future character statement. It removes the double assessment of the matters covered within this part.</p>
2.1 Dwelling Houses and Alterations and Additions	Previously consisted of two sections. This has been reduced down to one.	The matters contained within these parts originally were repeated elsewhere within the DCP. This doubling up has been removed through the rationalisation of both parts into one.
2.2 Dual Occupancy (attached)	Clarification provided	<p>The definition contained within the RLEP 2011 has been included within this part to provide clarity.</p> <p>Additionally, the LEP 2011 provides a road frontage of 20m for Dual Occupancies. This has been incorporated into this part and additional clarification provided for corner allotments as to which road frontage must be 20m.</p>
2.3 Secondary Dwellings (Granny Flats)	New section added to DCP	Currently, State Environmental Planning Policy (Affordable Housing) 2009 allows for granny flats within the Ryde LGA as complying development or subject to a development application.

ITEM 7 (continued)

Control	Change	Reason
		<p>Currently, if a development application is lodged with Council, a merit assessment of the proposal against the requirements applying to dwelling houses and outbuildings and the complying development controls contained within the SEPP are undertaken.</p> <p>Through the inclusion of this section into the DCP, control and guidance can be achieved for granny flat development.</p>
2.4 Subdivision	Clarification provided	<p>As considered by Council previously in the report dated 14 February 2012, the lot requirements for subdivision have been placed within the DCP.</p> <p>Additionally, a reference to the engineering parts of the DCP has been included. It should also be noted that the Draft LEP 2011 allows for the strata subdivision of dual occupancies (attached) on lots greater than 580m²</p>
2.5 Streetscape	Clarified and rationalised	<p>This section has been rationalised and combined with other similar sections within the DCP.</p> <p>It has reduced the length of the DCP and the number of controls whilst still maintaining the same outcomes.</p>
2.6 Views and Vistas	Rationalised and additional controls for the assessment of view loss as a result of development provided.	<p>This section has been rationalised and additional controls relating to view loss from development have been incorporated. These controls are based on the Planning Principle established by the Land and Environment Court which forms the standard method of assessing view loss.</p>
2.7 Topography and Excavation	Clarified and rationalised. Additional control included.	<p>The controls have been rationalised to reduce their number whilst maintaining the same outcomes of the current DCP.</p> <p>An additional control has been included preventing fill in overland flow areas. Placing fill within overland flow affected areas substantially impacts the existing flooding regime, resulting in potential increased impacts upon down and up stream properties.</p>
2.8 Floor Space Ratio (FSR)	Clarification provided	A reference to the definition of what is Gross Floor Area has been included within this part.
2.9 Height	Clarification provided	A reference to the maximum height of secondary dwellings has been included.
2.10.1 Front Setbacks	Amended controls and clarification provided	The minimum front setback control has been amended to provide a minimum front setback of 6m.

ITEM 7 (continued)

Control	Change	Reason
		<p>Previously, a control required garages or carports to be setback 1m from the front façade of the dwelling. This control has been deleted, however controls preventing car parking structures forward of the buildings line have been maintained within this Section and Section 2.12 Car Parking and Access.</p> <p>The calculation rules have been amended to provide clarity from where the setback is measured.</p>
2.10.2 Side Setbacks	Amended controls and clarification provided	<p>The controls have been amended to allow for 'wedding cake' style development where the single storey elements of a building are allowed to be setback 0.9m from the side boundaries and the second storey elements are setback 1.5m.</p> <p>The calculation rules have been amended to provide clarity from where the setback is measured.</p>
2.10.3 Rear Setback	Clarification provided	<p>The calculation rules have been amended to provide clarity from where the setback is measured. The setback is maintained at 8m or 25% of the length of the site, whichever is the greater.</p>
2.11 Outbuildings	Amended and clarified controls	<p>The controls have been amended and clarified to provide further guidance on the minimum side and rear setbacks for outbuildings.</p>
2.12 Car Parking and Access	Amended and rationalised controls	<p>Previously, controls relating to car parking were contained within various sections of the DCP.</p> <p>These controls have been rationalised and amalgamated into one section.</p>
2.12.1 Car Parking	Amended and rationalised controls	<p>The controls have been amended to ensure consistency with Part 9.3 of DCP 2011 as well as the rationalising of controls to ensure that the same outcomes are achieved with fewer controls.</p> <p>The requirement for the setback of the garage by 1m from the front façade of the dwelling and the garage door to not be recessed by 300mm have been removed. These controls were considered to place unnecessary burdens upon the design of dwellings with achieving minimal positive outcomes.</p>
2.12.2 Semi-basement Car Parking	Clarification provided	<p>The controls have been amended to provide further clarification as to where ramps are measured from.</p>
2.13 Swimming	Amended and rationalised	<p>Previously the DCP provided a large number of</p>

ITEM 7 (continued)

Control	Change	Reason
Pools	controls	<p>controls relating to Swimming Pools. These controls have been rationalised to reduce their number whilst still achieving the same outcomes.</p> <p>The controls have been amended to require pool fencing to comply with the applicable Acts, Regulations and Standards rather than detailing what the Acts, Regulations and Standards require. These matters are often subject to conditions of consent and are assessed at the Construction Certificate stage rather than the Development Application stage.</p>
2.14 Landscaping	Amended and rationalised controls	<p>Previously, controls relating to landscaping were contained within various sections of the DCP.</p> <p>These controls have been rationalised and amalgamated into one section.</p> <p>Key changes to controls within this section include:</p> <ul style="list-style-type: none"> • Deletion of the 8x8m Deep Soil Zone at the rear of a dwelling. This control has been removed as the minimum requirement for deep soil areas of 35% has been maintained with a minimum dimension provided of 4m. This ensures that any deep soil areas are of a size capable to achieve landscaping. • Clarification as to what can be included with the required 35% of the site as deep soil. A key change is that all areas to be included as deep soil must be previous to water and be a minimum dimension of 4m. This will ensure that deep soil areas are of a significant size and capable of achieving substantial planting. • The minimum heights of trees to be planted in the rear and front yard have been reduced to 6m for both yards. Previously a tree capable of achieving 10m was required in the front yard and 15m in the rear yard. • Any trees to be planted must be located a minimum of 3m from buildings and lot boundaries, ensuring their future retention. <p>The above changes have been proposed to simplify the minimum requirements for landscaping.</p>
2.15 Dwelling Amenity	Rationalised and amended controls	<p>These controls have been rationalised to two sections only consisting of Sunlight Access and Privacy. These parts have been amended and expanded.</p>

ITEM 7 (continued)

Control	Change	Reason
2.15.1 Sunlight Access	Amended and clarified controls	<p>The controls have been improved to provide greater clarity as to what should be considered when designing buildings. The minimum amount of sunlight for the subject property and adjoining properties has been set at 3 hours.</p> <p>The control now requires consideration of principal living areas and principal private open space areas. Definitions have been provided which detail what is considered to fall within the above categories.</p> <p>Consideration must also be given to photovoltaic cells.</p>
2.15.2 Privacy	Rationalised and amended controls	Previously the DCP provided separate sections for Acoustic and Visual Privacy. These controls have been amalgamated and superfluous controls deleted.
2.16 Roofs	Rationalised and amended controls	<p>Previously the DCP provided prescriptive controls for roof forms including controls specific to the size and location of dormer windows.</p> <p>The controls for roof forms have been rationalised and simplified to achieve the same outcomes but provide less prescriptive requirements. This will allow for more merit based consideration of roofs.</p>
2.17 Fences	Clarified and amended controls including amalgamation from fence specific controls contained within DCP 2010.	The controls relating to fencing have been clarified to provide further guidance of fences. The controls have also been amended to give consideration to the fencing controls within State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 which allows front, side and rear fences as exempt development, subject to meeting specific requirements.

A copy of the Draft Part 3.3 – Dwelling houses and Dual Occupancies (attached) is **ATTACHED**. The areas of change are underlined and shown in **green** for easy identification. Should Council endorse the revised Development Control Plan for public exhibition, the DCP will be amended to remove the underlined reference.

Consultation
Internal consultation

For the preparation of the draft controls, consultation occurred with staff from the Assessment Unit who had undertaken a detailed review of Part 3.3 – Dwelling houses and Dual Occupancies (attached) as part of their Best Practice Review process. Recommendations from the Best Value Review and consultation with some Assessment Officers and the Manager, Assessment and have been incorporated into the draft DCP.

ITEM 7 (continued)External consultation

Public consultation will occur during the exhibition of the draft DCP.

As required under the Regulations to the Environmental Planning and Assessment Act the draft Plan will be required to be exhibited for a period of not less than 28 days, by notice in the local newspaper.

As part of the formal exhibition process the following will occur:

- Notification in the Northern District Times
- Hard copies of the draft DCP available for viewing at Customer Service Centre, Ryde Planning and Business Centre and all Council Libraries.
- Letters to relevant State authorities and Local Members of State and Federal Government.
- Website – material on the draft DCP.
- Workshop with the local industry, real estate agents and local developers.

Financial Implications

The recommendation to endorse the Draft Part 3.3 – Dwelling houses and Dual Occupancies (attached) for exhibition will not have a financial impact. The exhibition process is funded through the operational budget of the Urban Planning Unit.

ITEM 7 (continued)

ATTACHMENT 1



Part: 3.3

Dwelling Houses and Dual Occupancy (attached)



ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)

Translation

ENGLISH

If you do not understand this document please come to Ryde Civic Centre, 1 Devlin Street, Ryde Monday to Friday 8.30am to 4.30pm or telephone the Telephone and Interpreting Service on 131 450 and ask an interpreter to contact the City of Ryde for you on 9952 8222.

ARABIC

إذا تعذر عليك فهم محتويات هذه الوثيقة، نرجو للحضور إلى مركز بلدية رايد Ryde Civic Centre، 1 Devlin Street، Ryde 1 على العنوان: الاثنين إلى الجمعة بين الساعة 8.30 صباحاً والساعة 4.30 بعد الظهر أو الاتصال بمكتب خدمات الترجمة على الرقم 131 450 لكي تطلب من أحد المترجمين الاتصال بمجلس مدينة رايد، على الرقم 9952 8222، نيابةً عنك.

ARMENIAN

Եթե այս գրությունը չէք հասկնար, խնդրեմ եկե՛ք՝ Րայդ Կիվիկ Սենթրը, 1 Տեվլին փողոց, Րայդ, (Ryde Civic Centre, 1 Devlin Street, Ryde) Երկուշաբթի՛ն Ուրբաթ կա. ժամը 8.30 – կէ. ժամը 4.30, կամ հեռաձայնեցե՛ք Հեռաձայնի եւ Թարգմանութեան Ապաստարաններ՝ 131 450, եւ խնդրեցե՛ք որ թարգմանիչ մը Րայդ Բարձրագոյնարարանին հետ կապ հասարակ՝ ձեզի համար, հեռաձայնելով՝ 9952 8222 թիվին:

CHINESE

如果您看不懂本文，請在周一至周五上午 8 時 30 分至下午 4 時 30 分前往 Ryde 市政中心詢問 (Ryde Civic Centre, 地址: 1 Devlin Street, Ryde)。你也可以打電話至電話傳譯服務中心，電話號碼是: 131 450。接通後你可以要求一位傳譯員為你打如下電話和 Ryde 市政廳聯繫，電話是: 9952 8222。

FARSI

اگر این مدرک یا نمی فهمید لطفاً از 8.30 صبح تا 4.30 بعد از ظهر دوشنبه تا جمعه به مرکز شهرداری رايد، Ryde Civic Centre, 1 Devlin Street, Ryde مراجعه کنید یا به سرویس مترجم تلفنی شماره 131 450 تلفن بزنید و از یک مترجم بخواهید که از طرف شما با شهرداری رايد شماره 9952 8222 تلفن بزند.

ITALIAN

Se non capite il presente documento, siete pregati di rivolgervi al Ryde Civic Centre al n. 1 di Devlin Street, Ryde, dalle 8.30 alle 16.30, dal lunedì al venerdì; oppure potete chiamare il Telephone Translating and Interpreting Service al 131 450 e chiedere all'interprete di contattare a vostro nome il Municipio di Ryde presso il 9952 8222.

KOREAN

이 문서가 무슨 의미인지 모르실 경우에는 1 Devlin Street, Ryde 에 있는 Ryde Civic Centre 로 오시거나 (월 – 금, 오전 8:30 – 오후 4:30), 전화 131 450 번으로 전화 통역 서비스에 연락하셔서 통역사에게 여러분 대신 Ryde 시청에 전화 9952 8222 번으로 연락을 부탁하십시오.

Amend. No.	Date approved	Effective date	Subject of amendment

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

Table of Contents

3.3

Table of Contents

1.0 INTRODUCTION	5
<u>1.1 Land to which this Part applies</u>	<u>5</u>
<u>1.2 Development covered by this Part</u>	<u>5</u>
<u>1.3 Purpose of this Part</u>	<u>5</u>
1.4 Objectives of this Part	5
1.5 How to use this Part	5
1.6 Site Analysis	6
<u>1.7 Desired Future Character</u>	<u>7</u>
2.0 GENERALS CONTROLS	8
<u>2.1 Dwelling Houses and Alterations and Additions</u>	<u>8</u>
<u>2.2 Dual Occupancy (attached)</u>	<u>9</u>
<u>2.3 Secondary Dwellings (Granny Flats)</u>	<u>11</u>
<u>2.4 Subdivision</u>	<u>12</u>
<u>2.5 Streetscape</u>	<u>13</u>
<u>2.6 Views and Vistas</u>	<u>13</u>
<u>2.7 Topography and Excavation</u>	<u>14</u>
<u>2.8 Floor Space Ratio (FSR)</u>	<u>15</u>
<u>2.9 Height</u>	<u>16</u>
<u>2.10 Setbacks</u>	<u>18</u>
<u>2.10.1 Front Setbacks</u>	<u>18</u>
<u>2.10.2 Side Setbacks</u>	<u>19</u>
<u>2.10.3 Rear Setbacks</u>	<u>20</u>
<u>2.11 Outbuildings</u>	<u>22</u>
<u>2.12 Car Parking and Access</u>	<u>23</u>
<u>2.12.1 Car Parking</u>	<u>24</u>
<u>2.12.2 Semi-basement Car Parking</u>	<u>25</u>
<u>2.13 Swimming Pools and Spas</u>	<u>25</u>
<u>2.14 Landscaping</u>	<u>27</u>
<u>2.15 Dwelling Amenity</u>	<u>29</u>
<u>2.15.1 Sunlight Access</u>	<u>29</u>
<u>2.15.2 Privacy</u>	<u>29</u>
<u>2.16 Roofs</u>	<u>30</u>
<u>2.17 Fences</u>	<u>31</u>
<u>2.17.1 Front and Return Fences</u>	<u>32</u>
<u>2.17.2 Side and Rear Fences</u>	<u>33</u>

ITEM 7 (continued)

ATTACHMENT 1

3.3

Dwelling Houses and Dual Occupancy (attached)

Table of Contents

Table of Contents

3.0 CHARACTER AREAS	33
3.1 West Ryde Special Development Area	33
3.2 Denistone Character Area	34
3.2.1 Character Statement	34
3.2.2 Retention of Key Characteristics	36

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

1.0 Introduction

3.3

1.0 INTRODUCTION

1.1 Land to which this Part applies

This Part applies to all land within the City of Ryde where dwelling houses and dual occupancies (attached) are permitted. It has specific relevance to low density residential areas.

[Some low density residential areas of the Ryde Local Government Area may also be subject to specific Character Areas or Special Areas controls detailed within Section 3 of this Part or Parts 5.1 Coronation Avenue and Trelawney Street, Eastwood Character Area, 5.2 Eastwood House Estate Heritage Conservation Area and 5.3 Tyrell Street, Gladesville, Character Area.](#)

1.2 Development covered by this Part

This Part applies to all development associated with [low density residential development. This includes dwelling houses or a dual occupancies \(attached\) and associated ancillary structures. It also applies to the subdivision of Low Density Residential Land.](#)

1.3 Purpose of this Part

The purpose of this Part is to guide development for [dwelling houses](#), dual occupancy (attached), associated [ancillary development and subdivision](#) development within the City of Ryde.

1.4 Objectives of this Part

The objectives of this Part are:

1. To ensure that the dwellings are well designed and attractive, and provide a high level of amenity;
2. To encourage environmental sustainability in the low density residential areas; and
3. To ensure that dwellings are compatible with, and enhance the streetscape and desired future character of neighbourhoods and character areas.

1.5 How to use this Part

This Part is to be read in conjunction with the general introduction to the DCP and with Part 10 - Dictionary.

This Part has 3 sections:

1. Section 1 Introduction

2. Section 2 General Controls

- Describes the desired character for the low density residential areas in the City of Ryde.
- Explains and states the objectives for key aspects of a development and sets out the controls.

3. Section 3 Character Areas

- Describes the character of special areas and outlines specific controls for these areas. The controls in this section, to the extent of any inconsistencies, take precedence over the controls in Section 2.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)

1.0 Introduction

The controls apply to new buildings as well as to alterations and additions to existing buildings. The key consideration is the compliance of the resultant building, either a completely new building or a building which has been altered or added to, with the controls.

1.6 Site Analysis

A site analysis is to be submitted with a development application for a new house, dual occupancy (attached) and dwelling additions. Minor work will generally not require a site analysis. The applicant should check with Customer Service who will advise whether or not a site analysis is required. A landscape plan and site survey may also be required to be submitted.

Preparing a site analysis

A site analysis is necessary to ensure that the development is of high quality, sensitive to its environment and positively contributes to its context. A thorough site analysis will ensure that site layout and building design addresses existing and possible future opportunities and constraints of both the site and its surrounds.

An analysis of the site and context is a fundamental stage of the design process, and should support many key design decisions relating to the proposal. The site analysis is to assist in minimising issues relating to noise, overshadowing, safety, access, views and privacy.

A site analysis has two steps. Look at and map the qualities and characteristic of the site and its local context. Then, develop a design that addresses and applies the objectives and controls.

The applicant must demonstrate to Council that the site analysis has been used in preparing the design for the site and for the dwelling. The analysis may then be used to critically assess the success of the proposal in its response to the features of the site and its context.

A site analysis drawing must be based on a survey drawing produced by a qualified surveyor and contain a reference number and date.

Information required in a site analysis may include, but is not limited to, the following:

The site's context:

- Form and character of adjacent and opposite buildings in the streetscape and adjacent sites; architectural character, front fencing, garden styles;
- Neighbouring properties (those both at the sides of the allotment and to the rear); location, height, use;
- Privacy; adjoining private open space, living room windows overlooking the site, location of any facing doors, windows and external living areas;
- Walls built to the site's boundary; location, height, materials;
- Difference in ground levels between the site and adjacent properties;
- Views enjoyed by neighbouring properties;
- Views enjoyed from public areas;
- Solar access enjoyed by neighbouring properties;
- Major trees on adjacent properties, within 9 m of the subject site;
- Street frontage features; poles, trees, kerb crossings, bus stops, other services;
- Heritage features of the surrounding locality and landscape, (if relevant);
- Public open space, (if relevant);

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

1.0 Introduction

3.3

- Adjoining bushland or environmentally sensitive land;
- Sources of nuisance; flight paths, noisy roads or other significant noise sources, polluting operations (if relevant).

The site and the building(s):

- Site dimensions, site area and north point;
- Location, use, overall height (in storeys and metres) and important parapet/datum lines of adjacent buildings on adjoining sites;
- Street trees, identified by size, botanical and common names (if relevant);
- Topography, showing spot levels and contours 0.5 m intervals for the site, adjoining streets and land adjoining the site;
- Views to and from the site;
- Prevailing winds;
- Geotechnical characteristics of the site and suitability of development;
- Pedestrian and vehicular access points; existing and proposed;
- Location of utility services, including electricity poles, stormwater drainage lines, natural drainage, kerb crossings and easements;
- Overland stormwater flow;
- Site drainage.

1.7 Desired Future Character

The desired future character of the low density residential areas of the City of Ryde is one that:

- Has a low scale determined by a maximum 2 storey height limit;
- Has a low density with free-standing buildings;
- Has a limited number of dual occupancy (attached) buildings, and these buildings look similar to detached dwellings;
- Has dwellings located in a landscape setting which includes a clearly defined front garden and back yard;
- Has buildings which are well designed and have a high degree of amenity;
- Has streetscapes made up of compatible buildings with regard to scale and built form;
- Has streetscapes with dwellings that have a generally consistent front setback and consistent street orientation;
- Has garages and other structures which are not prominent elements in the streetscape and which are compatible with the character of the dwelling;
- Requires minimal disturbance to the natural topography, which means that excavation is to be minimised;
- Has backyards, which are maximised in size;
- Has backyards which form a connected strip of vegetation in neighbourhoods and which include large trees;
- Has allotments with large deep soil areas which allow rainwater to be absorbed and trees to be planted;
- Has mature trees in streets, front gardens and backyards (existing mature trees are retained and new tree plantings encouraged); and
- Has character areas where special features are retained and enhanced.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

2.0 GENERALS CONTROLS

2.1 Dwelling Houses and **Alterations and Additions**

A dwelling house is a single detached residence on an allotment. Single dwellings can range in height from one storey to two storeys. Dwelling houses should provide accommodation with a high level of amenity as well as contribute to the existing character of the street.

Alterations and additions should be integrated with the existing building so that the finished building appears as a consistent whole when viewed from the public domain. 'Pop-top' roof style additions are discouraged.

Objectives

1. To be free-standing in landscaped lots.
2. To be well designed and compatible with the site's context.
3. To be of a low scale.
4. To ensure that buildings are well designed.

Controls

- a. Dwelling houses and alterations and additions to existing buildings are to comply with the controls contained within this Part of DCP 2011.
- b. Buildings are to respond appropriately to the site's constraints and opportunities as identified in the site analysis.
- c. Alterations and additions visible from the public domain are to be designed so that the finished building appears as an integrated whole.



Figure 3.3.01 An example of a sympathetic addition to an existing house.

Note: The compatible building form and materials and the consistent window head heights.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3



Figure 3.3.02 Examples of unsympathetic alterations and additions.

2.2 Dual Occupancy (attached)

The RLEP 2011 defines a dual occupancy (attached) as '2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling'. Dual occupancy (attached) buildings provide an alternative, more affordable, type of housing within a building form which is similar to the character of low density residential houses, particularly with regard to bulk, scale and built form. It is important that such buildings do not have an adverse impact on the existing streetscape.

Objectives

1. To provide an alternative form of housing that has a low density residential character and is consistent with the appearance of dwelling houses.
2. To protect the existing streetscape by limiting the number of dual occupancy (attached) buildings in a street.
3. To limit an increase in residential densities within low density areas.

Controls

- a. New Dual occupancy (attached) buildings are to meet the controls for new dwelling houses set out in 2.1.
- b. Alterations and additions to dual occupancy (attached) buildings are to meet the requirements set out in 2.1.
- c. Dual Occupancies (attached) are to consist of one contiguous building joined by a common wall.

Note: Ryde Local Environmental Plan 2011 provides a minimum road frontage of 20 m and lot size of 580 m² for dual occupancies (attached). In determining road frontage for corner blocks, the minimum road frontage is considered to be the primary frontage.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)
2.0 General Controls



Figure 3.3.03 Illustrative plan of a dual occupancy (attached) with car parking at the front.



Figure 3.3.04 Alternative arrangements for a dual occupancy (attached) building on a corner allotment. Where dual occupancy (attached) dwellings have adjacent garages, the driveway does not need to narrow to a single driveway width.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

2.3 Secondary Dwelling (Granny Flat)

Secondary Dwellings are a separate dwelling located on lot that contains an existing dwelling house. They are commonly referred to as 'Granny Flats'. Secondary Dwellings are permissible within the City of Ryde.

Secondary Dwellings must be carefully designed and located so as to preserve the amenity of surrounding properties. They must also be designed and located to ensure that future residents are provided with a high quality living space.

A secondary dwelling can be attached to the existing dwelling or detached to the existing dwelling in the form of a separate structure.

Objectives

1. To provide an alternative form of housing that has a low density residential character.
2. To ensure that secondary dwellings are designed and located to preserve the amenity of surrounding properties.
3. To ensure that secondary dwellings are designed and located to provide a high quality of amenity to future residents.

Controls

- a. A secondary dwelling is to have a maximum Gross Floor Area of 60 m².
- b. The combined Gross Floor Area of the primary dwelling and secondary dwelling must not exceed the maximum Floor Space Ratio.
- c. The secondary dwelling is not to be located in the front setback of the property.
- d. The secondary dwelling is to comply with Sections 2.5 - 2.8 and 2.14 - 2.16 of this Part of DCP 2011.
- e. The secondary dwelling is to have a courtyard area totalling 24 m² with a minimum dimension of 4 m in any direction.
- f. Secondary dwellings as a separate detached building are to have a minimum side setback of 0.9 m and a rear setback of 1.5 m.
- g. Secondary dwellings as a separate detached building are to have a maximum building height of 4.5 m.
- h. Secondary dwellings that are attached to or form part of the principle dwelling, is to comply with the minimum setbacks specified within Section 2.10 of this Part of DCP 2011.

Note: State Environmental Planning Policy (Affordable Rental Housing) 2009 also allows for secondary dwellings to be Complying Development and provides separate requirements that must be met by all Complying Development Applications for Secondary Dwellings.

2.4 Subdivision

Minimum lot sizes apply to subdivision of land under *Ryde Local Environmental Plan 2011* (refer to Clause 4.1).

Note: For controls relating to the subdivision of **dual-occupancies (attached)** see Clause 4.1B of the *Ryde Local Environmental Plan 2011*. For the purposes of Clause 4.1B, the term **dual occupancy (attached)** is considered to include **duplex buildings**. Generally, the strata subdivision of **dual-occupancies (attached)** is permitted but only where the lot size is greater than 580m²

Duplex building means a single building not more than 2 storeys high that contains 2 dwellings that are attached to one another.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

Objectives

1. [To retain streetscape, amenity, landscaped areas and private open space in residential zones.](#)
2. [To maintain a consistent density of development in low density residential areas.](#)
3. [To ensure that lot sizes enable sufficient areas of open space to be provided within each lot so as to enabling the retention and embellishment of green linkage corridors within residential zones.](#)

Controls

- a. [Where subdivision of land is proposed, each lot \(other than a hatchet shaped lot\) must have:](#)
 - i. [an area of not less than 580 m²;](#)
 - ii. [frontage to a road of not less than 10 m; and](#)
 - iii. [a width of not less than 15 m at a distance of 7.5 m from the frontage of the lot.](#)
- b. [Each hatchet shaped lot must have:](#)
 - i. [an area of not less than 740 m² \(not including the access corridor and any part of the lot that is intended for access to other lots\);](#)
 - ii. [a frontage to a road of not less than 3 m; and](#)
 - iii. [an access corridor not less than 3 m wide.](#)
- c. [Each lot must have access that meets the requirements of Parts 8.3 Driveways, 8.4 Title Encumbrances and 8.5 Public Civil Works.](#)

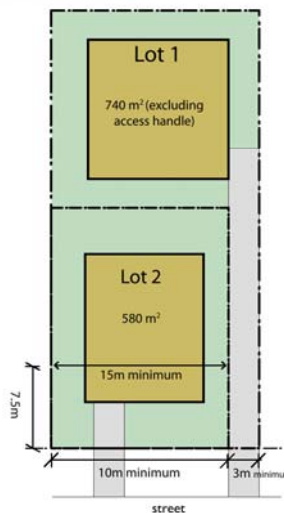


Figure 3.3.05 Minimum standards for land subdivision

2.5 Streetscape

Streetscape controls seek to ensure that dwellings and gardens relate well to each other, and to the landscape setting along the street. The primary elements that create streetscape character are:

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

- the relationship of street levels to the topography of the land on either side of the street;
- the width, layout, landscaping and materials of the street including street trees and footpaths;
- buildings and front gardens;
- building setbacks, building height; and
- relationship of buildings to the topography and to other buildings in the streetscape.

Aspects of development that help to create quality streetscapes, if well considered and designed, include:

- the design of the building, especially facades visible from the street;
- front and side boundary landscaping including boundary fences and walls;
- access and driveway design; widths, materials and location; and
- the building's size and shape, front elevation and roof form as seen from the street.

Objectives

1. To ensure the existing landform and landscape setting of the street is retained and reinforced by new dwellings.
2. To ensure new development is compatible with the positive characteristics of the existing streetscape and the desired future character of the low density residential areas.
3. To encourage the design of well proportioned elevations.
4. To ensure streets provide a high level of pedestrian amenity, access and safety.
5. To ensure garages are not dominant elements in the streetscape.
6. To ensure that the orientation of dwellings, garages and carports is consistent with the existing streetscape.

Controls

- a. Facades visible from the public domain are to be well designed by:
 - i. integrating the design of architectural features, including stairs and ramps, and garage/ carport entries with the overall facade design, and by locating car parking structures on secondary streets where possible;
 - ii. ensuring entrance porticos are single storey or if two storey, include visual relief in the form of a balcony, roof or similar; and
 - iii. ensuring street facades are articulated to provide visual interest.
- b. Dwelling design is to enhance the safety and amenity of the streetscape by having front doors and windows facing the street, or if the front entry door is located at the side of the dwelling, its location is to be clearly apparent from the street.

2.6 Views and Vistas

Views and vistas are enjoyed from a variety of places including public domain areas such as foreshores, parks, streets and from private residential properties. The development of residential land can sometimes result in an impact upon existing views enjoyed by surrounding residences.

The development of land that may impact upon views is to give careful consideration to the nature of the views and how view sharing between dwellings and residences can be achieved.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

Objectives

1. To ensure public view corridors between buildings are retained and created where the view is from a public place to the water.
2. [Development is to allow for the sharing of views where ever possible.](#)

Controls

- a. [Where the development of a site may impact upon the views enjoyed by surrounding owners, the development must demonstrate that adequate view sharing has been achieved by the development. This is to take into consideration the Planning Principle established by the Land and Environment Court in *Tenacity Consulting v Warringah Council* \[2004\] NSWLEC 140.](#)
- b. Where there is an existing or potential view to the water from the street, a view corridor is to be provided along at least one of the side boundaries. Fences in the view corridor, including the front boundary fence, are to be 70% open at least where the fences are higher than 900 mm. View corridors in battleaxe allotments are to have the view corridor co-ordinated with that of the front allotment or a view corridor along the driveway access handle. Landscape elements such as ancillary structures, plantings, are not to restrict views.

2.7 Topography and Excavation

The City of Ryde has a distinctive topography which provides the underlying framework for the character of its suburbs. The retention of this natural topography means that buildings can retain a consistent relationship to the topography within a streetscape. This relationship provides an important visual link between buildings.

Deep excavations could not only disrupt the visual consistency of the streetscape but could disrupt the pattern of subsoil water flow and soil stability which may adversely affect neighbouring properties and the natural environment. The area of the site with natural ground levels should be maximised. The areas of excavation and fill are generally to be for the purpose of creating usable and practical outdoor recreation spaces where the existing ground level is not suitable and should not result in an unreasonable loss of the privacy or security of neighbours.

The overland flow of stormwater should not be affected by excavation and fill. In the case where an allotment experiences overland flow, Council's development engineers are to be consulted prior to the preparation of plans.

Objectives

1. To retain natural ground levels and existing landform.
2. To create consistency along streetscapes.
3. To minimise the extent of excavation and fill.
4. To ensure that excavation and fill does not result in an unreasonable loss of privacy or security for neighbours.

Controls

- a. [The area under the dwelling footprint may be excavated or filled so long as:](#)
 - i. [the topography of the site requires cut and/or fill in order to reasonably accommodate a dwelling;](#)
 - ii. [the depth of excavation is limited to 1.2 m maximum; and](#)
 - iii. [the maximum height of fill is 900 mm.](#)

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

- b. Areas outside the dwelling footprint may be excavated and/or filled so long as:
 - i. the maximum height of retaining walls is no greater than 900 mm;
 - ii. the depth of excavation is not more than 900 mm;
 - iii. the height of fill is not more than 500 mm;
 - iv. the excavated and filled areas do not have an adverse impact on the streetscape;
 - v. the filled areas do not have an adverse impact on the privacy of neighbours;
 - vi. the area between the adjacent side wall of the house and the side boundary is not filled;
and
 - vii. the filled areas are not adjacent to side or rear boundaries.
- c. Fill is not allowed in areas of overland flow. Refer to Part 8.2 Stormwater Management under this DCP

Design Guidelines

- On longitudinally sloping sites buildings will generally need to step down the site in order to remain under the height and storey limit and to avoid excessive cut and fill.
- There are a number of design solutions which can be used for sloping sites including:
 - a series of small terraces or stepped retaining walls;
 - incorporating a retaining wall into the building elevation; and
 - incorporating a retaining wall into the boundary fence along the street front.

2.8 Floor Space Ratio (FSR)

Floor space ratio (FSR) controls help determine the bulk and scale of new development. FSR is not to be the sole determinant of future built form; it needs to be linked with all other building envelope controls as well as streetscape and desired future character controls to achieve the desired building form.

The FSR is an absolute maximum. This maximum may not be wholly achievable on all sites due to other design considerations, including streetscape, building bulk and scale and neighbours' amenity. The maximum FSR will generally only be achieved in a 2 storey dwelling.

Objectives

1. To ensure bulk and scale are compatible with the desired future character of the low density residential areas and of dwelling houses.
2. To define the allowable development density for sites.

Controls

- a. The floor space ratio must not be greater than 0.5:1 as per *Ryde Local Environmental Plan 2011* Floor Space Ratio Map.
- b. A floor area of 36 m² may be excluded from the gross floor area when this area accommodates 2 car parking spaces. An area of 18 m² may be excluded when the area accommodates 1 car parking space.

Calculation Rules

- FSR is the ratio of the area of the site to the Gross Floor Area.
- Gross Floor Area is defined in the dictionary part of *Ryde Local Environmental Plan 2011* and details what is included and what is excluded.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)
2.0 General Controls

2.9 Height

Height is an important control to ensure that future development responds to the desired 2 storey maximum scale, and to character of the street and to the local area, and to ensure that good daylight access is provided to existing and proposed dwellings. The allowable heights ensure new development is consistent with existing buildings in the street and locality. Height controls on individual sites may be further refined by consideration of the streetscape, solar access, roof design, residential amenity, setting and topography of the particular allotment.

Objectives

1. To ensure that the height of development is consistent with the desired future character of the low density residential areas and is compatible with the streetscape.
2. To ensure that the height of dwellings does not exceed 2 storeys.

Controls

- a. Building heights are to be in accordance with the Building Height Table below.

Building Height Table

	DWELLING HOUSE AND DUAL OCCUPANCY (ATTACHED) BUILDING	SECONDARY DWELLINGS, OUTBUILDINGS, GARAGES AND CARPORTS
Maximum building height	9.5 m	4.5 m
Maximum wall plate height	7.5 m or 8 m for a roof which has a continuous parapet	2.7 m
Maximum number of storeys	2, but a maximum of 1 floor level of the building including car parking level can be located above a garage which is attached to a dwelling, whether a semi-basement garage or a garage at grade.	1

Calculation Rules

Building height is defined under *Ryde LEP 2011*. It is the vertical distance between existing ground level and the top most part of the building. The measurement of building height includes all roofs, but excludes communications devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues or the like. The height as specified is the maximum allowable.

Wall plate height is the vertical distance between the finished ground level at any point and the point where the adjacent wall joins the roof, or to the underside of the eaves, or to the top of a parapet. The exception is where the existing ground level has been lowered through excavation. In this case, walls visible from the public domain are to have their wall plate height measured from the finished ground level. A storey is defined in *Ryde Local Environmental Plan 2011*.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

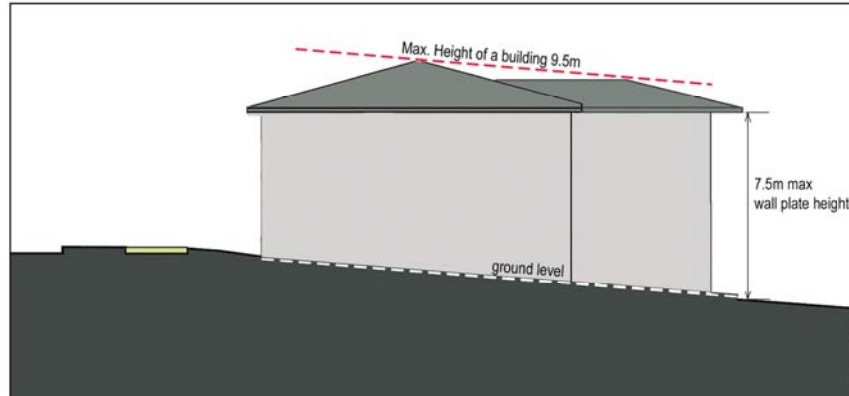


Figure 3.3.06 The building height is measured from the existing ground level to the topmost part of the building. The wall plate height is measured to the underside of the eaves. In this diagram the existing ground level and the finished ground level are the same.

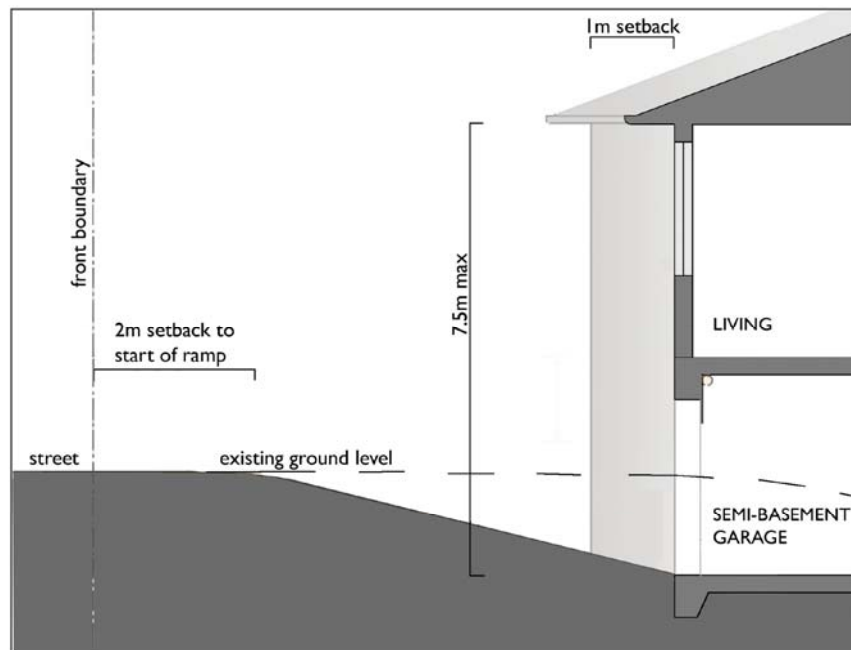


Figure 3.3.07 Only a single storey may be built above a garage. Basement car parking is included as a storey if it extends more than 1.2 m above ground level.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

2.10 Setbacks

A setback is the distance between the outside face of a building wall and the adjacent allotment boundary. Setbacks are important as they determine the building's location in relation to the allotment boundaries, the street, and the neighbouring buildings. Setbacks allow space for landscaping, light and air, access to rear gardens, and provide for privacy between dwellings.

The setbacks aim to maximise the area of the backyard, while providing for a front garden which can have trees and other plantings. The front setback has also been sized to accommodate the off-street parking of a car in the driveway.

2.10.1 Front Setbacks

Building orientation describes the direction the building faces relative to the front and side boundaries. Dwellings, garages and carports should be orientated to match the prevailing orientation of buildings in the street.

The setback from the front boundary establishes the location of the building's front façade. Front setbacks help unify streetscapes by providing a consistent street front alignment for buildings, and by creating a transition between the public space of the street and the private space of the dwelling. Front setbacks can also be used to enhance the setting for the building as they provide deep soil areas for a front garden.

Objectives

1. To create a transition between public and private space.
2. To provide consistent building setbacks along streets.
3. To provide for a front garden.
4. To ensure garages and carports are not prominent elements in the streetscape.

Controls

- a. Dwellings are to be set back a minimum of 6m from the street front boundary.
- b. On corner sites, the setback along the secondary street (the street to which the house has its secondary frontage) is to be a minimum of 2 m to the dwelling and 2.5 m to the garage, car port or car space.
- c. The front setback is to be free of structures, and ancillary elements such as rainwater tanks and air conditioning units. The exception is car parking structures which comply with Section 2.12 of this Part of DCP 2011

Note: A front setback greater or lesser than 6m may be required due to the prevalent street character and / or site constraints such as required retention of trees, overland flow, topography or other considerations.

Calculation Rules

- The front setback is measured from the allotment boundary to the forward most building element including walls, decks, balconies, car ports, garages, porticos or the like.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

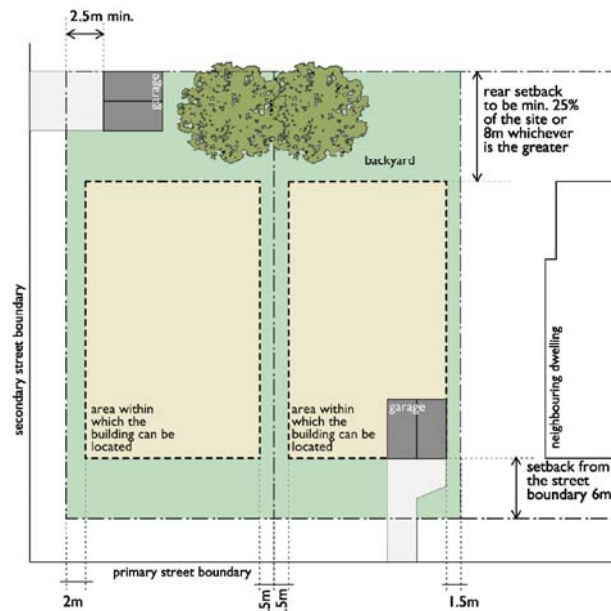


Figure 3.3.08 Diagram showing general setback requirements. The setback for garages and carports also needs to have regard to pedestrian and vehicle safety.

2.10.2 Side Setbacks

Side setbacks provide separation between dwellings for fire safety, privacy, light and air. They also provide access to the back garden for pedestrians or for a side driveway to a rear garage. Minimising side boundary setbacks allows the building to have a wider street and rear building frontage.

However, consideration should be given to increasing side setbacks where the side boundary is to the north of the dwelling, so that greater sunlight access can be provided to north facing living rooms.

Objectives

1. To enable building siting to be compatible with the streetscape.
2. To provide car access.
3. To provide access to the rear of the allotment.

Controls

- a. The outside walls of single storey building elements are to be set back from the side boundaries not less than 900 mm.
- b. The outside walls of two storey building elements are to be set back from side boundaries not less than 1.5 m.
- c. Allotments which are wider than they are long, are to have one side setback a minimum of 20% of the width of the allotment or 8 m, whichever is the greater.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)
2.0 General Controls

Calculation Rules

- Side setbacks are measured from the allotment's side boundary to the outside edge of the building elevation.
- On allotments which are wider than they are long, and are of an irregular shape, the large side setback can be measured at the centre line of the allotment.

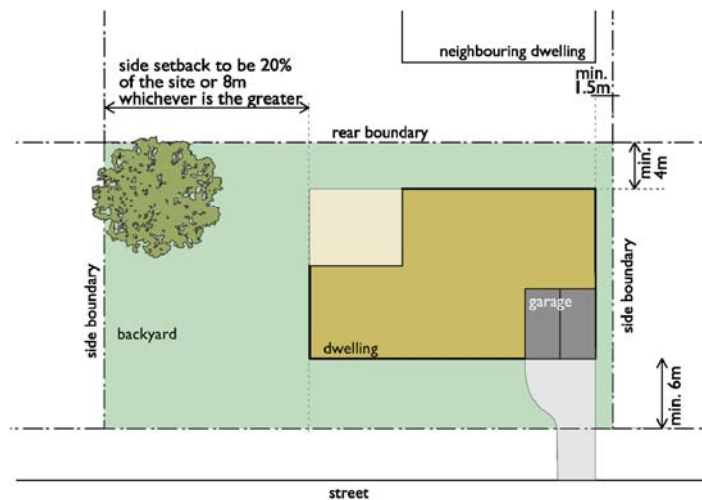


Figure 3.3.09 On allotments which are wider than they are long so that the minimum rear setback cannot be achieved, a large side setback is to be provided on one side of the allotment.

2.10.3 Rear Setbacks

Rear setbacks provide open space to the rear of the allotment for mature tree growth and water percolation areas, as well as private areas for recreation and relaxation. Rear setbacks allow separation distances between neighbouring dwellings so as to provide for the visual and acoustic privacy of dwellings.

Objectives

1. To provide an area for private outdoor recreation and relaxation.
2. To allow space for vegetation, mature trees and deep soil zones.
3. To separate dwellings to achieve privacy.
4. To enable contiguous vegetation corridors across blocks.

Controls

- a. The rear of the dwelling is to be set back from the rear boundary a minimum distance of 25% of the length of the site or 8 m, whichever is the greater.
- b. Allotments which are wider than they are long, and so cannot achieve the minimum rear setback requirement, are to have a minimum rear setback of 4 m.
- c. Dwellings on battle-axe (hatchet shaped) allotments are to be setback from the rear boundary

ITEM 7 (continued)

ATTACHMENT 1

3.3

of the front allotment a minimum of 8 m. A single storey garage or outbuilding may be located within this setback.

Calculation Rules

- [The rear setback is measured from the allotment boundary to rear most building element including walls, decks, balconies, car ports, garages or the like.](#)
- Setbacks are measured at 90 degrees to the allotment boundary.

[Note: The rear yard must cater for a deep soil area as detailed within Section 2.14 Landscaping of this Part of DCP 2011.](#)

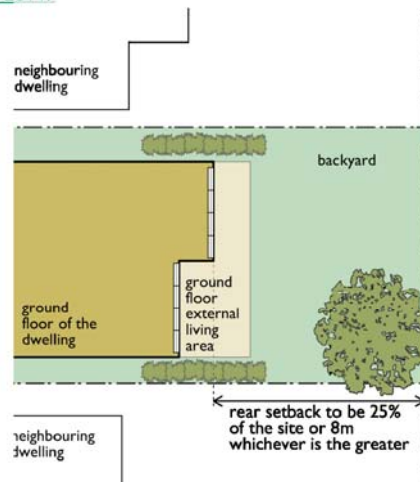


Figure 3.3.10 Rear setbacks are measured to the building's rear wall. Unroofed ground level paved areas may extend into the rear setback area.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)
2.0 General Controls

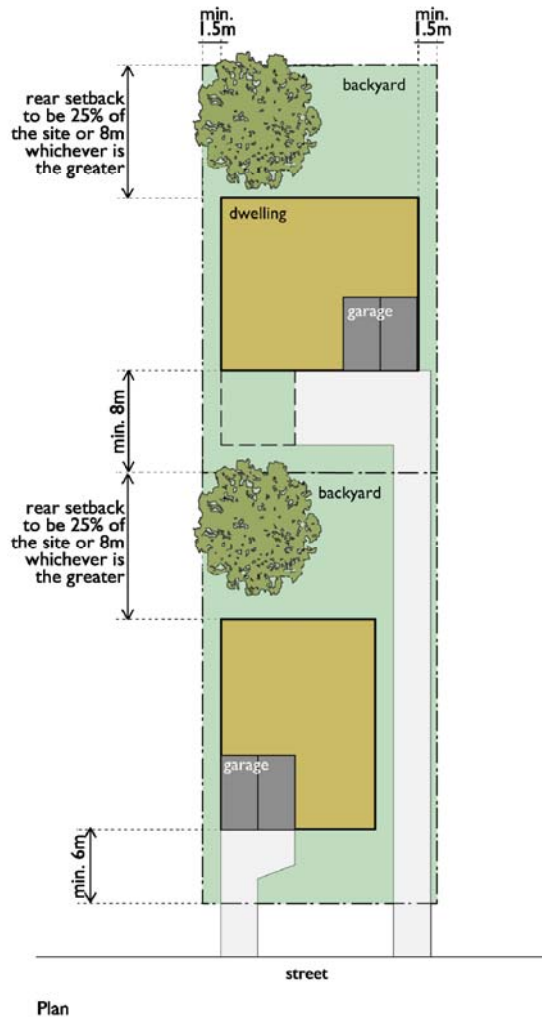


Figure 3.3.11 Setbacks on battle-axe (hatchet shaped) allotments.

Note: Side setbacks are those for two storey dwellings.

2.11 Outbuildings

Outbuildings are buildings that are ancillary to, and detached from, the dwelling. They should be small scale buildings which are visually compatible both with the design of the dwelling they are associated with, and with neighbouring buildings.

Examples of outbuildings include boatsheds, large cubby houses, workshops, storage sheds and covered pergolas.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

Objectives

1. To provide for uses which are complementary and supplementary to the dwelling.
2. To complement the design and materials of the dwelling with which they are associated.
3. To have limited visibility from the street and other public spaces.
4. To ensure that the amenity of the dwelling or neighbouring dwellings is not adversely affected by outbuildings.
5. To ensure that outbuildings are of a small scale.

Controls

- a. The use of outbuildings is to be ancillary to the residential use of the dwelling.
- b. The total area for all outbuildings is not to exceed 20 m².
- c. Outbuildings cannot be erected between the street alignment and the front building alignment of the dwelling.
- d. The design and materials of outbuildings are to complement the existing dwelling.
- e. An outbuilding may contain a toilet, shower and hand basin but cannot contain a bar, sink or any other kitchen facilities.
- f. An outbuilding must be setback a minimum of 450 mm from side or rear boundaries. The eaves of the outbuilding must be wholly contained within the lot.
- g. If an outbuilding is built closer than 900 mm from the rear or side boundary a concrete dish drain is to be constructed between the external wall and the adjacent boundary.
- h. The windows of outbuildings are to be at least 900 mm away from a boundary.
- i. Outbuildings are not to adversely affect the privacy and/or amenity of neighbours.
- j. Outbuildings are not to be located in view corridors to the water.
- k. An outbuilding is not to be used as a dwelling.

2.12 Car Parking and Access

The design of car parking is to be integrated with the overall site design in order to minimise the visual impacts of car parking structures. Wide expanses of garages and carports do not contribute in a positive way to the streetscape. Garages and carports are not to be prominent features either on the individual lot or within the streetscape.

Likewise, driveway widths need to be minimised so that they do not dominate the front garden area. All parking structures must comply with the relevant Australian Standard.

Objectives

1. To provide off street parking.
2. To ensure car parking structures and garage doors are not prominent features with regard to either the individual lot or the streetscape.
3. To ensure that car parking structures are consistent with the design of the dwelling.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)
2.0 General Controls

2.12.1 Car Parking

Controls

- a. Provision must be made for off street parking in accordance with Part 9.3 Parking Controls in this DCP.
Note: Part 9.3 requires as follows:
- dwelling house = up to 2 spaces/dwelling
- dual occupancy (attached) = 1 space/dwelling
- b. A garage or carport may be located in front of an existing dwelling if:
 - i. there is no other suitable position on the allotment;
 - ii. there is no vehicular access to the rear or side of the allotment; and
 - iii. it is preferred that a garage or carport in front of a dwelling be a single car width.
- c. The width of driveways are to be minimised. Driveways should be a single car width except where they need to widen to provide access to a double garage.
- d. Garages and carports facing the public street are to have a maximum width of 6 m or 50% of the frontage, whichever is less.
- e. Driveways for battle-axe allotments must be designed so that vehicles can enter and leave the site in a forward direction.
- f. Free standing garages are to have a maximum gross floor area of 36 m².
- g. The design and materials of garages and carports are to complement the dwelling.
- h. Car parking structures are to be located to accommodate sightlines to the footpath and road.
- i. Fences which have the potential to block sight lines from the driveway to the footpath and road are to be splayed as shown in Figure 3.3.12.
- j. Garages and car parking structures are to be located to allow sightlines in accordance with the applicable Australian Standard.

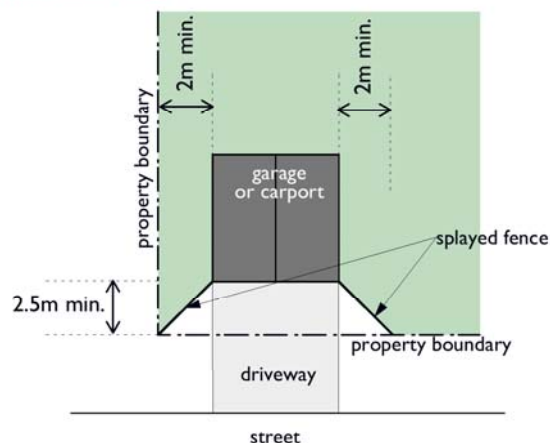


Figure 3.3.12 Illustrative plan showing the location of car parking structures and how fences are to be splayed to provide adequate sight lines in situations where fences would otherwise obstruct views.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

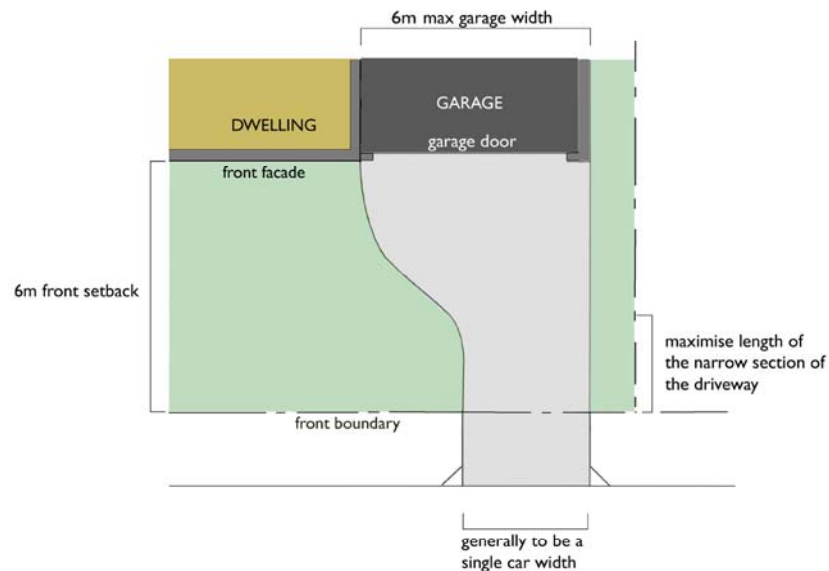


Figure 3.3.13 The width of the driveway is to be minimised.

2.12.2 Semi-basement Car Parking

Semi-basement car parking is a car parking structure set partly below ground level. Semi-basement car parking is generally discouraged but may be appropriate in some instances where the topography is suitable. It is important that semi-basement parking is only used where it will be compatible with the streetscape. Semi-basement parking needs to be carefully designed to ensure the building is not raised unnecessarily high above ground level and the retaining walls and access ramps do not dominate the individual lot or the street.

The location and size of ramps requires special consideration to ensure the streetscape is not adversely impacted. Landscaping and the selection of materials can help to soften the impact of ramps and basement walls. Semi-basement car parking is to be located underneath the building footprint. Semi-basement car parking is not suitable for flat sites. Basement parking structures set completely below existing ground level are not acceptable.

Controls

- a. Ramps must start at least 2 m back from the lot boundary. Ramps cannot be located on public land.
- b. Semi-basement car parking can only be used where it is appropriate with regard to the topography of the site.

2.13 Swimming Pools and Spas

Swimming pools and spas enhance the amenity and livability of dwellings. However, care must be taken to ensure a high level of safety for children and to ensure they do not detract from the amenity of neighbours.

ITEM 7 (continued)

ATTACHMENT 1

3.3

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

It is important that swimming pools and pool fencing are not only built in accordance with the City of Ryde’s planning controls, but also with the relevant NSW Government Acts and Regulations and with relevant Australian Standards. Compliance with the Australian Standard will generally mean that a 1200 mm high fence with self-closing, self-latching gates will need to be provided.

The protection of the privacy and amenity of adjoining residents is another important consideration. Some ways to achieve this are to ensure the width of coping is minimal where the edge of the pool is adjacent to neighbouring properties and by locating entertainment areas such as decks away from boundaries. The location and enclosure of the pool filter is also an issue as noise from the filter can disturb neighbours. Filters are preferably to be located away from boundaries.

It is important that pools are located so that they will not damage mature trees, either on the subject site or those within neighbouring properties.

Objectives

1. To provide a place for recreation and enjoyment.
2. To provide a high level of child safety.
3. To minimise the impact of swimming pools and spas on neighbours.
4. To require swimming pools to comply with all relevant legislation and Australian Standards.

Controls

- a. Pools are not to be located within the front garden setback.
- b. The finished coping level of the pool must not be higher than 500 mm above the adjacent existing ground level. This maximum height can only be achieved where it will not result in an unreasonably adverse impact on the privacy of neighbours.
- c. Pools are to be setback a minimum of 900 mm from the boundary, measured from the outside edge of the coping, deck or pool surrounds including paving, to allow sufficient space for screen planting. Further setbacks may be required to preserve existing screening vegetation.
- d. Screen planting is to be provided within a landscape bed, which is to have a minimum width of 900 mm and is to extend for the length of the pool. Planting is to take the form of dense hedging with a minimum height of 2 m and minimum spacing of plants of 1 m.
- e. Pools are to be located generally a minimum of 3 m from the trunk of a tree over 5 m in height that is to be retained on the site or is located on a neighbouring property. A distance greater than 3 m may be required where necessary to ensure the tree will be retained.
- f. The pool pump/filter is to be located as far away as practicable from neighbouring dwellings and is to be enclosed in an acoustic enclosure that will ensure the noise emitted from the enclosure is not greater than 5dB(A) above the background noise level, measured at the boundary.
- g. Swimming pools must not adversely affect the existing stormwater management system and overland flowpath.

Note: Swimming pools, pool fencing, gates and spas including indoor swimming pools and access to these pools, must comply with all relevant Acts, Regulations and Australian Standards.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

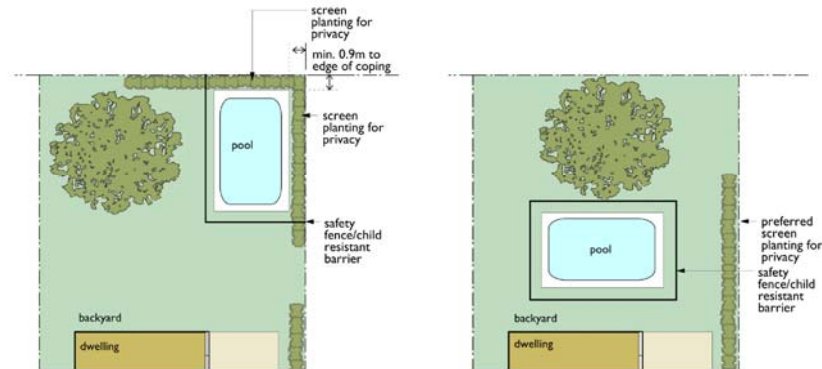


Figure 3.3.14 [Site plans showing different pool fencing arrangements.](#)

2.14 Landscaping

Landscaping encompasses the planning, design, construction and maintenance of private open space, gardens, driveways, parking areas, and utility areas. This includes both soft and hard landscape areas and all deep soil areas. Landscaping should retain significant natural features, particularly mature trees and other vegetation. The planting of endemic species is encouraged on allotments adjacent to bushland.

The landscape design should ensure that vegetation, outdoor spaces and structures are considered together to achieve unity of design, greater amenity for occupants, and the best use of outdoor space. The design of landscape areas needs to be carefully considered and should be designed at the same time as the building.

Landscape design should consider usability, privacy and opportunities for social and recreation activities. Neighbours' amenity should also be respected. Landscaping also has an important role to play in improving environmental conditions such as storm water and rainwater absorption, habitat for native animals and plants, reducing bushfire risk, and helping to regulate the amenity of a development through such things as pergolas and tree plantings.

Objectives

1. [To enhance the appearance and amenity of development and the character of the locality and the streetscape.](#)
2. [To retain and enhance vegetation corridors through providing space for mature tree growth and other vegetation and retaining existing landscape features.](#)
3. [To provide privacy between adjoining dwellings and their private open space.](#)
4. [To assist in the percolation of rainwater and reduction in stormwater runoff.](#)
5. [To improve microclimatic conditions on sites and the solar performance of dwellings.](#)
6. [To contribute to improving urban air quality.](#)
7. [To provide fauna and flora habitat and enable movement of fauna along vegetation corridors.](#)
8. [To assist in the protection of urban bushland.](#)

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

Controls

- a. Sites are to have a deep soil area that is at least 35% of the area of the allotment.
- b. Provide a landscaped front garden. Hard paved areas are to be minimised, and at a maximum, are to be no more than 40% of the front garden areas.
- c. On allotments adjoining bushland, any planting within 10 m of any lot boundaries adjoining bushland is to be of a native indigenous plant species.
- d. Where the ground floor level of a dwelling is above the finished external ground level reached through a door or doorways, there is to be a physical connection made between these levels. This can include stairs, terraces, and the like.
- e. A pathway is to be provided along one side of the dwelling so as to provide pedestrian access from the front garden to the rear yard. This access is not to be blocked by such things as landscaping features, rainwater tanks, hot water heaters and retaining walls. The pathway does not need to be provided on allotments which have rear lane access or are a corner allotment.
- f. The front garden is to have at least one tree capable of a minimum mature height of 6 m with a spreading canopy. This tree is to be located a minimum of 3 m from the lot boundaries and buildings.
- g. Where the backyard does not have a mature tree at least 6 m high, a tree capable of achieving this height at maturity, with a spreading canopy, is to be planted. This tree is to be located a minimum of 3 m from the lot boundaries and buildings.
- h. Retaining walls and other landscape elements are not to obstruct the stormwater overland flow path.
- i. On site stormwater detention is generally not to be located in the front setback unless it is a underground tank located beneath the driveway.
- j. Landscaping is to include ground level private open space for each dwelling.

Note: Part 9.6 Tree Preservation of this DCP may require the retention of existing trees

Calculation Rules

To be included within the deep soil area an area:

- must have a minimum dimension of 4 m in any direction.
- must be pervious to water, and
- can include areas such as mulch, garden beds, lawns, gravel (excluding driveways) or the like. Swimming pools are excluded.

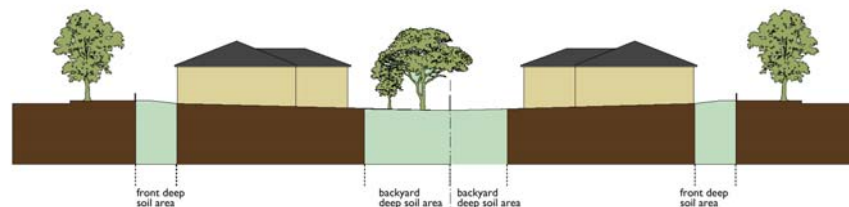


Figure 3.3.15 Deep soil areas are free of structures. They fit neatly around the building without obstruction of either above or below ground built elements such as outbuildings, driveways, impervious surfaces, basement garages, detention tanks or paved terraces.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

2.15 Dwelling Amenity

Dwelling amenity is the way in which the building is suitable for residential use. It includes the ability of spaces to adequately provide for their intended function and to respond to climatic conditions. The key aspects of building amenity include:

- sunlight access; and
- visual and acoustic privacy.

2.15.1 Sunlight Access

It is important when designing new buildings to consider the impact of the new development on the solar access of the neighbour. As a result of the redevelopment of land and the densification of urban areas, it is recognised that access to sunlight may be reduced. Accordingly as part of the design process, careful consideration must be given to the design of buildings with regards to sunlight access of the subject site and its surrounds. Building design should strive to maximise the sunlight access beyond the minimums detailed in the controls below. Council may require the redesign of buildings to afford improved solar access.

The orientation of the allotment, the immediate subdivision pattern and the local topography, have a significant impact on the ability to provide solar access. Sites on the southern side of a hill, for example, may not receive the same level of sunlight access as other sites. In some circumstances it may not be possible to ensure that development does not reduce the solar access of surrounding properties.

On allotments where the side boundary has a northerly aspect, consideration should be given to increasing the side setback to improve sunlight access and to prevent overshadowing by future development on neighbouring allotments.

Ideally, solar access should be maximised in winter and minimised in summer. A northerly aspect is most desirable as it provides the most solar access in winter and is relatively easy to shade in summer. A westerly aspect is least desirable, particularly in summer. Protection for a westerly aspect can be achieved by using such elements as vertical sun shading devices, blinds and deciduous trees.

The use of passive solar design in dwellings is encouraged. Sydney has a temperate sub-tropical climate and well designed houses in Sydney should only require a limited amount of heating and cooling. The heat load resulting from direct solar penetration into buildings during the hotter months can be a major problem, and so it is important that dwellings are designed to optimise the benefits of sunlight, whilst minimising its negative effects. Key aspects to be considered in the design of dwellings are: orientation, material selection, type and placement of windows, ceiling heights, and sun shading devices. Considered design will result in a comfortable living environment and will assist in reducing energy consumption.

Objectives

1. To maximise sunlight and daylight access.
2. To ensure that new development maintains appropriate sunlight access to neighbouring dwellings and neighbouring private open space.
3. To encourage the use of passive solar design.

ITEM 7 (continued)

ATTACHMENT 1

3.3

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

Controls

- a. Dwellings within the development site and adjoining properties are to receive a minimum of 3 hours sunlight in principal living areas and to at least 50% of the principal private open space between 9am and 3pm on 21 June, where this can be reasonably maintained given the orientation and topography of the site and surrounding properties.
- b. Development is to ensure that solar access to photovoltaic cells is provided where possible.

Note: **Principal living areas** includes rooms that experience a high level of use by residents such as living rooms, lounge rooms, family rooms, sun rooms or the like.

Principal private open space areas include outdoor areas generally located at the rear of the property located adjacent to the dwelling. They are high use areas experiencing a high level of activity and are often used for social gatherings, outdoor play or contain amenities that encourage their use.

2.15.2 Privacy

As a result of the redevelopment of land and the densification of urban areas, it is recognised that in an urban environment it may not always be possible, and often be unrealistic, to maintain absolute privacy between dwellings. Whilst endeavours are undertaken to maximise privacy between dwellings, some overlooking and loss of privacy may occur as a result of new development.

It is not necessary to provide the same degree of privacy protection to all parts of a neighbouring site. Higher levels of privacy are to be provided to both internal living areas and to the external living area. Overlooking from bedroom windows is less of a concern than overlooking from the windows of high use habitable rooms.

Privacy consists of two primary aspects: **visual privacy** which allows residents to carry out private activities within all rooms and private open spaces without compromising the functioning of internal and external spaces, **acoustic privacy** which is a measure of sound insulation between individual dwellings, and between external and internal spaces.

Visual privacy is determined by the nature of adjacent developments, site configuration topography, the scale of the development, and the layout of individual dwellings. It is influenced through the location of living areas and windows.

Acoustic privacy between dual occupancies (attached) requires careful thought regarding the location of buildings, living areas and above ground external areas such as terraces. The proximity of the building to major external noise sources such as busy roads is also a major consideration.

Objectives

1. To provide appropriate levels of visual privacy to internal living spaces and external private open space.
2. To facilitate outlook and views from principal rooms in dwellings and private open spaces without compromising visual privacy of neighbours.
3. To provide a level of surveillance over the street.
4. To minimise overlooking of neighbouring dwellings.
5. To minimise the impacts of noise generating uses such as traffic, air conditioners, pumps, and other mechanical equipment.
6. To provide a high level of acoustic privacy.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

Controls

- a. Terraces and balconies are not to overlook neighbour's living areas and private open space.
- b. High use primary living areas and balconies are to avoid direct overlooking into adjoining and adjacent dwellings or neighbouring private open space areas, where possible.
- c. The noise of an air conditioner, pump, or other mechanical equipment must not exceed the background noise level by more than 5dB(A) when measured in or on any premises in the vicinity of the item. This may require the item to have a sound proofed enclosure.
- d. Dual occupancies (attached) are to be designed to reduce noise transmission between dwellings. One way to achieve this is to locate noisy areas next to each other and quieter areas next to other quiet areas, for example, living rooms with living rooms, bedrooms with bedrooms, kitchens with kitchens.

2.16 Roofs

The roof is an important architectural element, both for the individual building and for the area. The shape and form of a roof should be compatible with the buildings in the streetscape and neighbourhood. Roofs should be relative in scale to that part of the building below. Generally the roof height should be no more than a storey in height.

Objectives

1. To contribute to the design and performance of buildings.
2. To integrate the design of the roof, including roof elements such as dormer windows, into the overall elevation and building composition.
3. To contribute to a consistent and attractive streetscape.
4. To provide shading and weather protection.

Controls

- a. The roof of a building is to be articulated to reduce scale, massing and bulk.
- b. The design of the roof is to be consistent with the architectural character of the dwelling and is to be proportional to the size and bulk of the dwelling.
- c. Buildings without parapet walls are to have eaves. Eaves are to have a minimum overhang of 450 mm or comply with BASIX.
- d. The main roof is not to be a trafficable terrace.
- e. Attics are to be fully contained within the roof space.
- f. Attic and dormer windows are to be minimised and are not to unreasonably increase the bulk and scale of the roof form.

2.17 Fences

Fences and walls can define boundaries between an allotment and a neighbouring allotment. The design of fences and walls has an impact on the amenity of the public domain and the streetscape character. The visual impact, scale and design of fences need to be carefully considered. The fences which bound an allotment are described as front, return, side or rear.

ITEM 7 (continued)

ATTACHMENT 1

3.3 Dwelling Houses and Dual Occupancy (attached)
2.0 General Controls

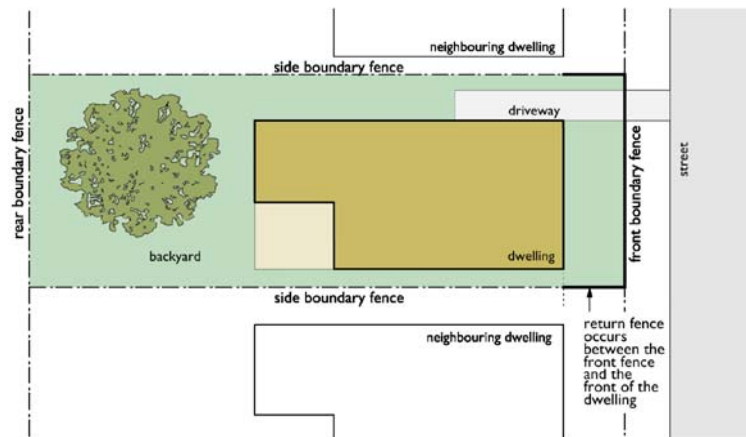


Figure 3.3.16 Diagram showing the fencing bounding an allotment

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) identifies certain front, rear and side boundary fences as exempt development. In the event that the proposed fence cannot be done as exempt development, the following controls will apply. Fences along shared property boundaries are subject to the Dividing Fences Act 1991.

Objectives

1. To define the boundaries between public and private land.
2. To define the boundaries between neighbouring properties.
3. To contribute to the streetscape appearance.
4. To enhance the usability of private open space.
5. To offer acoustic and visual privacy on noisy roads.

2.17.1 Front and Return Fences and Walls

Controls

- a. Front and return fences and walls are to be of styles and materials compatible with the dwelling and with other fences and walls within the streetscape.
- b. [A solid front or return fence is to be no higher than 900 mm above existing ground level. On a sloping site, the fence must be stepped to accommodate the fall in the land. Each step can have a maximum height of 1.2 m.](#)
- c. A return fence is to be no higher than the front fence.
- d. [Fences may have a maximum height of 1.8 m but only where the fence is 50% open above 900 mm as detailed in Figure 3.3.17](#)
- e. [Fences must allow adequate sightlines for vehicles and pedestrians as detailed under Section 2.12 of this Part of DCP 2011.](#)
- f. Fences along arterial roads may be solid up to a maximum height of 1.8 m but must be articulated and modulated.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

- g. Where the principal private open space is located forward of the building, a solid front fence up to 1.8 m may be permitted but the fence must allow for some surveillance of the street from the dwelling.
- h. Front and return fences are not to be Colorbond or timber paling.
- i. Retaining walls which are part of a front or return fence are to have a maximum height of 900 mm.
- j. In areas of overland flow, fencing shall be of open construction so that it does not impede the flow of water.
- k. Fence piers are to have a maximum width of 350 mm.

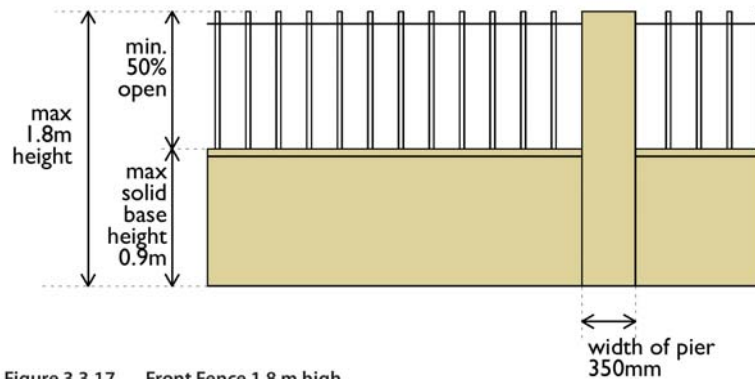


Figure 3.3.17 Front Fence 1.8 m high



Figure 3.3.18 Examples of front fences which are compatible with the houses they front and with the streetscape.

2.17.2 Side and Rear Fences

Controls

- a. The maximum height for side and rear fences is to be 1.8 m.
- b. In areas of overland flow, all fencing shall be of open construction so that it does not impede the flow of water.
- c. Barbed wire, broken glass and other dangerous elements must not be used in the construction of fences.
- d. Any fencing located forward of the foreshore building line shall be of open, permeable construction.

ITEM 7 (continued)

ATTACHMENT 1

3.3

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.0 CHARACTER AREAS

3.1 West Ryde Special Development Area

Controls

- a. Front building setbacks in the West Ryde Special Development Area are to be consistent with existing setbacks and may be up to 12 m in order to ensure this consistency.

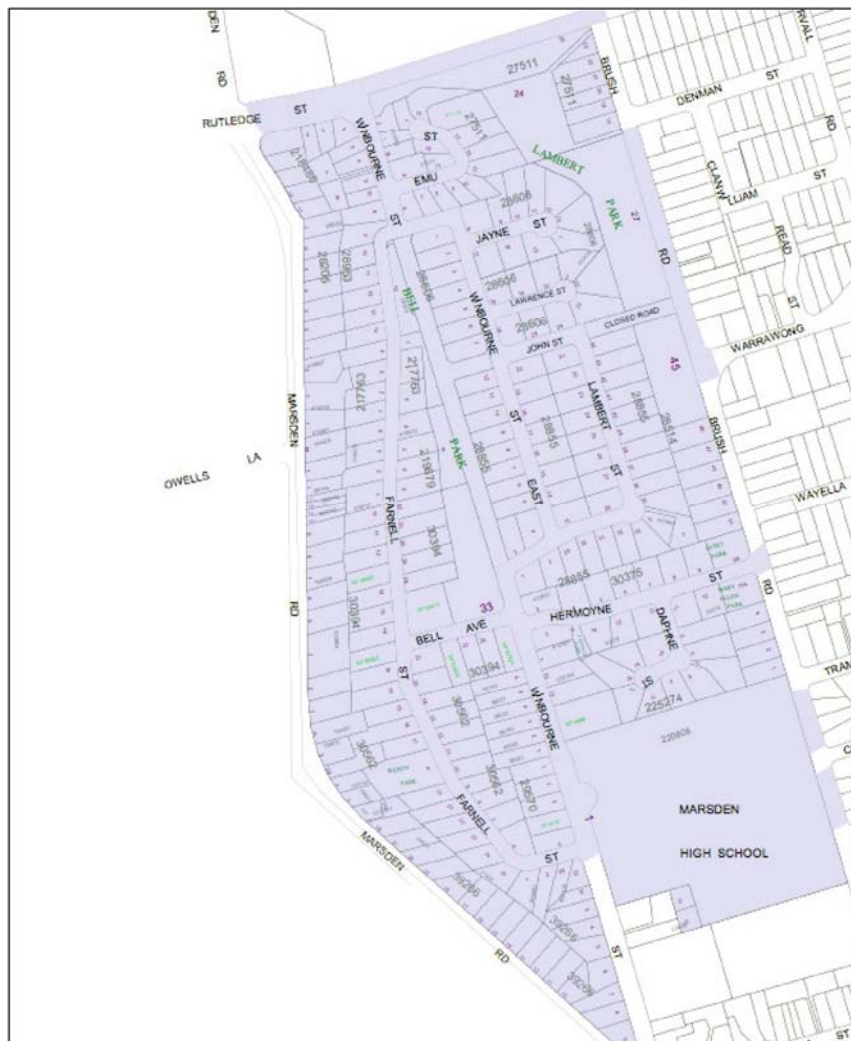


Figure 3.3.19 West Ryde Special Development Area

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

3.2 Denistone Character Area

3.2.1 Character Statement

The Denistone Character Area, an early 20th century hillside subdivision, features a strong pattern of single detached brick and tile dwellings which predominately date from the Inter-War period and display architectural styles consistent with their period. Houses sit within established gardens, which together with the street trees, help establish the green and leafy character of the area.

Dwellings are almost exclusively single storey with two storey dwellings occurring as a lower ground level where the site slopes away from the street. They are relatively closely spaced with mostly minimum side setbacks but have clearly defined front façades through the use of modulation and architectural detail. Front setbacks are generally consistent within streetscapes.

Unspoiled roofscapes make a significant contribution to the character and visual cohesiveness of the area. Roofs are generally geometrically regular simple hipped roofs of a moderate slope and with a modest eaves overhang.

Car parking structures are widespread in the area reflecting the suburban development during the period when cars were becoming more common. Garages have differing forms but are generally unobtrusive. The placement and style of the garage has been influenced in some situations by the topography of the lot.

Low front fences complement the style of the dwelling and respond to the topography of the setting. Fences are predominantly face brick with a brick capping and are usually detailed to match the architectural character of the house they front. The low front fences delineate the private and public domain and allow the house to be readily seen from the street.

Well-established and highly visible front gardens feature lawns, garden beds and mature specimen tree plantings. The garden like character of the area is partly determined by Outlook Park with its large trees providing a visible green canopy, by the garden plantings, grassed verges and by the street tree plantings. Rear gardens together form a band of green treed space between houses.

Considerable additions to and alteration of dwellings has occurred over the past several decades, however the alterations and additions that have been done sit comfortably with existing structures and streetscapes. Those alterations and additions that are identifiable generally display a concern for and sympathy with the immediate area.

The key characteristics are:

- Face brickwork on visible façades, and tiled roofs, with the colours consistent with the existing predominant colours;
- Clearly defined front façades displaying modulation;
- Consistent front setbacks;
- Geometrically regular simple hipped roofs of a moderate slope and with a modest eaves overhang; and
- Low front fences which complement the design and materials of the house they front.

ITEM 7 (continued)

ATTACHMENT 1

Dwelling Houses and Dual Occupancy (attached)

2.0 General Controls

3.3

Objectives

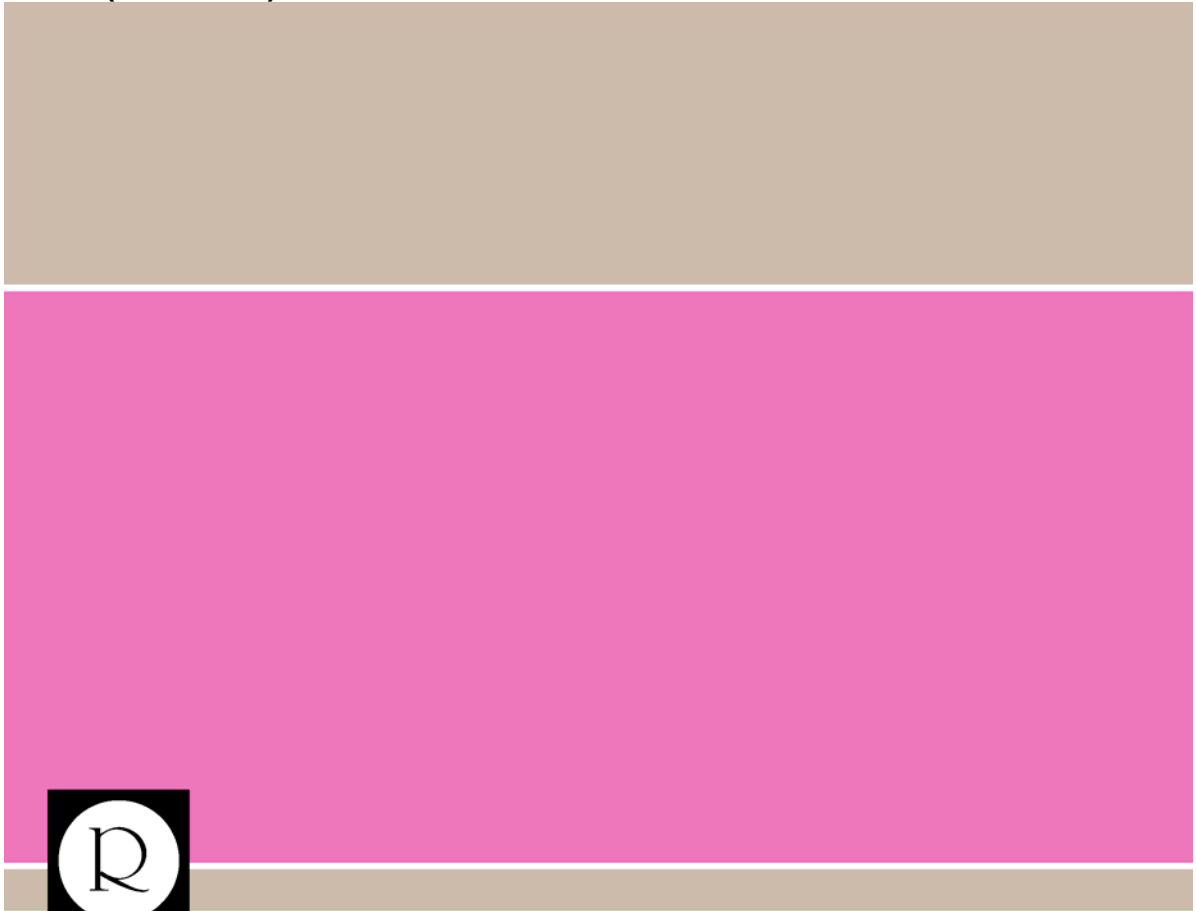
1. To ensure that new development is consistent with the character of the area.
2. To ensure that existing structures which are characteristic of the area are not demolished unless the proposed new structure is also characteristic of the area.

Controls

- a. New development is to be consistent with the characteristics described in the key character statement.
- b. New development is to be compatible with the existing streetscape.
- c. Existing houses, garages and front fences are not to be demolished unless a replacement is part of the same application.

ITEM 7 (continued)

ATTACHMENT 1



www.ryde.nsw.gov.au

8 INTEGRATED OPEN SPACE PLAN - FOR ADOPTION

Report prepared by: Section Manager, Open Space Planning and Assets**Report dated:** 14/05/2012**File No.:** GRP/09/4/6 - BP12/566

REPORT SUMMARY

The sustainable management of the parks and open spaces across the City and the provision of open spaces that meet the needs of the community are of paramount importance to the City of Ryde. The Integrated Open Space Plan has been prepared to provide a long term strategic approach to the management and provision of open space and to develop a comprehensive framework that will assist in the management and future planning of the City's open spaces.

The Draft Integrated Open Space Plan was placed on public exhibition for eight weeks whereby the community was invited to comment on the Draft Plan. Council received a total of 22 formal submissions.

The revised Integrated Open Space Plan was finalised to reflect the comments from the public exhibition and is now presented to Council for adoption. The report details the issues raised by the submissions and the amendments proposed to address the comments from the public.

RECOMMENDATION:

- (a) That Council adopt the draft Integrated Open Space Plan (July 2012), as amended.
- (b) That the Integrated Open Space Plan form the basis for the consideration of open space issues in the future review of Section 94 plan.

ATTACHMENTS

- 1 Integrated Open Space Plan - Submission Analysis
- 2 Integrated Open Space Plan - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Fiona Morrison
Section Manager, Open Space Planning and Assets

Report Approved By:

Tatjana Domazet
Service Unit Manager - Open Space**Danielle Dickson**
Group Manager - Community Life

ITEM 8 (continued)

Background

At the Council meeting 27 March 2012, Council resolved:

- (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.*

The formal public exhibition of the Draft Integrated Open Space Plan (Draft IOSP) commenced on 18 April 2012 and concluded on 8 June 2012.

Discussion

The Draft IOSP was placed on public exhibition from 18 April 2012 and concluded on 8 June 2012. The exhibition included the following:

- A public notice of the exhibition in the Ryde City View on 18 April, 2 May and 16 May 2012.
- Use of Council Kiosks in each of Council's libraries to provide internet access to the Draft IOSP;
- Copies of the Draft IOSP were sent to environmental groups including the Ryde Hunters Hill Flora and Fauna Preservation Society, Brush Farm Park Preservation Group and Ryde Environmental Group,
- Three community workshops held during May and June where the community were invited to discuss the IOSP with the consultant team and Council officers.
- Hard copies of Draft IOSP were placed at each of Council's libraries, Customer Service Centre and Ryde Planning and Business Centre.

By the close of business on the 8 June 2012, a total of 22 submissions were received from the community. Many of the submissions raised issues that were beyond the scope of the Draft IOSP, however this feedback retains and used to inform the City's urban planning and management of natural areas.

A summary of the submissions is provided below with a detailed response to each of the submissions provided in **ATTACHMENT 1**.

ITEM 8 (continued)

Position	Number	%
Support	1	4.5%
Opposition	2	9%
Neutral	19	86.5%
Total	22	100%

Amendments to the Integrated Open Space Plan

Following a review of all submissions received and the feedback given in the community information sessions, amendments have been made to the IOSP and the final draft IOSP (July 2012) has been prepared and is **CIRCULATED UNDER SEPARATE COVER**.

A summary of the changes made to the draft IOSP are listed below;

- Modifications to the Executive Summary to include figures and graphic representation of information
- Corrections to inventory
- Increased discussion of health and wellbeing as values of open space
- Clarification to the definition of recreation
- Inclusion of the preparation of a Biodiversity Plan for the City of Ryde as an action

The Next Steps in implementing the Integrated Open Space Plan

Part 6 of the IOSP (July 2012) contains an Implementation Plan that sets out the actions Council will undertake to meet the aims and objectives of the IOSP. The Implementation Plan contains a series of tables that identifies the works to be undertaken under the five headings:

- Ample, accessible Open Space
- Shares and Enjoyed by all
- Founded on a Healthy Natural Environment
- Conserving our rich history, culture and local character
- Managed sustainable now and for future generations

These actions include planning, design and management proposals and identify the additional studies and or plans that maybe required and form the basis of projects to inform the Delivery Plan going forward.

As specified in the IOSP, the following actions are currently being undertaken. (Please note - the IOSP Implementation Plan reference is included in brackets):

In Progress:

- Children's Play Implementation Plan (S2a)
- Street Tree Masterplan (S4d)
- Access Audit (A3a)
- Open Space Planning and Design Guidelines (M1b)

ITEM 8 (continued)

- Open Space Acquisition and Consolidation Plan and Future Provision Plan (A1b and M1f)
- Recreation facilities audit (S3a)
- Urban Forest Plan (S4d)

Proposed for 2013/14

- Biodiversity Plan (F1)
- Recreation Network Plan (A4a)
- Natural Areas Plan (F1b)

Ongoing

- Open space Plans of Management and Masterplans (M1e)
 - Ryde Riverside Reserve Plan of Management
 - ELS Hall Park Masterplan
 - Brush Farm Park and Lambert Park Masterplan
- Open Space and Public Realm Inventory (M1b)

Most of the items identified above will be submitted to Council for consideration as they are being developed.

Financial Implications

Adoption of the recommendation will have no financial impact however the ongoing implementation of the IOSP will have financial implications.

A budget of \$50,000 has been allocated in the 2012/13 budget for the implementation of the IOSP and funding for all future implementation action will be included in the annual budgeting process.

ITEM 8 (continued)
Attachment One - Submission Table – Draft IOSP

ATTACHMENT 1

Part 1: Submission Summary

<i>Position</i>	<i>Number</i>	<i>%</i>
Support	1	4.5%
Opposition	2	9%
Neutral	19	86.5%
Total	22	100%

Part 2: Submission Analysis

TRIM Reference Number	Issue	Overall Position	Recommended Action
Government Agencies			
D12/41567	<ul style="list-style-type: none"> Recognise the health, environmental, recreational and social values of open space <p>A2. ACCESSIBILITY –</p> <ul style="list-style-type: none"> Public Transport - The addition of Bus only lanes where appropriate Walking & Cycling - The addition of clear, way finding signage and bike facilities such as bike racks and water fountains. <p>S3 RECREATIONAL FACILITIES</p> <ul style="list-style-type: none"> Toilets and Amenities - Ensure amenities provide baby changing facilities Cafes Kiosks and Mobile refreshments Ensure that a proportion of food/beverage 	Support	<p>Additional information provided on the health values of open space. Aims and objectives of the Plan modified to include these values</p> <p>The Action Plan includes initiatives to promote equal access to open spaces and public access opportunities.</p> <p>Action plan modified to ensure family friendly facilities are constructed in open spaces.</p>

ITEM 8 (continued)

ATTACHMENT 1

TRIM Reference Number	Issue	Overall Position	Recommended Action
	<p>options that support healthy food choices for children and adults is available for purchase</p> <p>M1 ADMINISTRATION AND PLANNING</p> <ul style="list-style-type: none"> Lease, Licenses and Allocations - Ensure that a requirement for a smoke free environment in and around sporting fields and children's playgrounds is embedded in leasing arrangements. 		<p>This suggestion is outside the scope of the IOSP but will be used to inform the preparation of future open space Plans of Management.</p>
Community Groups			
D12/42270	<ul style="list-style-type: none"> A long term strategic Biodiversity Plan is urgently required. An urgent need for consideration of projected traffic conditions in any future planning for open space. The language of this draft document seems very cumbersome and not conducive to effective communication with the public. Areas of natural value are at risk of more pressures There appears some confusion in the 	Opposition	<p>The preparation of Biodiversity Plan is a future project for the City of Ryde.</p> <p>The IOSP has been developed following detailed consideration of the physical and natural constraints on the City's open spaces and the impacts of increasing traffic will be a consideration in the acquisition of new open space areas.</p> <p>The IOSP is a detailed planning document that encapsulates a broad range of issues resulting in a lengthy document. Care has been taken to ensure the language of the document improves readability.</p> <p>The IOSP has reviewed and identified all parks that have a natural value and these are listed in the open space inventory. This process will ensure parks that control natural areas a managed appropriately removing all existing uncertainty.</p> <p>The open space inventory clearly lists the setting and function of all parks and this will guide all future planning</p>

ITEM 8 (continued)

ATTACHMENT 1

TRIM Reference Number	Issue	Overall Position	Recommended Action
	<p>classification of individual parks and reserves, with an over-reliance on the size of an individual open space area rather than on its function.</p> <ul style="list-style-type: none"> We also have some concern with the definitions. 		<p>and management decisions.</p> <p>Modifications have been made to definitions in the IOSP to ensure clarity.</p>
Other			
D12/42192	<ul style="list-style-type: none"> The plan needs to connect the density of population to the size of the open space required. Individuals should be well within the 400m access range, less in denser areas Creation of community garden projects, especially in high density areas Linking foreshore open spaces along rivers through Ryde, whilst seeking to increase biodiversity To ensure that open space is adequately supplied, linked and maintained, Integrated Open spaces plan be incorporated into the Local Environmental Plan for Ryde. Accessibility through cycling and walking tracks Drastic expansion of the Top Ryder transport program so all residents have equitable access to this service, connecting to major shopping centres, open spaces and transport hubs 	Neutral	<p>The IOSP has identified those areas within the City that are undergoing population growth, identified areas of open space deficiently and identified where new open space deficiencies will arise due to the urban development. The <i>Structure Plan</i> shows the outcome of this analysis and a future acquisition plan will identify with specific details these areas.</p> <p>The IOSP will be used as a baseline document for all future planning for open space within the City. This will include future LEP revisions and plans of management.</p> <p>The Action Plan includes initiatives to promote equal access to open spaces and public access opportunities.</p> <p>Expansion of the Top Ryde service is outside the scope of the IOSP however this feedback will be forwarded on to the appropriate Officer.</p>

ITEM 8 (continued)

ATTACHMENT 1

TRIM Reference Number	Issue	Overall Position	Recommended Action
	<ul style="list-style-type: none"> • Recognition and distinction between active and passive open space needs to be identified within the IOSP • Drastic increase in funding and expanding bush care programs in Ryde • A commitment that no current open space will be threatened by rezoning or potential development. As our population grows, we will require more space, not less. Even at current mapping in the draft plan, there are some serious existing deficits • Taking action to provide connectivity of our high value conservation areas such as Field of Mars, through to other pockets of open space. 		<p>Modifications have been made to definitions in the IOSP to ensure clarity.</p> <p>Noted and feedback will be used to inform future budget planning.</p> <p>The IOSP clearly states that there will be no net loss of open space within the City of Ryde.</p> <p>The <i>Structure Plan</i> shows the connections that will be established and reinforced across the City.</p>
D12/42363	<p>Likely Outcomes - To be blunt, the lengthy draft IOSP inspires concern that:</p> <ul style="list-style-type: none"> - Ryde's precious bushland will not be protected, - Ryde's parkland will be overdeveloped in ways which are difficult or impossible to remediate later, - insufficient value will be assigned to small areas of open space which are treasured by local communities, - intentional undervaluing of 'pocket parks' and bushland remnants will facilitate sale for development substituting medium-to-high density dwellings for a small place of 	Opposition	<p>The IOSP has contains the open space inventory that clearly lists the setting and function of all parks and this will guide all future planning and management decisions. This includes the identification of all parks that have a natural value. This inventory guides the definition of the form and function of the City's open space and ensure value of all parks levels of parks and open spaces.</p> <p>Pocket parks have not been undervalued in the IOSP. The parks are vital for the providing passive recreation for the community and offer habitat to fauna.</p>

ITEM 8 (continued)

ATTACHMENT 1

TRIM Reference Number	Issue	Overall Position	Recommended Action
	<p>peace</p> <ul style="list-style-type: none"> A scant reference to 'Natural Corridors' appears to reflect an unfortunate theme which is pervasive throughout the draft IOSP. There also is reason to wonder at an arbitrary statement that "Natural corridors centre on natural creek corridors". Does a dryland corridor fail to qualify as something worthy of preservation? In summary, we recommend that the draft IOSP should be set aside until completion of a thorough, professional Biodiversity Study. The IOSP project then could proceed to a full review and revision, incorporating recommendations from the Biodiversity Study. 		<p>A large proportion of Ryde's open space areas are located within the valleys and along watercourses, however this does not then exclude corridor and connections being made across other parts of the LGA. The <i>Structure Plan</i> shows the connections that will be established and reinforced across the City.</p> <p>The preparation of Biodiversity Plan is a future project for the City of Ryde and this plan will inform all future open space planning decisions and plans of management.</p>
D12/42307	<ul style="list-style-type: none"> This submission was a detailed discussion on the ongoing issues in the management of the Terry's Creek corridor. 	Neutral	<p>As this submission is addressing very detailed issues within the Terry's Creek corridor, the submission is outside the scope of the IOSP. However, the submission has been referred to Council's Natural Areas team for action.</p>
Form Letter			
D12/41959 D12/41969 D12/41747 D12/41723 D12/41955 D12/42530 D12/41964 D12/42527 D12/42523	<ul style="list-style-type: none"> The plan needs to connect the density of population to the size of the open space required. The IOSP needs to also link the accessibility of open space to population density. 	Neutral	<p>The IOSP has identified those areas within the City that are undergoing population growth, identified areas of open space deficiently and identified where new open space deficiencies will arise due to the urban development. The <i>Structure Plan</i> shows the outcome of this analysis and a future acquisition plan will identify with specific details these areas.</p> <p>The <i>Structure Plan</i> reinforces the Ryde River Walk</p>

ITEM 8 (continued)

ATTACHMENT 1

TRIM Reference Number	Issue	Overall Position	Recommended Action
D12/41735 D12/41753 D12/41758 D12/41939 D12/41945 D12/41948 D12/41729 D12/41726	<ul style="list-style-type: none"> Importantly, the foreshore open spaces along rivers through Ryde need to be linked and connected. We demand that the Integrated Open spaces plan be incorporated into the Local Environmental Plan for Ryde. The need to promote safe mobility around the suburb for pedestrians, cyclists, disabled, young children, and families will significantly contribute to the health of future residents. Recognition and distinction between active and passive open space needs to be identified within the IOSP. 		masterplan that connect foreshore open spaces within Ryde The IOSP will be used as a baseline document for all future planning for open space within the City. This will include future LEP revisions and plans of management. The Action Plan includes initiatives to promote equal and safe access to open spaces and public access opportunities. Modifications have been made to definitions in the IOSP to ensure clarity.
	Additional comments within Form Letters: <ul style="list-style-type: none"> Council's engineers need to work with Bushland and open space managers to minimise the environmental impacts of pathways, buildings and structures and leave significant habitats alone. Connecting open space areas through the suburbs Preserve the triangle of land beside the civic centre and return the war memorial Concerns about the underground drilling that would happen if the Civic Precinct were to take place. 		

9 FLOOD MODELLING FEES & CHARGES

Report prepared by: Manager - Infrastructure Integration**Report dated:** 29/03/2012**File No.:** GRP/11/3/6/7 - BP12/365

REPORT SUMMARY

This report recommends the adoption of the proposed fee for the purchase of Council's flood models which if endorsed will reduce expenses to private and public developers/landowners.

RECOMMENDATION:

- (a) That the fees for the purchase of Council's DRAINS model, in the amount of \$2,200, and that the fee for the purchase of Council's TUFlow model in the amount of \$4,950 be adopted.
- (b) That Council include the above fees in the Fees & Charges for 2012/2013.

ATTACHMENTS

- 1 Report - Flood Modelling Fees & Charges - 11 November 2011 and Extract from Minutes containing Council Resolution.

Report Prepared By:

Austin Morris
Manager - Infrastructure Integration

Report Approved By:

Terry Dodds
Group Manager - Public Works

ITEM 9 (continued)**History**

At the Ordinary Council Meeting held on 22 November 2011, Council resolved:

- (a) That the fee for the purchase of Council's DRAINS model in the amount of \$2,200 be publicly exhibited for a period of not less than 28 days.*
- (b) That the fee for the purchase of Council's TUFlow model in the amount of \$4,950 be publicly exhibited for a period of not less than 28 days.*
- (c) That a further report be presented to Council for consideration after the advertising period addressing any submissions made.*

For ease of reference, a copy of the Report and Resolution are **ATTACHED** for the information of Councillors.

Discussion

The proposal was advertised from Wednesday 14 December 2011 to Wednesday 8 February 2012, a period of 56 days. This was extended from the required 28 days due to the school holiday period. During this time no responses were received regarding the proposed fees. It is now proposed to proceed with the introduction of the new fee.

Financial Implications

Total project costs for the completed plans was \$650,000. The proposed fees are \$2,000 for the DRAINS model and \$4,500 for the TUFlow model (excl. GST).

ITEM 9 (continued)

ATTACHMENT 1

14 FLOOD MODELLING FEES & CHARGES

Report prepared by: Manager - Infrastructure Integration

Report dated: 14/10/2011

File No.: GRP/11/3/6/5 - BP11/699

Report Summary

This report recommends the public exhibition of the proposed fee for the purchase of Council's flood models which if endorsed will reduce expenses to private and public developers/landowners.

Background

When a major development is proposed within Macquarie Park that will have an impact on traffic issues, Council requires the developer to pay for and use its Macquarie Park Growth Model. The developer must amend the model based on their proposal and then return the updated model to Council for future use. The cost for the Growth Model as adopted in Council's annual fees and charges is \$19,400. It is now proposed to introduce a similar fee for Council's flood models.

Currently a property owner must engage a consultant engineer to completely develop a flood model. By offering Council's existing flood models, the consultant engineer would only be required to make amendments to the model rather than develop a completely new model. This should result in cost and time savings to the engineer, and subsequently the property owner.

Report

Council participates in the NSW Office of Environment & Heritage Floodplain Management program. Under this program two Floodplain Risk Management Studies and Plans have been completed over consecutive financial years. Plans for the Eastwood & Terrys Creek and Macquarie Park catchments were completed and adopted by Council. Plans for the remaining catchments are currently underway. The total cost to complete the plans is in the order of \$650,000 (State and Council). Before the plans can be prepared an extensive flood model (hydraulic & hydrologic) is constructed. This is an expensive and time-consuming process.

Currently when a development is proposed within a known flood risk area that increases the building footprint by more than 10%, the applicant is required to undertake a flood study. The cost for the property owner to engage a private consulting engineer to develop a flood model can be in the order of \$30,000. In the Eastwood & Terrys Creek and Macquarie Park catchments Council is now in a position to offer the use of Council's models, similar to the Macquarie Park Growth Model. In this way Council can recover some of the costs associated with developing the models. In addition to the model fees the applicant would only be charged to amend the model rather than develop a new model. This would see potentially very significant savings to the community and also help Council reduce the overall risk to all stakeholders.

Council, dated 29 March 2012, submitted on 22 November 2011.

ITEM 9 (continued)

ATTACHMENT 1

City of Ryde

Council Reports Page 2

ITEM 14 (continued)

In accordance with Section 405 of the Local Government Act and Clause 201 of the Local Government Regulation, any new fee has to be advertised for 28 days. A further report addressing any submissions received in relation to the fee would be presented back to Council.

Consultation

Internal Council business units consulted included:-

- Not Applicable

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- The proposal will be exhibited for a period of no less than 28 days.

Critical Dates

There are no critical dates or deadlines to be met.

Financial Impact

This project is provided for in the current budget for current flood studies (2010/11 Stormwater Improvement Works).

Policy Implications

There are no policy implications through adoption of the recommendation.

Other Options

Council could continue to retain the intellectual property, in which case the community would be required to engage consulting engineers for flood studies. In this case, Council's flood model is static and resourcing will be required in future to update the model.

Conclusion

Public comment is sought on the proposed addition to Council's Fees and Charges.

RECOMMENDATION:

- (a) That the fee for the purchase of Council's DRAINS model in the amount of \$2,200 be publicly exhibited for a period of not less than 28 days.
- (b) That the fee for the purchase of Council's TUFlow model in the amount of \$4,950 be publicly exhibited for a period of not less than 28 days.
- (c) That a further report be presented to Council for consideration after the

Council, dated 29 March 2012, submitted on 22 November 2011.

ITEM 9 (continued)

ATTACHMENT 1

City of Ryde

Council Reports Page 3

ITEM 14 (continued)

advertising period addressing any submissions made.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

Austin Morris
Manager - Infrastructure Integration

Report Approved By:

Terry Dodds
Group Manager - Public Works

Council, dated 29 March 2012, submitted on 22 November 2011.

ITEM 9 (continued)

ATTACHMENT 1



OFFICIAL RECORDS COPY

-o0o-

EXTRACT FROM MINUTES OF COUNCIL MEETING NO. 20/11 HELD ON
22 NOVEMBER 2011.

14 FLOOD MODELLING FEES & CHARGES

RESOLUTION: (Moved by Councillors Pickering and Campbell)

- (a) That the fee for the purchase of Council's DRAINS model in the amount of \$2,200 be publicly exhibited for a period of not less than 56 days.
- (b) That the fee for the purchase of Council's TUFlow model in the amount of \$4,950 be publicly exhibited for a period of not less than 56 days.
- (c) That a further report be presented to Council for consideration after the advertising period addressing any submissions made.

Record of Voting

For the Motion: Unanimous

10 SHRIMPTONS CREEK PLAN OF MANAGEMENT AND AUTHORISATION OF PROPOSED LEASE ARRANGEMENTS FOR THE RYDE COMMUNITY AND SPORTS CENTRE

Report prepared by: Section Manager, Open Space Planning and Assets

Report dated: 14/05/2012

File No.: GRP/09/4/6 - BP12/563

REPORT SUMMARY

Since the adoption of the 2009 Shrimptons Creek Parklands Plan of Management, Council has, in partnership with Federal Government funding, constructed the Ryde Community and Sport Centre (RCSC) at ELS Hall Park and has had ongoing discussion with a local community group to establish a community plant nursery and community garden in Santa Rosa Park.

These two uses of land within the Shrimptons Creek Parklands are not currently authorised under the 2009 Shrimptons Creek Parklands Plan of Management. The ongoing management of the RCSC by a private organisation and the establishment of a community nursery requires amendments to be made to the 2009 Plan of Management. These amendments are focused on expressly authorising the lease of the RCSC and the re-categorisation of the land within the Park to support the two additional uses of the Parklands.

The Draft Shrimptons Creek Parklands Plan of Management (2012) has been revised and now expressly authorises the leasing of community land in ELS Hall Park for the purposes of recreation and community use.

The next step in the finalisation of the Shrimptons Creek Parklands Plan of Management (2012) is a formal public exhibition period. The exhibition period of the Plan will be conducted simultaneously to the public notice of the proposed lease to the YMCA for the management and operation of the RCSC located within ELS Hall Park.

RECOMMENDATION:

- (a) That Council place the draft Shrimptons Creek Plan of Management on Public Exhibition in accordance with the Local Government Act 1993 for a period of 6 weeks.
- (b) That Council undertake public notice of the lease of the Ryde Community and Sports Centre in accordance with Section 47a of the Local Government Act 1993.
- (c) That a report be brought back to Council with the results of the public exhibition recommending further action.

ITEM 10 (continued)

ATTACHMENTS

- 1 Draft Shrimptons Creek Parklands Plan of Management 2012 - CIRCULATED
UNDER SEPARATE COVER

Report Prepared By:

Fiona Morrison
Section Manager, Open Space Planning and Assets

Report Approved By:

Tatjana Domazet
Service Unit Manager - Open Space

Danielle Dickson
Group Manager - Community Life

ITEM 10 (continued)

Background

At the Council Meeting of 5 May 2009, Council adopted the Shrimptons Creek Parklands Plan of Management and masterplan. Since then, Council has been in discussions with a local community group to establish a community nursery within Santa Rosa Park and the City of Ryde has constructed the Ryde Community and Sports Centre (RCSC) at ELS Hall Park. To authorise the use of the Parklands for indoor sports and community uses in the RCSC and as a community nursery, re-categorisation of land from “Park” to “General Community Use” under the *Local Government Act 1993* was required.

At the Council Meeting of 19 April 2011, Council endorsed the commencement of re-categorisation of the specific areas within the Santa Rosa Park and ELS Hall Park. In accordance with the *Local Government Act 1993* the community was invited to attend a public hearing on the re-categorisation on 22 June 2012. Subsequent to this, a report was returned to Council on 11 October 2012 where by the re-categorisation of the land was endorsed by Council.

Following this endorsement, Council staff commenced the review of the Plan of Management and now presents the Draft Shrimptons Creek Parklands Plan of Management 2012 (Draft Plan of Management (2012)) – **CIRCULATED UNDER SEPARATE COVER** for public exhibition.

Discussion

Shrimpton’s Creek Parklands is a corridor of open space that is comprised of seven parks that lie adjacent to Shrimpton’s Creek in the suburbs of Ryde, North Ryde and Marsfield. The parks along Shrimpton’s Creek are Council owned and managed under the *Local Government Act 1993*.

The seven parks that are located along Shrimptons Creek include:

- Santa Rosa Park,
- Flinders Park,
- Tindarra Reserve,
- Greenwood Park,
- ELS Hall Park,
- Booth Reserve and
- Wilga Park.

The Draft Plan of Management (2012) has been prepared so as to authorise the new uses of ELS Hall Park as an indoor sports and community centre and Santa Rosa Park as a community plant nursery and community garden.

ITEM 10 (continued)

The Draft Plan of Management (2012) is not a fully revised Plan of Management. The 2009 Plan of Management was completed following extensive community consultation and the outcomes of the 2009 Plan of management have been transferred to the Draft Plan of Management (2012). It is important to note that the Draft Plan of Management (2012) contains amendments and additional information without any actions or recommendations from the 2009 Plan of Management being deleted.

Significant Amendments contained in Draft Plan of Management (2012)

The following section of this report provides a summary discussion of the significant amendments and additions that have been made to the Shrimptons Creek Plan of Management.

Land Categorisation

As outlined in the Background section of this report, lands re-categorisation was one of the major catalysts for the amendments to the Shrimptons Creek Plan of Management.

The categorisation of the "Park" as defined by the *Local Government Act 1993* in the 2009 Plan of Management for Santa Rosa Park and ELS Hall Park did not support the two new uses of the park for the purpose of a community nursery (Santa Rosa Park) and for the purpose of an indoor sports centre (ELS Hall Park).

Re-categorisation of portions of the Parklands at Santa Rosa Park and ELS Hall Park from "Park" to "General Community Use" commenced in April 2011 with the formal public hearing held on 22 June 2011. The outcomes of the hearing were reported to Council on 11 October 2012 where the changes to the categorisation in these two parks was endorsed.

In accordance with these Council recommendations, the Draft Plan of Management (2012) has been update to reflect the changes of categorisation. All associated mapping within the Draft Plan of Management (2012) has been updated.

Lease Authorisation

Following the construction of the RCSC, Council identified that the 2009 Plan of Management did not expressly authorise the leasing of the Centre to a private operator for ongoing operation and management. Council may only grant a lease, licence or other estate if:

- The plan of management expressly authorises the lease, and
- The purpose of the lease etc is consistent with the core objectives for the category of land and
- The lease etc is for a purpose as listed in Section 46(1)(b) of the *Local Government Act 1993*.

ITEM 10 (continued)

The corrective steps to ensure the leasing of the RCSC would be in accordance with all relevant legislation included amendment of the Plan of Management and to expressly authorise the lease in concert with the re-categorisation of the land (as discussed above).

In addition to the authorisation of the lease for the operation and management of the RCSC in the Draft Plan of Management (2012) (refer to Section 2.3.2) public notice of the proposed lease in accordance with Section 47 of the *Local Government Act 1993* is to be undertaken. The following actions will be completed during the public exhibition of the Draft Plan of Management (2012)

- Public notice of the proposed lease in the local newspaper,
- Place a notice of the proposal lease with ELS Hall Park,
- Owners of adjoining the land will be notified, and
- Notification to residents living within 200m of ELS Hall Park.

Following this public notice, any submission made about the proposal will be considered and reported back to Council will recommendation for further actions.

Review of Environmental Protection Zones along the Corridor

As a process in the preparation of the amended Plan of Management, a study was undertaken by consultants, EcoLogical to review the designation of E2 Environmental Protection zones within the parklands.

The purpose of this review was to:

1. Review the existing E2 zones identified under the Ryde LEP 2010 to determine if they satisfy the intent and objectives of Department of Planning's LEP Practice Note PN09-002 Environmental Protection Zones
2. Identify other areas within the Park that should be considered appropriate for an E2 zone.
3. Consider the use of other the environmental protection zones within the Parklands.
4. To accurately map all environmental protection zones.

The Draft Plan of Management (2012) includes the results of this study (refer to Section 3.4.2) and an Action to modify zoning mapping when possible to reflect these outcomes. The Plan of Management will then be used to support future zoning changes in accordance with the recommendations in Section 3.4.2.

Santa Rosa Park – Community Nursery and Garden

In partnership with a local community group, Habitat Network, a revised masterplan has been prepared for Santa Rosa Park that provides a long term vision for the creation, operation and management of a community plant nursery and community garden.

ITEM 10 (continued)

The Draft Plan of Management (2012) contains the necessary amendments to the categorisation of land in Santa Rosa Park to enable the operation of this type of community facility and includes a revised Masterplan and additional Action for the establishment, operation and management of the community plant nursery and community garden.

The Community Nursery will be managed by the City of Ryde in partnership with Habitat Network and the establishment of the Nursery is currently in the planning phase with implementation scheduled for 2012/13.

Update to Planning and Management Context (Section 3) and modification to the format of the Draft Plan of Management (2012)

Section 3 Planning and Management contains a discussion on the various planning documents that have an impact on the management of the Parklands. This Section was updated to reflect changes to legislation, to include the outcomes of the Ryde Community Strategic Plan and the draft Integrated Open Space Plan and to update other planning references.

Since the adoption of the 2009 Shrimptons Creek Plan of Management, a new format has been introduced for the City's Plans of Management. This format has recently been used for Morrison Bay Park, Putney Park and Yamble Reserve Plans of Management. To ensure a consistency of approach, the standard plan of management format has been applied to the Draft Plan of Management (2012).

Community Engagement

The period for the public exhibition of the Draft Plan of Management (2012) is 28 days with a further 14 days for comments from the community to be received. At the end of this period, the submissions will be reviewed. If the submissions are of a minor nature, then changes will be made and the Plan returned to Council for adoption. If there are major issues, a facilitated public meeting will be held to resolve them before the document is returned to Council.

If Council resolves to place the Draft Plan of Management (2012) on Public Exhibition, the following community engagement program is proposed;

8 August 2012

- Notification of the Draft Plan of Management (2012) and proposed lease of the RCSC placed on City of Ryde web site,
- Copies of the Plan placed at Libraries and Customer Service areas
- Notification of the Draft Plan of Management (2012) and proposed lease of the RCSC placed throughout the parklands.
- Advertisement of the Draft Plan of Management (2012) and proposed lease of the RCSC in the Ryde City View and the local newspaper
- Notification flyer distributed to all homes within 200m of the Parklands informing them of the public exhibition period and how they can comment on the Plan and propose lease of the RCSC.

ITEM 10 (continued)

22 August 2012

- Advertisement of the Draft Plan of Management (2012) and proposed lease of the RCSC in the Ryde City View and the local newspaper

6 September 2012

- Advertisement of the Draft Plan of Management (2012) and proposed lease of the RCSC in the Ryde City View and the local newspaper

21 September 2012

- Plan removed from public exhibition and final submissions received

October / November 2012

- Review completed and reported to Council for adoption or for a public meeting.

Financial Implications

Should Council resolve to endorse the public exhibition of the Draft Plan of Management (2012) the exhibition will result in a financial impact of approximately \$3,000 and these funds are available within the current Open Space budget.

11 UPDATE ON MANAGEMENT AND OPERATION OF RYDE COMMUNITY AND SPORTS CENTRE

Report prepared by: Service Unit Manager - Open Space**Report dated:** 14/05/2012**File No.:** GRP/09/4/6 - BP12/569

REPORT SUMMARY

This report seeks Council's authorisation for a Plan of Management amendment to ELS Hall Park to authorise formal lease with YMCA for the management and operation of the Ryde Community and Sports Centre (RCSC). Management and operation of the recently constructed RCSC, located at ELS Hall Park, was a subject to an Expression of Interest (EOI) process in late 2010. Following the EOI process, Council resolved to enter into agreement with the YMCA of Sydney to operate the centre on behalf of Council with the view of signing a formal lease.

The YMCA of Sydney has been operating the facility for the past 12 months and provided Council with regular updates on the management and operations of the centre. A copy of their annual report for the centre is attached to this report.

A RCSC is located on community land and it is subject to the provisions of the Local Government Act. Council would now like to proceed with formalising a lease for the centre. Community land covered by the Plan of Management needs to be appropriately categorised, uses of the land must be in line with the objectives of each category, and any leases expressly authorised within the Plan. Whilst the appropriate categorisation amendment within the Plan of Management is subject of a report in this Business Paper (Shrimpton's Creek Plan of Management), Council is now required to expressly authorised the lease prior to its finalisation and execution.

RECOMMENDATION:

- (a) That Council amend the Shrimpton's Creek Plan of Management to expressly authorise the lease to the YMCA of Sydney for the Ryde Indoor Community and Sports Centre for a period of 3 years with a 2-year option at Council's discretion.
- (b) That, should there be no objection received by Council on the lease proposal, the General Manager be given delegated authority to sign the lease and other relevant documents.

ATTACHMENTS

- 1 Ryde Community and Sports Centre 2012 YMCA Annual Report

Report Prepared By:

Tatjana Domazet**Service Unit Manager - Open Space**

Report Approved By:

Danielle Dickson**Group Manager - Community Life**

ITEM 11 (continued)**Discussion**

Following the EOI process for the management and operation of the Ryde Indoor Community and Sports Centre in late 2010, at its meeting of 9 February 2011, Council considered the report and resolved the following:

That Council enter into negotiations with the YMCA of Sydney to establish a three (3) year agreement for the management and operation of the Ryde Community Sports Centre.

In response to Council resolution, Council staff negotiated a Heads of Agreement and in June 2011, the YMCA commenced the management and operation of the RCSC.

The review of the first 12 months of management and operations of the centre by the YMCA is summarised below. The full copy of the report is **ATTACHED**.

Annual Report Highlights**Sports competition**

The centre has delivered sports competitions in junior, senior, mixed and women's indoor soccer as well as junior and senior netball competitions. Over 108 teams participated in the sports competitions from under 6's to adults, mostly over summer season.

Court hire and community use

Currently, the centre hires the courts to the following sports: basketball, netball, indoor soccer and badminton. With 60 – 80 hours of courts hire over a 7-day operating week, the peak utilisation rates (6 pm – 10 pm) are at 97.5% and at 47% during off peak hours.

Sixteen user groups utilised the centre during the year, including Ryde Panthers Soccer Club, Koalas Soccer Club, Ryde Bulls Basketball Association and Eastwood Ryde Netball Association.

The centre also hosted a number of community events, including the Bennelong Cup Table Tennis Tournament, major Gymnastics NSW events, Ultimate Frisbee NSW, Shotokan Karate and the NSW State Skipping Tournament.

Other programs

YMCA is expending its programs to respond to the community demand by running Learn to Play Soccer and Learn to Play Badminton for 5 – 12 year olds. In addition, the YMCA offered Holiday Adventures program as a part of their vacation care for July school holiday. The program included excursions, themed day camps and sport specific days. The Sydney Kings also offered a 2-day basketball clinic that was very popular.

ITEM 11 (continued)**Marketing**

YMCA has placed a lot of emphasis on the marketing and promotion of the centre to the local community and the increased usage of the centre confirms that the marketing strategy is working. In the first month of operation, the RCSC has attracted around 1,700 users whilst by February this year, the number has increased to 5,900. The visitation numbers are lower in winter months, which is indicative of general sporting seasonal trends. The fees and charges for the centre programs and hire of the courts are compatible with the City of Ryde fees and charges and accepted by the community.

Attendance

For the first 12 months of operation, an estimated 50,000 people used the RCSC.

Use of meeting room

The YMCA reports under-utilisation of the existing meeting room (on average utilisation between 4 – 16% with 4% use by YMCA operations) and proposes that, due to lack of use, they convert this space to a community gym. It should be noted that Council staff and other users reported having trouble in booking this space for community meetings.

This matter will be subject to further negotiations with the YMCA in the coming months to ensure the community use of this part of the facility is optimised.

Council is working with the YMCA to develop appropriate KPI's to ensure that the RCSC continues deliver broad benefit to the Ryde community.

Statutory Implications

The Ryde Indoor Community and Sports Centre is located within ELS Hall Park, which is community land which is required to be managed consistent with the adopted Shrimpton's Creek Plan of Management (PoM), 2009.

To enable lease to be finalised and executed, the PoM is required to be amended so that the area that the centre is located on is categorised General Community Use and lease expressly authorised. Categorisation of this area has been exhibited and a public hearing held, as required by the Local Government Act. A report to Council seeking adoption of the categorisation is included in this Business Paper. Following adoption of the categorisation of the land, for Council to lease the RCSC to the YMCA, the PoM must be further amended to expressly authorise this lease. This report proposes that, subject to Council resolving categorisation of the subject land to General Community Use, a further amendment authorising lease to YMCA be included in the PoM. This will, once resolved by Council, allow the lease to be finalised and executed.

Section 47 of the Act prescribes the process that Council needs to undertake to expressly authorise the lease. This process will be followed once Council approves for the PoM to be amended to expressly authorise this lease.

ITEM 11 (continued)**Financial Implications**

Under the terms of the agreement, the YMCA agreed to pay Council a base rent of \$5,000 per annum plus a 2.5 % of gross revenue that exceeds \$250,000, subject to provision of audited financial statement.

Whilst the audited statement is not yet available, the YMCA has provided a financial statement, which indicates they exceeded the gross income of \$250,000 by 84,802.30.

This will result in Council receiving approximated \$7,120 for the rental for 2011/12. In addition, YMCA undertakes maintenance and upkeep of the facility as required by the term of the Heads of Agreement.

ITEM 11 (continued)

ATTACHMENT 1



RYDE COMMUNITY & SPORTS CENTRE YMCA

ANNUAL REPORT

July 2011-June 2012



ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

Table of Contents

Executive Summary	3
Management Snapshot	4
Income and Expenses	5
KPI Report	9
Attendance	11
User Groups	12
Major Events	13
Marketing	15
Community Strengthening	21
Incident Summary and OH&S	22
Centre Maintenance	23



ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

Executive Summary

The YMCA is pleased to provide the following report. This report covers YMCA's first year of operations of the Ryde Community & Sports Centre (RCSC). The centre has had an overwhelming first 12 months with over 46,000 visits including many state and international events. Sydney Kings now use this venue as their training facility. As well as high profile users, the engagement of many local community groups has been well utilised.

Income levels were higher than predicted recently mainly due to an increase in court hire from an increase in community awareness of the centre. Poor weather over the past few months has also lead to increased court hire hours.

Throughout our Summer Season (Sep 2011-Feb 2012), we hosted 108 teams over two sports (Indoor Soccer and Netball). These teams were made up of our Junior and Senior teams. Throughout the current Winter season (Mar- Aug 2012) we currently are at 58 teams total for our Indoor Soccer and Netball Community Sports Competitions.

The YMCA has implemented new programs (other than Sports Competitions) to the centre since opening. These are YMCA Holiday Adventures, a vacation care program, and children's Learn to Play activities in the sport of Soccer, begun in Term 2 2012, with Learn to Play Badminton beginning in Term 3 2012.

RCSC YMCA hosted numerous major events in the past year. Major events bring a spike in court hire income and also see a rise in the number of attendances to the centre and therefore boost kiosk sales. Some of the main events have been the Bennelong Cup Table Tennis Tournament in Oct 2011, major Gymnastics NSW events throughout the first half of 2012 and The NSW State Skipping Tournament held in May 2012.

On a whole, the YMCA is pleased with the operations and growth of the centre in it's first year of management and looks forward to continued growth over the coming years.



Rod Nadwie-Smith
YMCA of Sydney



ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report


Management Snapshot

	1 July to 31 Dec 2011	1 Jan to 30 June 2012	2011-2012 financial year total
Total Income	\$145,803.04	\$179,643.48	\$325,446.52
Total Expense	\$155,762.22	\$179,040.08	\$334,802.30
Surplus/(Deficit)	(\$9,959.18)	\$603.40	(\$9355.78)
Variance against budget	\$7,013.96	\$17,138.56	\$24,152.52

Key Program Numbers	Summer 2011/2012	Winter 2012	Total
Junior Indoor Soccer	28	0	28
Senior Mens Indoor Soccer	21	11	32
Senior Mixed Indoor Soccer	8	4	12
Senior Womens Indoor Soccer	12	11	23
Junior Netball	17	0	17
Senior Netball	22	32	54

Major Events (number)	5	6	11
-----------------------	---	---	----

ITEM 11 (continued)

ATTACHMENT 1

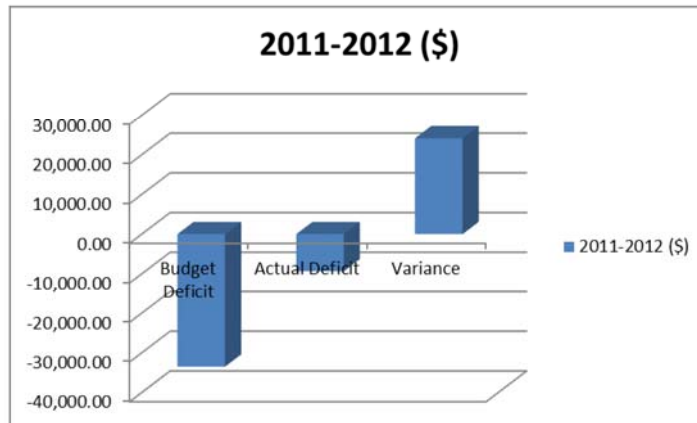
Ryde Community and Sports Centre

YMCA report

Income and Expenditure 2011-2012

Since opening, RCSC has performed well financially. This performance is improving as time goes on, due to constant increase in awareness of the centre in the local community, through marketing activity, website hits and word of mouth.

	Budget Deficit	Actual Deficit	Variance
2011-2012	(\$33,508.30)	(\$9,355.78)	\$24,152.52



ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre

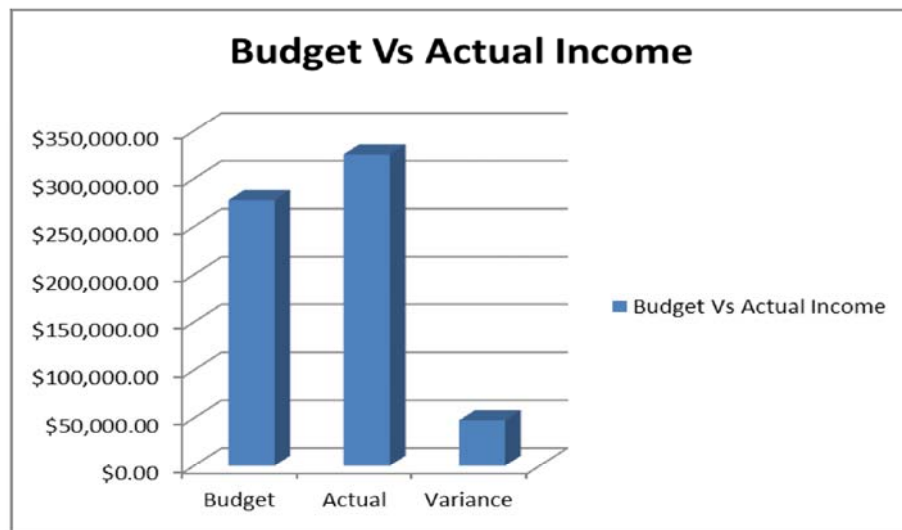
YMCA report

Income:

RCSC has performed consistently well in income, especially in 2012 to date. The main contributor to better than budget performance is court hire. Each month that passes, sees greater demand for hire in all sports- soccer, netball, basketball, volleyball and badminton. Wet weather over the last few months has also contributed to this.

Major events cause a spike in income for kiosk sales. Major events bring a lot more people through the doors than normal and they are generally here for longer periods of time, which increase secondary spend.

	Budget	Actual	Variance
2011-2012	\$277,867.11	\$325,446.52	\$47,579.41



ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre

YMCA report

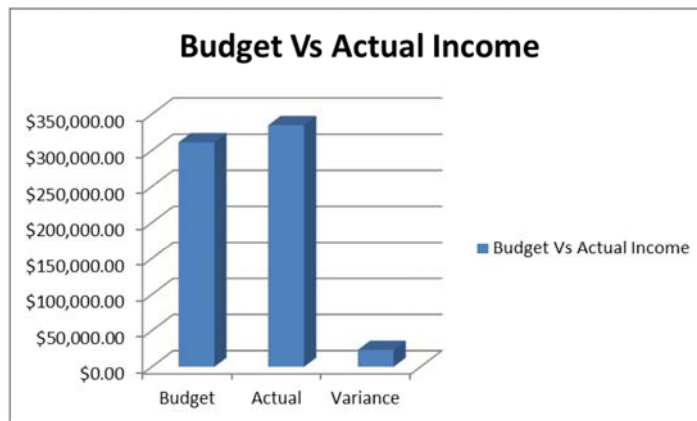
Expenses:

Since being open, RCSC has begun numerous programs within the centre; namely YMCA's Community Sports Competitions, YMCA's Learn to Play program and YMCA's Holiday Adventures. The start-up for these programs contributes to over budget expenses to-date for 2012.

Other contributors are Building and Maintenance repairs. Broken glass doors and windows over the past couple of months has been a big expense.

Also, Customer Service wages are over budget to increased opening hours. These are being off-set, however, by better than budget income for court hire. The YMCA will not open unless we receive a booking.

	Budget	Actual	Variance
2011-2012	\$311,375.41	\$334,802.30	\$23,426.89

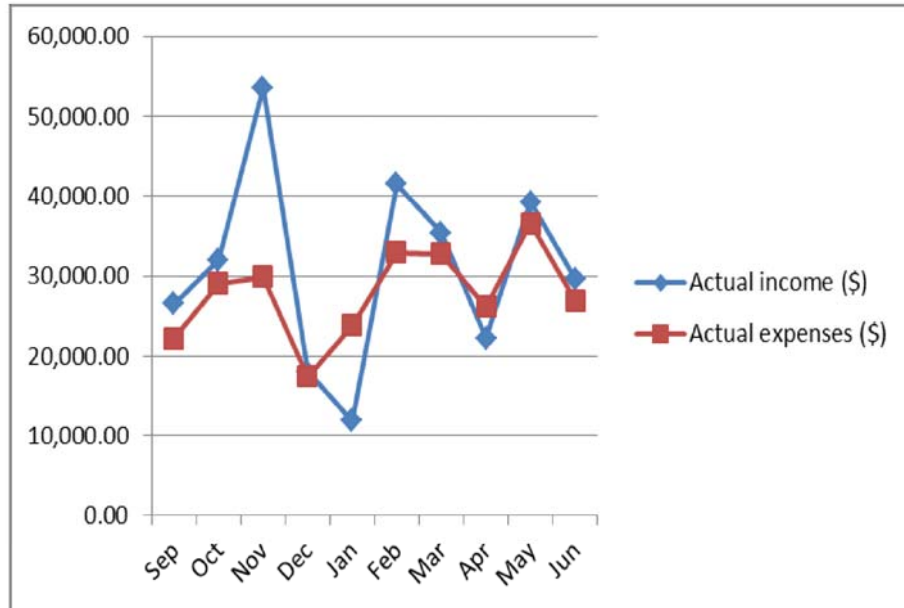


ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

Actual Income Vs Actual Expenses 2012:



(*Financial figures are NOT audited)

ITEM 11 (continued)

ATTACHMENT 1



KPI Report

Sports Competitions:

Competitions	Jul -11	Aug -11	Sep -11	Oct -11	Nov -11	Dec -11	Jan -12	Feb -12	Mar -12	Apr -12	May -12	Jun -12
Junior Indoor Soccer (Teams)			28	28	28	28	28	28				
Senior Mens indoor Soccer (Teams)			21	21	21	21	21	21	10	10	11	11
Senior mixed indoor soccer (Teams)			8	8	8	8	8	8	4	4	4	4
Senior Womens indoor soccer (Teams)			12	12	12	12	12	12	10	10	11	11
Junior Netball (Teams)			17	17	17	17	17	17				
Senior Netball (Teams)			22	22	22	22	22	22	24	24	32	32

The Centre's YMCA Community Sports Competitions started with a high number of teams in Sept 2011. This was due to marketing and promotion in the local community as well as holding a free trial day for juniors.

When commencing our Winter season in Mar this year, our number of teams for Soccer decreased. This is indicative of seasonal trends as the local outdoor season began at the same time. This allowed YMCA to increase court hire to local sporting groups.

On this same note, when the outdoor season ends and we begin enrolling teams for our Summer season in 2012, we expect higher team numbers from not only new teams, but also returning teams.



ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

Court Hire:

YMCA currently hires out courts for the following five sports; basketball, netball, indoor soccer, volleyball and badminton.

RCSC peak (6-10pm) court utilisation is 97.5%.

Court hire hours have increased dramatically over the year of operation.

	Weekly average	
	2011	2012
Badminton	15	30
Full court hire	45	65

Learn to Play:

The implementation of YMCA's Learn to Play Soccer program was in response to enquiries for/feedback regarding children's programs. Term 2 2012 was the first term Learn to Play Soccer began, and it saw 5 enrolments from children aged 5-12 years.

Learn to Play Badminton will begin in Term 3 2012.

YMCA Holiday Adventures:

The vacation care program was implemented and began in July school holidays of 2012. The program was designed offering excursions, themed day-camps and sports specific clinics. The Sydney Kings two day basketball clinic proved to be popular based on enrolment numbers this far.

At the time of printing, enrolment numbers ranged from 2-33 per day. YMCA's past success at other centres with Children's Services will support an ever-growing holiday program at RCSC.

ITEM 11 (continued)

ATTACHMENT 1

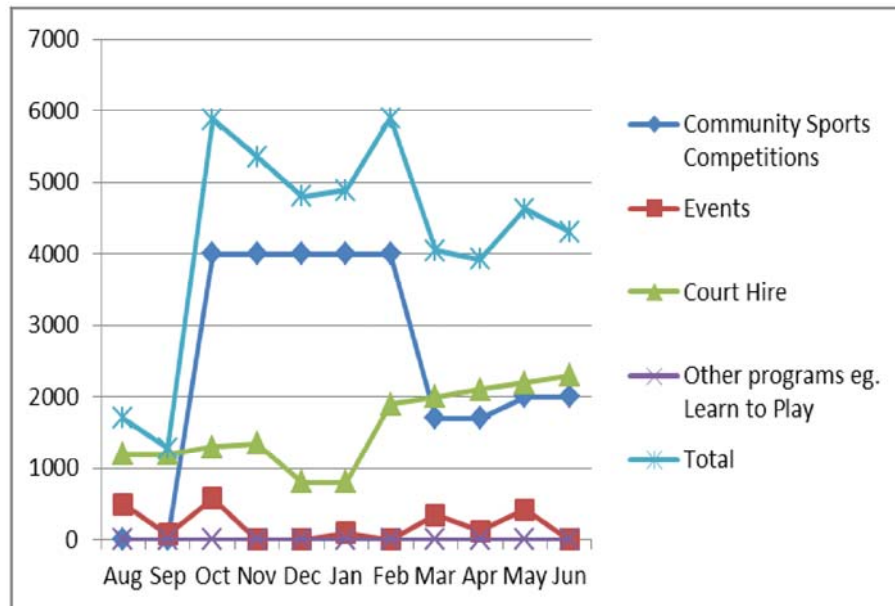
Ryde Community and Sports Centre

YMCA report

Attendance:

For the first 12 months of operation, the Ryde Sports and Community centre saw 46,705 members of the community use the centre. A summary is provided below

	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Community Sports Competitions	0	0	4000	4000	4000	4000	4000	1700	1700	2000	2000
Events	500	80	580	0	0	90	0	350	120	420	0
Court Hire	1200	1200	1300	1350	800	800	1900	2000	2100	2200	2300
Other programs eg. Learn to Play	0	0	0	0	0	0	0	0	5	5	5
Total	1700	1280	5880	5350	4800	4890	5900	4050	3925	4625	4305



ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre

YMCA report

User Groups

During the year of operation of RCSC, YMCA has demonstrated superior community connection and corporation with various community user groups. These include;

1. Ryde Panthers Soccer Club
2. Koalas Soccer Club
3. Epping Boys High
4. Marist Brothers High
5. Ararat Sports Club
6. Ryde Bulls Basketball Association
7. Eastwood-Ryde Netball Association
8. NSW Netball
9. Phoenix Futsal Club
10. NSW Soccer
11. Table Tennis NSW
12. Table Tennis Australia
13. NSW Wheelchair Sports
14. Frisbee NSW
15. Sydney Kings
16. Skillster/Kickstart Sports



ITEM 11 (continued)

ATTACHMENT 1



Major Events

Major events prove popular and financially beneficial. Not only is court hire constant throughout the day, but more people visit the centre, which in turn boosts kiosk sales on these days.

2011 Events:

Aug:

RCSC Open Day

Shotokan Karate

Sep:

Ultimate Frisbee NSW

Oct:

Table Tennis Australia- Bennelong Cup

Ultimate Frisbee NSW

2012 Events to date:

Jan:

Ultimate Frisbee

Mar:

Gymnastics NSW

Armenian General Benevolent Union

April:

Austral Korean Table Tennis Association

May:

Shotokan Karate

NSW State Skipping



ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

2012 Future Events booked in at time of printing:

July:

Panthers Football Club night

Aug:

1 x Gymnastics NSW

Sep:

Phoenix Futsal Cup

Oct:

Table Tennis Australia- Bennelong Cup

Dec:

Ararat Family Day



ITEM 11 (continued)

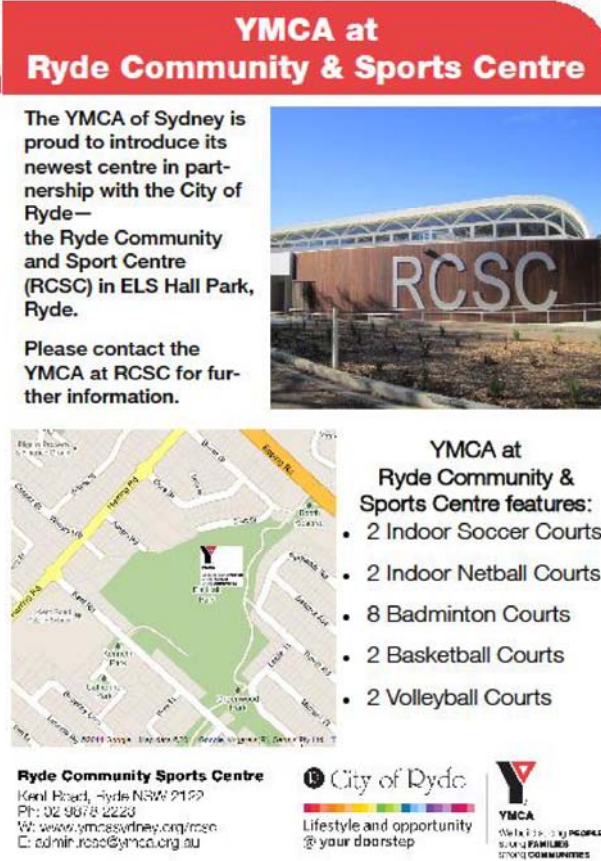
ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

Marketing

Being a brand new centre, there has been a huge focus on marketing and outreach to the local community. Marketing activity is carried out continually, focussing on spreading the word about the centre, the YMCA and new programs that have been implemented.


The collateral shown below is some of the flyers distributed to promote the centre and it's programs.



YMCA at Ryde Community & Sports Centre

The YMCA of Sydney is proud to introduce its newest centre in partnership with the City of Ryde—the Ryde Community and Sport Centre (RCSC) in ELS Hall Park, Ryde.

Please contact the YMCA at RCSC for further information.



YMCA at Ryde Community & Sports Centre features:

- 2 Indoor Soccer Courts
- 2 Indoor Netball Courts
- 8 Badminton Courts
- 2 Basketball Courts
- 2 Volleyball Courts

Ryde Community Sports Centre
Keril Road, Ryde NSW 2112
Ph: 02 9878 2223
W: www.ymcasdney.org/men
E: admin.rcsc@ymca.org.au

City of Ryde
Lifestyle and opportunity
@ your doorstep

YMCA
We're for **PEOPLE**
and **FAMILIES**
strong **COMMUNITIES**

ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

YMCA Ryde
Children's Services

Learn. Explore. Grow!



Holiday Care
from as low as **\$6.40*** per day

Start Up Special!
No Enrolment Fee. Save \$60!

WINTER HOLIDAY ADVENTURES

Your vacation care destination

	Mon 2	Tue 3	Wed 4	Thur 5	Fri 6
Day Camp		Olympic Opening Ceremony	Newspaper Day		Aussie, Aussie, Aussie - all things Australian
Exc	Powerhouse Museum & IMAX			Bowling & Laser Tag & Tumbalong Park	
Clinics	Soccer Camp - 9am-12pm Sydney Kings Basketball Camp - 1-5pm				
	Mon 9	Tue 10	Wed 11	Thur 12	Fri 13
Day Camp	Y's Got Talent	Bubbles and Balloons			Spectacular Olympic Sports & Craft Day
Exc			Sydney Aquarium & Wildlife World	Darby on Ice & New Prince Alfred Park	
Clinics	Netball Camp - 9am-12pm Sydney Kings Basketball Camp - 1-5pm				
Day Camp	The Letter 'O'				
Day Camp	Book your child/ren in for one or as many days as you like. There is no minimum booking. Choose from our wide range of activities. Something for everyone!				

Ryde Community & Sports Centre
Kent Rd, North Ryde 2112
P 02 9878 2223 P 02 9889 8583
admin.rcsc@ymca.org.au
www.ymcasydney.org.au/rcsc

Call us now to book or enquire on 9878 2223!

Similar program offered at YMCA Epping. See our website!





*Price based on your original CCB rate. All families can also claim 60% of 'out of pocket' on leisure expenses.





ITEM 11 (continued)

ATTACHMENT 1


Ryde Community and Sports Centre

YMCA report




Learn to Play
Soccer at YMCA Ryde
Community & Sports Centre

Why not come and join our learn to play program?
Children will have fun while learning new skills in the sport of Soccer.



Indoor Soccer – Mondays
Mon 4-5pm Ages 5-8 yrs
Mon 5-6pm Ages 9-12 yrs


- Skill development
- Fun games
- Make new friends
- Non-competitive
- Never rained out!
- School term



Register your child today!
Call the centre on **9878 2223**
Bookings essential

Register Today!

YMCA Ryde Community Sports Centre
Kent Rd, North Ryde
Ph 9878 2223 www.ymcasydney.org.au/rcsc
admin.rcsc@ymca.org.au



ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

Indoor Soccer

YMCA at Ryde Community & Sports Centre




**Social fun for you and your friends
... at your local YMCA.**

- ✓ Improves overall fitness.
- ✓ Promotes coordination and motor skills.
- ✓ Safe, fast paced & enjoyable.
- ✓ Caters for all abilities, from beginner to advanced.

Competitions run Midweek year round.
Up to 2 Courts available for hire. Available for team training upon request
Contact the YMCA at RCSC today to book your court!

Join in the fun! Contact us today!

Ryde Community Sports Centre
Kent Road, Ryde NSW 2122
Ph: 02 9878 2223
W: www.ymcaosydney.org/rcsc
E: admin.rcsc@ymca.org.au

 City of Ryde
Lifestyle and opportunity
@ your doorstep


YMCA
GATHERING PEOPLE
SERVING FAMILIES
BUILDING COMMUNITIES

ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

Indoor Netball

YMCA at Ryde Community & Sports Centre




**Social fun for you and your friends
... at your local YMCA.**

- ✓ Improves overall fitness.
- ✓ Promotes coordination and motor skills.
- ✓ Safe, fast paced & enjoyable.
- ✓ Caters for all abilities, from beginner to advanced.

Competitions run Midweek year round.
Up to 2 Courts available for hire. Available for team training upon request
Contact the YMCA at RCSC today to book your court!

Join in the fun! Contact us today!

Ryde Community Sports Centre
Kent Road, Ryde NSW 2112
Ph: 02 9878 2228
W: www.ymcasdney.org.au
E: admin.rcsc@ymca.org.au

 City of Ryde
Lifestyle and opportunity
@ your doorstep


YMCA
WORLDWIDE YOUTH PROGRAM
SUPPORTING COMMUNITIES

ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report


Marketing activity carried out over the past 12 months:

	Program Area	What activity	Where
3rd quarter 2011 July-Sep	Sports Competitions (junior & senior)	- flyer hand outs	- local sporting fields
	All programs & Centre	- Outreach	- Macquarie Shopping Centre & Carlingford Court
4th quarter 2011 Oct-Dec	YMCA Charitable arm	- Posters	- displayed internally
1st quarter 2012 Jan-Mar	Sports Competitions (senior)	- internal promotion	- within RCSC and it's databases
	Learn to Play Soccer	- flyer hand-outs in person - email blast	- local sporting fields - to database and local club presidents
2nd quarter 2012 Apr-Jun	Holiday Adventures (Vacation Care)	- 2 x Newspaper Adverts - Flyer drop - Flyers sent	- Cumberland District Times - Local houses - 8 local schools
	All programs & Centre	- Outreach	- Macquarie Centre shopping site

ITEM 11 (continued)

ATTACHMENT 1

Ryde Community and Sports Centre
YMCA report

Community Strengthening

Community Strengthening is a big part of the YMCA and what we do as an organisation. Our focus is on family, healthy living, developing young people, and those less fortunate.

Four main Community Strengthening activities were conducted/successful this past year.

1. RCSC YMCA was successful with the 2011-2012 Clubs Grant. This will see RCSC YMCA able to provide badminton classes in the school holidays to children with this funding.
2. March saw the end of our Junior Sports Competition season in both Indoor Soccer and Netball. As an initiative to get families together, we put on a BBQ for all players and their parents and siblings on grand final days and a gold coin donation was made for their BBQ. This donation went directly into the YMCA money spinner, and raised money for the YMCA's Siblings Reconnect program. This program brings families together who have been separated due to hard circumstances.
3. Throughout May, two major events were hosted at RCSC, a Shotokan Karate tournament on Sunday 6th and the NSW State Skipping Tournament on Sat 26th and Sun 27th May. During both these events, YMCA put on a BBQ and all funds raised went directly into our YMCA Fundraising. Throughout the 3 days of the event, just over \$600 was raised for the YMCA Those Less Fortunate pillar.
4. June 6th 2012 was the YMCA's 159th birthday. During this week we celebrated 'Y Week' with a display in the centre, and a birthday cake on the Tuesday night (our busiest night of Sports Competitions). It was great to see everyone involved and getting the word out there that the YMCA is a charity.



ITEM 11 (continued)

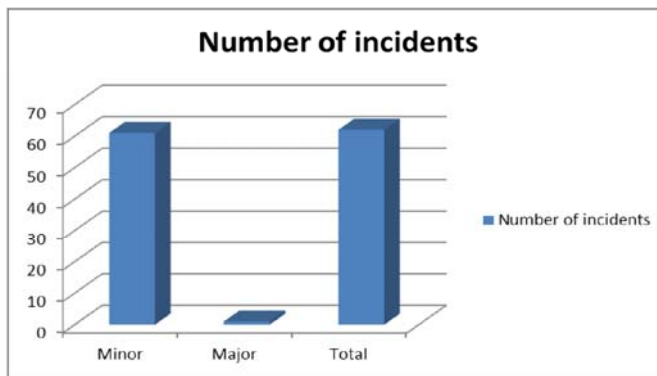
ATTACHMENT 1

Ryde Community and Sports Centre

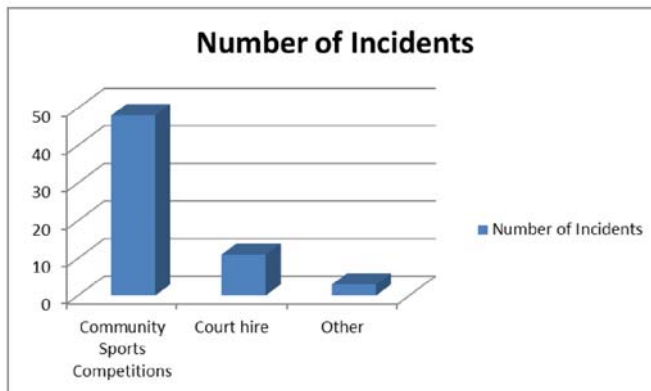
YMCA report

Incident Summary and OH&S

There have been 62 reported incidents at the centre since opening its doors. 61 of these were classified as minor (having only administered icepacks and band-aids for first aid), and 1 was classified as major, where an ambulance was called when a girl was winded during a soccer game. She had recovered by the time the ambulance arrived, so it was not needed.



The majority of these incidents occur during the Community Sports Competition program. See below breakdown of what program area these incidents occur.



ITEM 11 (continued)

ATTACHMENT 1



Centre Maintenance

Item	Action	Completed?
Volleyball nets	Cut off wire to fit	Y
Wooden skirting boards	Secured in place- crt 1	Y
Toilet seat	Seat come off in mens toilet	Y
Windows	2 x windows broken	Y
Wooden skirting boards	Secured in place- crt 2	Y
Defib & First Aid boxes	Mount on to wall at reception	Y
Foyer wall	Putty hole in board	
Wall panels	Fix cracks crt 1, reported	
Skirting meeting room	Black metal panels coming off	
Lights	Fluros gone in ceiling lights	
Basketball key switch	Need to turn to 'lower' to raise and vice versa	Y
Floor	Ridges developed	
Equip store	Raise door height/put in garage door	
Equip store	Cut wire to have a door into shared store	
Exit signage	Put exit signage back up and secure in place	
Front door glass	Replace	Y
Front door frame	Fix	Y



12 ESTABLISHMENT OF A PANEL OF PREFERRED PROVIDERS TO PROVIDE LEARNING AND DEVELOPMENT SERVICES TO THE CITY OF RYDE

Report prepared by: Coordinator Learning & Development**Report dated:** 12/07/2012**File No.:** GRP/12/5/5/5 - BP12/838

REPORT SUMMARY

This report is to advise Council of the outcomes of the Request for Tender # COR-EOI-01/12 relating to the establishment of a Panel of Preferred Providers to provide Learning & Development services to the City of Ryde.

It is proposed to create a panel of "Preferred Providers" from which Council can select and engage for up to three (3) years.

RECOMMENDATION:

That the panel of preferred providers for the provision of Learning and Development services be endorsed for up to three (3) years, that being two (2) years plus the option of a further one (1) year at Council's discretion.

ATTACHMENTS

- 1 Tender/EOI Learning and Development Evaluation Report – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 2 Final Scores for Each Submission Under COR-EOI-01/12 – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

Debbie Martin
Coordinator Learning & Development

Report Approved By:

Melissa Attia
Manager - Human Resources**Roy Newsome**
Group Manager - Corporate Services

ITEM 12 (continued)

Tender Details

Human Resources utilises a variety of learning and development providers to deliver accredited and non accredited training programs including Work Health and Safety across Council.

The City of Ryde sought Expressions of Interest from suitably qualified and experienced Learning & Development providers in the provision of appropriate training, education and accredited (where applicable) courses.

It is proposed to create a panel of "Preferred Providers" from which Council can select and engage providers to meet its needs.

The Expression of Interest (EOI) was publicly advertised in the Sydney Morning Herald and on Council's e-procurement site (Tenderlink) from 14 February 2012 until 6 March 2012.

At the closing date and time, 59 submissions were received from companies or individuals for the Scope of Work / Services sought. A large number of these submissions nominated numerous categories under the EOI.

The submissions were opened in accordance with the Council protocol.

A Tender Evaluation Panel consisting of the following members was established to assess the responses:

- Deborah Martin, Coordinator Learning & Development (Chair)
- Melissa Attia, Manager Human Resources
- Bryan Cropley, Coordinator Work Health Safety

The Advisor to the Panel was John Schanz, Manager Risk & Audit.

Evaluation

A Tender Evaluation report is **ATTACHED - CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL** (Attachment 1).

The assessment was based on the following criteria as outlined in the Request for Tender document:

- Capability / Capacity to deliver nominated courses / programs In-house / Public Programs
- Experience - In the delivery of nominated courses / programs (as per categories in Tender)
- Value for money - per hour or per day for development / delivery of courses

The weightings of the criteria were agreed and documented by the evaluation panel prior to the tender submissions closing date.

ITEM 12 (continued)

Tender submissions were evaluated by the assessment panel using an assessment matrix which is **ATTACHED - CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL** (Attachment 2).

The tender evaluation panel recommends the endorsement of the panel of preferred providers for an initial period of two years with a further option for one year at Council's discretion.

Discussion

The EOI process nominated 39 courses/categories and also asked providers to further nominate any additional course/categories where they felt that they had expertise in the delivery of training/accreditation.

While the evaluation panel have evaluated all submissions in meeting Council's criteria and are recommending the majority of providers being placed on the preferred list, Council will be guided by the highest rating providers in each category. It should be noted that a condition of this EOI was that there were no guarantees of work and no requirement to rotate the list.

Respondents were assessed against each of the criteria outlined and for each category for which they had nominated. The evaluation panel is confident that the listing of preferred providers is well balanced to meet Council's needs.

Some respondents have also indicated the potential to access government funding for traineeships for new and existing staff. This will be further investigated by staff.

Financial Implications

Expenditure incurred as a result of this EOI will be met within Council's recurrent budget.

Risk Assessment

The tender evaluation panel has considered the risks associated with this tender. The Evaluation panel considers the risk associated with the engagement of these providers to be low as all providers are assessed as being competent and with relevant qualifications and insurances.

Procurement Framework and Probity

This EOI process has been undertaken in accordance with Council's Procurement Framework and within the requirements of the Local Government Act 1993 and Local Government (General) Regulation.

During this EOI process there has been ongoing consultation with the Service Unit Manager, Risk and Audit.

13 REQUEST FOR TENDER - RFT 08/12 - FOR THE PROVISION OF CATERING SERVICES TO THE CITY OF RYDE

Report prepared by: Manager - Governance**Report approved by:** Group Manager - Corporate Services**Report dated:** 9/07/2012**File Number:** CLR/07/8/64 - BP12/815

REPORT SUMMARY

Request for Tender RFT08/12 for the provision of catering services to the City of Ryde closed at 2pm on Tuesday, 29 May 2012.

The tender was for inclusion on a panel of providers for provision of catering services to the City of Ryde including, but not limited to, Council meeting dinners, reception events, breakfast events, the Mayor's Christmas Party and occasional working lunches.

The Tender Evaluation Panel recommends that Council accept all tenders and that all respondents be included on a provider panel for catering services. In the short term, all providers will be trialled in providing mainstream events as set out in the tender documentation. Their performance will be assessed against food quality, food variety and customer service.

The selection of specific providers for special one-off events is to be the result of a quotation process. It is noted that appointing the respondents does not preclude Council from engaging different parties for specialist catering services provided it does not contravene Council's adopted Procurement Framework.

RECOMMENDATION:

(a) That Council accept the tenders from:

- Amadeus Catering Pty Ltd
- U@MQ-ltd (Crunch Events and Catering)
- Toast Food North Ryde

and that they be placed on a preferred provider panel for the provision of catering services as recommended in the Tender Evaluation Report.

(b) That Council advise all the respondents of Council's decision.

ATTACHMENTS

- 1 Tender Evaluation Report and Matrix - COR-RFT 08/12 – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

ITEM 13 (continued)

Report Prepared By:

Shane Sullivan
Manager - Governance

Report Approved By:

Roy Newsome
Group Manager - Corporate Services

ITEM 13 (continued)

Tender Details

Request for tender 08/12 being for the provision of catering services to the City of Ryde was advertised through Tenderlink and the Sydney Morning Herald for the period from 28 April 2012 to 29 May 2012. Tender submissions closed on Tuesday, 29 May 2012 at 2pm.

Tender submissions were received from the following respondents:

- Amadeus Catering Pty Ltd
- U@MQ-ltd (Crunch Events and Catering)
- Toast Food North Ryde

No tender was received after the nominated closing.

A tender evaluation panel consisting of the following members was established to assess the responses.

Name	Position
Shane Sullivan	Manager Governance
John Todd	Chief Financial Officer
Courtney Long	Events Coordinator

Evaluation

A Tender Evaluation report is **ATTACHED (CIRCULATED UNDER SEPARATE COVER – Confidential)**. Tenders were evaluated in accordance with a Tender Evaluation Management Plan which was prepared and completed prior to the evaluation process.

The assessment was based on the following criteria as outlined in the Request for Tender document:

Criteria	Description
1. Price	Dollar Value
2. Menu Variety	Evidence of variety in menu offered
3. Previous Experience	Substantial evidence of experience in industry

ITEM 13 (continued)

Criteria	Description
4. Referee Checks	Performance measures from other projects – capability for responsiveness, equipment and staff
5. Sustainability Considerations	Evidence to indicate environmental awareness levels – reference to Council's Sustainable Event Management Policy.

The weightings of the criteria were agreed by the evaluation panel and documented by the Manager, Governance prior to the tender submissions closing date and are set out in the Tender Assessment Report. The Panel confirmed that the respondents met the requirements with regard to appropriate insurances and licenses, including being accredited Gold License Caterers.

Tender submissions were evaluated by the assessment panel using an assessment matrix which is **ATTACHED (CIRCULATED UNDER SEPARATE COVER – CONFIDENTIAL)**

The Tender Evaluation Panel recommends that Council accept all tenders and that all respondents be included on a provider panel for catering services.

In the short term, all providers will be trialled in providing mainstream events as set out in the tender documentation. Their performance will be assessed against food quality, food variety and customer service.

The selection of specific providers for special one-off events is to be the result of a quotation process. It is noted that appointing the respondents does not preclude Council from engaging different parties for specialist catering services provided it does not contravene Council's adopted Procurement Framework.

Discussion

The Tender Evaluation Panel considered that in the short term, all respondents should be given an opportunity to provide catering services to the City of Ryde and that the quality of food and variety is to be reviewed. The Panel further considered that it would be appropriate for quotations to be sought from some or all of the respondents for events during the early period of the contract.

It was noted that the decision regarding provision of catering services would not necessarily be made based on cost alone and that food quality and variety would also be a consideration depending on the specific function and the anticipated participants. However, cost will generally be the determining factor.

ITEM 13 (continued)**Financial Implications**

The tendered amounts are within Council's adopted budget.

The financial allocation is not part of specific project and funds for the provision of catering services are held within program areas. As stated previously in this report, provision of catering services will be determined on a case by case basis determined by the requirements of the event or meeting with cost generally being the determining factor.

Procurement Framework and Probity

This Request for Tender process has been undertaken in accordance with Council's Procurement Framework and within the requirements of the Local Government Act 1993 and Local Government (General) Regulation.

During this Request for Tender process there has been ongoing consultation with the Service Unit Manager, Risk and Audit.

14 REQUEST FOR TENDER - COR-RFT- 01/12 - Cleaning Services to City of Ryde Council Buildings

Report prepared by: Section Manager - Buildings**Report dated:** 10/07/2012**File No.:** GRP/11/3/6/7 - BP12/818

REPORT SUMMARY

Request for Tender (COR-RFT-01/12) for the "*Cleaning Services to City of Ryde Council Buildings*". Closing date Tuesday 14 February 2012.

Council is seeking proposals for the reliable and cost effective provision of Cleaning Services for its buildings. The Contract will be for an initial period of two (2) years with an option to extend for a further one (1) year period, by mutual agreement and subject to satisfactory performance.

The proposed arrangements will service seventeen (17) of Council's buildings (one with seven levels – Civic Centre).

The Tender Evaluation Panel assessed all conforming tenders and recommended that the Council accept the tender from Broadlex Services Pty Limited. Due to the type of hall hire and periodical usage forecast from last years hire it is envisaged that the contract amount will be in the order of \$500,000 per annum.

RECOMMENDATION:

- (a) That Council accepts the tender from Broadlex Services Pty Limited for the Cleaning of Council Buildings to the amount of \$500,000 per annum, for a two (2) year period with an option to extend for a further one (1) year as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Broadlex Services Pty Limited on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

ATTACHMENTS

- 1 Tender Evaluation Report - COR-RFT-01/12 - Provision of Cleaning Services to City of Ryde Buildings – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

ITEM 14 (continued)

Report Prepared By:

Peter Handley
Section Manager - Buildings

Report Approved By:

Barry Hodge
Manager - Operations

Terry Dodds
Group Manager - Public Works

ITEM 14 (continued)

Tender Details

Council chose the method of preferred tendering by advertising an Expression of Interest (EOI) for cleaning services. Twenty three (23) Companies submitted EOI's of which six (6) were short listed and placed on the preferred tender panel. These companies were in alphabetical order:-

- Academy Services Pty Ltd
- Broadlex Services Pty Ltd
- Integrated Premises Services Pty Ltd
- ISS Facilities Services Australia Ltd
- Storm International Pty Ltd
- United Property Enterprises

The tenders were released on the 10 January 2012 and closed on 14 February 2012.

A mandatory pre-tender meeting was attended by all six (6) preferred tenderers, which included site inspection of all buildings.

Evaluation

A tender evaluation committee comprising four Council officers assessed all tenders against the following criteria:-

- Conforming tender.
- Tenderer's Fixed Lump Sum & any nominated departures.
- Proven experience and resource capability.
- Referees.
- Financial details.
- Insurances.
- Occupational Health & Safety.
- Environmental consideration.
- Sustainability considerations Project program.

Following an initial evaluation, the committee held post-tender interviews with the two (2) short listed companies Integrated Premises Services Pty Ltd and Broadlex Services Pty Ltd.

The tender evaluation committee evaluated the tender submitted by Broadlex Services Pty Ltd as the best value submission when compared against the evaluation criteria. Reference checks and inspections of current client's premises confirmed the committee's assessment.

A Tender Evaluation report has been circulated to Councillors **UNDER SEPARATE COVER – CONFIDENTIAL.**

ITEM 14 (continued)**Consultation**

Internal Council business units consulted included:

- Corporate Services
- Community Relations & Events
- Library Services
- Public Works

Financial Implications

The annual cost of accepting this tender is \$500,000 and has been provided for in Council's Base Budget for the maintenance of Council's buildings in the areas of libraries, halls, corporate and operational buildings.

**15 LIVVI'S PLACE PLAYGROUND, YAMBLE RESERVE - TENDER
EVALUATION AND CONSTRUCTION PLANNING**

Report prepared by: Section Manager, Open Space Planning and Assets**Report dated:** 16/07/2012**File No.:** GRP/09/4/6 - BP12/846

REPORT SUMMARY

The planning and design of Livvi's Place at Yamble Reserve, in partnership with the Touched By Olivia Foundation, has been finalised and the project is now progressing into the construction planning phase. This report discusses the next steps required to progress to construction of the playground, specifically:

- Selection of a contractor to construct the playground
- Approval of necessary tree removal and replacement planting within the playground area.

A tender for the "Construction Services for the New Inclusive Playground at Yamble Reserve, Ryde" that included hard works and soft landscape works within the playground area and improvements to the Clermont Street carpark was advertised throughout June 2012 and closed on 10 July 2012.

The Tender Evaluation Panel assessed all conforming tenders and recommended that Council accept the tender from Hargraves Landscapes for the sum of \$668,889.85 (excluding GST). It is proposed that construction of the playground and all associated works would commence in August, 2012 with completion of the project estimated for December 2012.

The allocated funds in the Delivery Plan, the funds raised by the Touched by Olivia foundation, and provided by successful grants are now sufficient to complete the tender works.

RECOMMENDATION:

- (a) That Council accept the tender from Hargraves Landscaping for the construction of an inclusive playground at Yamble Reserve, Ryde for the amount of \$688,889.85 (excluding GST) as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Hargraves Landscaping on the terms contained within the tender.
- (c) That Council advise all the respondents of Council's decision.
- (d) That Council approve the removal of 18 within Yamble Reserve as identified in drawing *Tree Removal Plan*, 5 April 2012

ITEM 15 (continued)

- (e) That Council plant 40 advanced tree species within Yamble Reserve in accordance with the Livvi's Place Playground concept Plan.

ATTACHMENTS

- 1 Tender Evaluation Report and Score Sheets - Livvi's Place – CIRCULATED
UNDER SEPARATE COVER - CONFIDENTIAL
- 2 Tree Removal Plan 5 April 2012, Yamble Reserve

Report Prepared By:

Fiona Morrison
Section Manager, Open Space Planning and Assets

Report Approved By:

Danielle Dickson
Group Manager - Community Life

ITEM 15 (continued)

Discussion

Council, in partnership with Touched by Olivia Foundation (TBOF), has developed a design for the establishment of an inclusive playground at Yamble Reserve (Quarry Road, Ryde) to be known as Livvi's Place. This playground will become destination for children with special needs and their carers. Yamble Reserve will become a park that will be fully integrated and universally accessible environment for people of all ages and abilities.

The aim of the play area is to enable children with and without disabilities to have opportunities to play together, encouraging all children to explore, imagine, create, learn and just have fun playing with friends. The focus of the design of the playground and the wider parkland area is to allow children with disabilities to participate, not be segregated and have to watch from the sidelines as other kids have fun.

The current estimated cost of design, project management and construction of the proposed all abilities playground is \$1.5m. The playground includes the following components:

- The inclusive playground as defined by those elements inside the playground fence and connecting path to Clermont Avenue car park
- Clermont Avenue car park modifications to provide adequate drop off and turning area for mini buses
- Modifications to the existing amenities building including the provision of an adult change table and to meet current Building Code of Australia standards

The planning and design of Livvi's Place at Yamble Reserve has been finalised and the project is now progressing into the construction planning phase. This report discusses the next steps required to progress to construction of the playground, specifically:

- Selection of a contractor to construct the playground
- Approval of necessary tree removal and replacement planting within the playground area.

Selection of a Contractor

Following an extensive design and consultation process, a request for tender of the detailed design of the playground was advertised for a suitably qualified Contractor. A Request for Tender (COR-RFT-11/12) for the construction of "Livvi's Place, Yamble Reserve" was advertised through TenderLink and the Sydney Morning Herald on 19, 20 and 23 June 2012. Tender submissions closed 2pm, 10 July 2012.

ITEM 15 (continued)

Eight (8) tender submissions were received from the following contractors (in alphabetical order):

- Court Craft
- DC Paving and Landscaping
- Furnass Landscapes
- GJ's Landscapes
- Glascott
- Hargraves Landscapes
- MGN Projectss
- The Gardenmakers

Evaluation

A Tender Evaluation Panel was established to assess all tender submissions. The members of this Panel included:

- Jeff Kerr, Project Manager – Public Works (Chair)
- Ian Andrews, Section Manager Design – Public Works
- Fiona Morrison, Section Manager Open Space Planning and Assets – Community Life

The Tender Evaluation Panel reviewed all tender submissions using the following criteria prior to the assessment of the submissions.

- Tender Price
- Previous experience in similar projects and resources
- Project program and methodology
- Conformity to the Documentation and understanding of the Council Request for Tender requirements
- Sustainability considerations
- Work Health and Safety
- Conformity to the Environmental Protection Agency requirements and past records of non compliance
- Financials
- Insurances

A Tender Evaluation Report has been completed as is **CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL.**

As documented in the Tender Evaluation Report, the Tender Evaluation Panel recommends awarding the tender to Hargraves Landscaping for the sum of \$688,889.85 (excluding GST). The allocated funds in the Delivery Plan, the funds raised by the Touched by Olivia Foundation, and provided by successful grants are now sufficient to complete the tender works.

ITEM 15 (continued)

Tree Management

To enable the construction of playground design, 18 trees have been identified for removal. Details on the location, species and size are shown in **ATTACHMENT 1** and listed in the table below.

Tree Number	Species	Size (height x width)
1	<i>Fraxinus</i> 'Raywood'	5m x 4m
2	<i>Fraxinus</i> 'Raywood'	5m x 4m
3	<i>Fraxinus</i> 'Raywood'	6m x 5m
4	<i>Fraxinus</i> 'Raywood'	7m x 6m
5	<i>Melaleuca linariifolia</i>	7m x 4m
6	<i>Melaleuca linariifolia</i>	7m x 4m
7	<i>Fraxinus</i> 'Raywood'	8m x 6m
8	<i>Casuarina glauca</i>	10m x 4m
9	<i>Eucalyptus haemastoma</i>	6m x 5m
10	<i>Melaleuca linariifolia</i>	6m x 5m
11	<i>Melaleuca linariifolia</i>	6m x 4m
12	<i>Fraxinus</i> 'Raywood'	7m x 5m
13	<i>Eucalyptus maculata</i>	8m x 5m
14	<i>Fraxinus</i> 'Raywood'	6m x 5m
15	<i>Eucalyptus scoparia</i>	15m x 12m
16	<i>Eucalyptus scoparia</i>	12m x 6m
17	<i>Liquidambar styraciflua</i>	8m x 5m
18	<i>Eucalyptus maculata</i>	7m x 5m

Many of the trees are approximately 10 years old and while they are in fair condition, the size of the playground has been enlarged and the ground level of the Reserve will be modified to ensure wheel chair accessibility to the playground resulting in the need to remove the trees.

As outlined in the draft Urban Forest Policy, the management and enhancement of the City's Urban Forest is a priority and requires a program of tree replacement planting in considered locations in the City's streets and open spaces. In accordance with this, the concept plan for Livvi's Place includes the creation of a new landscape area for the Reserve. This includes the planting of 40 advance trees and in excess of 5000 shrubs, ground covers and climbers.

The new trees that will be planted at Yamble Reserve will include a combination of native and exotic trees, such as:

- *Corymbia maculata* – Spotted Gum
- *Fraxinus* 'Claret Ash'
- *Pyrus sp* – Ornamental Pear
- *Elaeocarpus eumundi* – Smooth Leafed Quandong
- *Elaeocarpus reticulatus* – Blueberry Ash
- *Angophora floribunda* – Rough Barked Apple
- *Ficus sp*

ITEM 15 (continued)

Following the adoption of the revised DCP Part 9.6 – Tree Preservation by Council, these types of requests will be considered and approved under Delegated Authority.

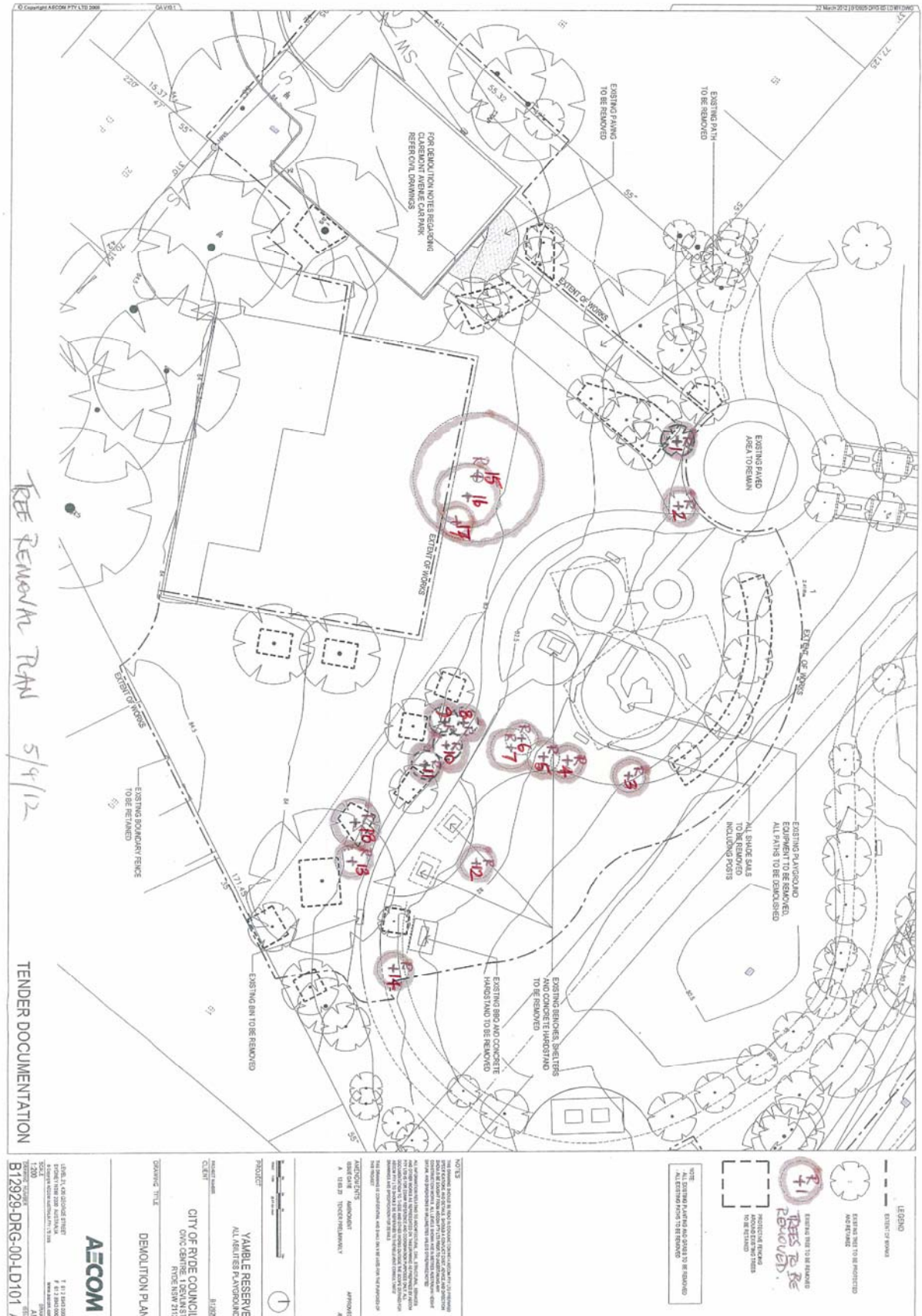
Financial Implications

This project is included within Council's Capital Works Program 2012/13 and is supported by various State and Federal grants and fundraising by Touched By Olivia Foundation.

Council has progressed the agreement with the Touched by Olivia foundation that was part of Councils previous resolution on this matter.

ITEM 15 (continued)

ATTACHMENT 2



16 REPORTS DUE TO COUNCIL
Report prepared by: Meeting Support Coordinator

Report dated: 26 April 2012

File No.: GRP/12/5/5/5 - BP12/733

REPORT

This Report is submitted to Council to review the status of outstanding reports and confirm the date reports are due to be provided to Council as at 17 July 2012.

Below is a status table showing the number of reports listed, the number completed since the last update, the number added since the last update and the percentage of those reports that were completed within the stated timeframe.

Report date	Volume			Current reports		Completed reports			Performance	
	Number of reports listed	Number of reports added (since last report)	Number of reports COMPLETED (to be removed following this report)	Number of reports overdue	Number of reports due and on track/in time	Number of reports COMPLETED and in time	Number of reports COMPLETED overdue	% of reports COMPLETED	% of reports overdue (completed and pending)	% of reports in time (completed and pending)
14/02/11	33		7	2	24	6	1	21%	9%	91%
15/03/11	31	5	8	3	20	7	2	29%	16%	87%
2/05/11	32	9	9	5	16	9	1	31%	19%	78%
6/06/11	31	8	5	5	21	4	1	16%	19%	81%
19/07/11	33	7	10	6	17	2	8	30%	42%	58%
16/08/11	35	12	8	6	21	4	4	23%	29%	71%
20/09/11	36	9	7	7	21	3	5	22%	33%	67%
15/11/11	40	11	20	6	14	9	11	50%	43%	58%
28/02/12	37	17	11	0	26	7	4	30%	11%	89%
27/03/12	29	3	9	1	19	9	0	31%	3%	97%
24/04/12	28	8	3	3	22	2	1	11%	14%	86%
22/05/12	32	7	3	5	24	2	1	9%	19%	81%
24/07/12	37	8	17	5	15	11	6	46%	30%	70%

ITEM 16 (continued)

ATTACHED is a graph showing the volume of outstanding reports and the number of completed reports over the period 14 February 2011 to present.

There are currently 37 reports listed. Following consideration of this report there will be five overdue reports due to Council.

RECOMMENDATION:

That the report on Outstanding Council Reports be endorsed.

ATTACHMENTS

- 1 Performance Data - Report to Council 24 July 2012
- 2 Outstanding Council Reports as at 17 July 2012

Report Prepared By:

Amanda Janvrin
Meeting Support Coordinator

Report Approved By:

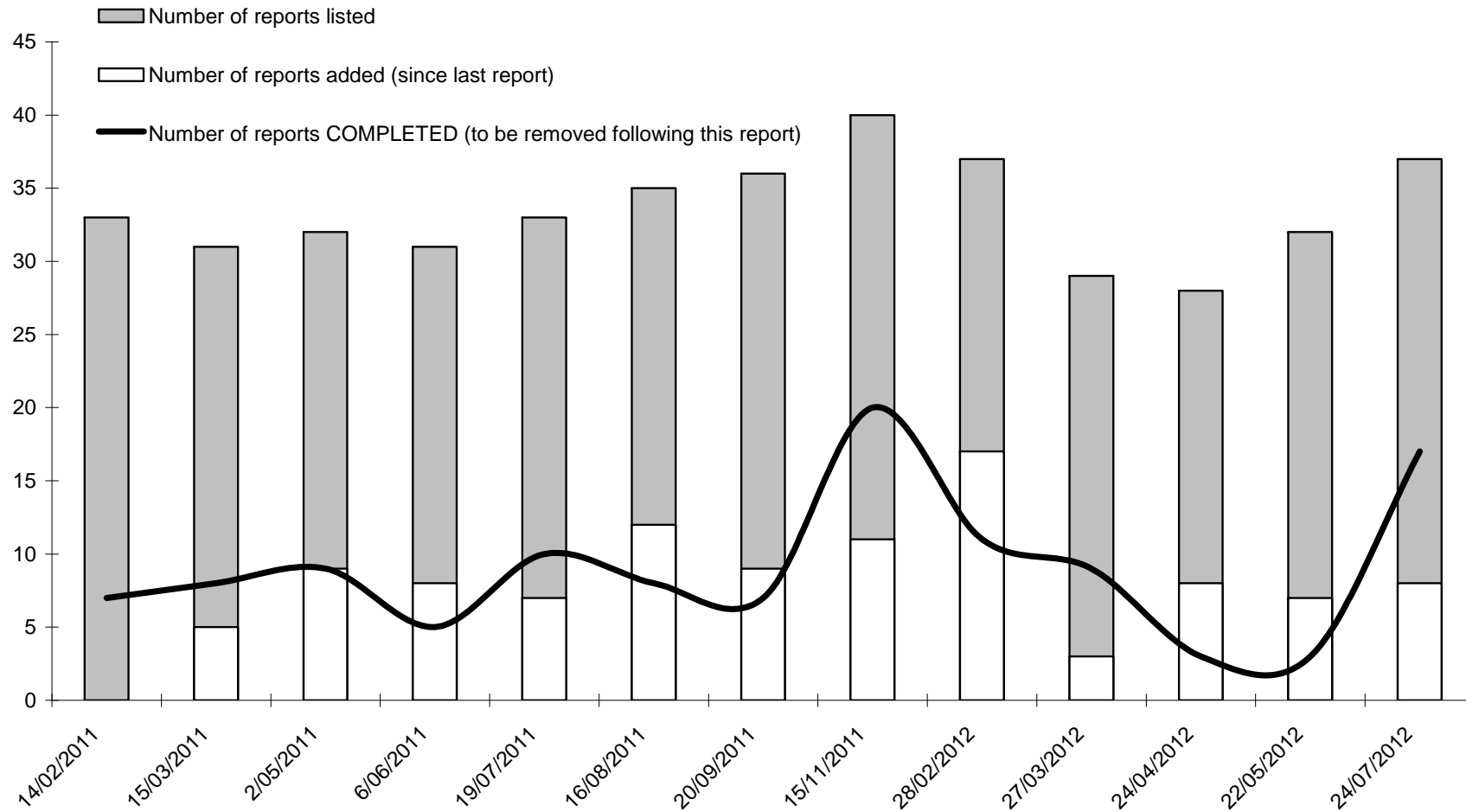
Shane Sullivan
Manager - Governance

Roy Newsome
Group Manager - Corporate Services

ITEM 16 (continued)

ATTACHMENT 1

Outstanding Reports to Council
Volume of outstanding reports



ITEM 16 (continued)

ATTACHMENT 2

Outstanding Reports

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	REVIEW OF PART 3.3 DWELLINGS HOUSES AND DUAL OCCUPANCY OF DEVELOPMENT CONTROL PLAN 2010 - COMPLETED	10/04/2012	Councillor Workshop scheduled for 20 March 2012
Meeting Date		Anticipated date	
14/06/2011	(a) That a review of Part 3.3 Dwelling Houses and Dual Occupancy of City of Ryde's Development Control Plan 2010 and associated process be undertaken to address the issues raised in this report.	24/07/2012	Officer drafting DCP delayed by work on the Transport Coordination Authority development, DCP expected to be delayed to June 2012.
Group		Officer	
Environment and Planning	(b) That a further report be provided to Council once the review process is completed.	Meryl Bishop	As there is no meeting on 10 July, it is expected the report will go to the Council Meeting of 24 July 2012.
			COMPLETED (To be removed following Council Meeting to be held on 24 July 2012)

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	PUBLIC DOMAIN UPGRADES	30/06/2012	<i>Part (d) will be reported when the development is undertaken.</i>
Meeting Date 2/08/2011	(d) That a detailed costing be provided to Council on the replacement of the two poles with two smart poles in front of the proposed second hotel in Eastwood, at the same time that the development is undertaken.	Anticipated date 19/06/2012	<i>Part (e) will be reported to the Works and Community Committee on 19 June 2012.</i>
Group Environment and Planning	(e) That a further report be provided to Council on this matter after consultation with shop owners in Church Street.	Officer Meryl Bishop	<i>Part (e) COMPLETED (To be removed following Council meeting on 24 July 2012).</i>

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council Meeting Date 23/08/2011	78 HERMITAGE ROAD, WEST RYDE. LDA2011/0022 - COMPLETED	17/04/2012	a) <i>Additional Information request sent to applicant on 29 August 2011.</i>
Group Environment and Planning	(a) That this application be deferred for the applicant to submit further information to Council in support of their application addressing the reasons for refusal presented in the report to the Planning and Environment Committee on 16 August 2011, including the reduction of signage on the site and the storage of chemicals in compliance with WorkCover requirements. (b) That upon receipt of this information, a further report be presented to the Planning and Environment Committee within a three month period.	Anticipated date 17/07/2012 Officer Liz Coad	b) <i>Report to Planning and Environment Committee at date TBA (within three months of receipt of additional information from the applicant).</i> <i>Applicant advised Council on 13 November 2011 that additional information would be submitted shortly and that the premises now complies with WorkCover.</i> <i>Applicant advised Council additional information would be submitted in mid December 2011 - no information was received.</i> <i>Additional information finally submitted to Council on 20 January 2012.</i> <i>Information to be renotified and</i>

17-Jul-12

Page 3 of 38

ITEM 16 (continued)

ATTACHMENT 2

17-Jul-12

Page 4 of 38

assessed by Council staff. If sufficient a report is expected to go to the Planning and Environment Committee late April 2012.

Following assessment further amendments were required.

Application renotified and report scheduled to go to the Planning and Environment Committee 17 July 2012.

COMPLETED (To be removed following Council meeting on 24 July 2012).

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	ESTABLISHMENT OF A LOCAL PLANNING PANEL		Report to Council date TBA
Meeting Date 23/08/2011	(b) That a report be provided to Council regarding the composition of the Joint Regional Planning Panel.	Anticipated date	<i>Note: The review details have not been released by the Department of Planning. When the composition of the Sydney East Joint Regional Planning Panel is up for renewal, a report will be brought to Council.</i>
Group Environment and Planning		Officer Liz Coad	

17-Jul-12

Page 5 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community			
Meeting Date			
I/11/2011	<p>TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 29 September 2011 - BELMORE STREET, MEADOWBANK - Request for parking restrictions - COMPLETED</p> <p>That Council install Statutory 'No Parking', 'Mon - Fri' restrictions for the length of 5 metres on approach side and 2 metres on departure side of two (2) access driveways of the block of units located at No. 84-102 Belmore Street and that this be trialled for 6 months with a further report provided to the Committee.</p>	<p>Anticipated date 17/07/2012</p> <p>Officer Ramesh Desai</p>	<p>Report to Ryde Local Traffic Committee Meeting to be held on 24 May 2012, following which a report will be prepared for the Works and Community Committee Meeting to be held on 17 July 2012.</p> <p>Report BP12/656 has been prepared for submission to Works & Community Committee Meeting on 19 June 2012.</p> <p>COMPLETED: (To be removed following Council Meeting to be held on 24 July 2012).</p>

17-Jul-12

Page 6 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community			
Meeting Date	TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 29 September 2011 - POTTS STREET, RYDE - Review of parking restrictions - COMPLETED	17/07/2012	Report to Ryde Local Traffic Committee Meeting to be held on 24 May 2012, following which a report will be prepared for the Works and Community Committee Meeting to be held on 17 July 2012.
1/11/2011	(f) Proposal be trialled for a period of six months with a further report provided to the Committee.	Anticipated date 17/07/2012	Report has been prepared for submission to Works & Community Committee Meeting on 19 June 2012.
Group Public Works		Officer Ramesh Desai	COMPLETED: (To be removed following Council Meeting to be held on 24 July 2012).

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK	26/06/2012	<i>Negotiations with the Gladestville RSL have been extended due to their need to remodel a proposal which complies with our DCP and LEP.</i>
Meeting Date 22/11/2011	(b)On completion of the highest and best use study a full report be brought to Council for its consideration.	Anticipated date 27/11/2012	
Group General Manager		Officer John Neish	

17-Jul-12

Page 8 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
<p>Council</p>	<p>NOTICE OF MOTION - SHORTFALL OF OPEN SPACE IN PARTS OF NORTH RYDE</p>	<p>1/06/2012</p>	<p>Council continues to meet with the Transport Coordination Authority (TCA) regarding the future development of the site and has made repeated representations requesting that a multi-purpose sporting facility be provided. It is likely to be some time before clarity regarding what will be delivered on the site is achieved.</p>
<p>Meeting Date 22/11/2011</p>	<p>(a) That in accordance with the draft IOSP which identifies a shortfall of open space in parts of North Ryde, Council facilitate a meeting with the Transport Coordination Authority development team to request that as part of the developers contribution through either Section 94 or a VPA, to provide in the identified areas for open space to include sportsgrounds and/or multi use sports facility (including the possibility of synthetic surfaces) to benefit the community of Ryde.</p>	<p>Anticipated date</p>	<p>TCA to release revised concept design, report to Council following receipt of revisions. Report to Council TBA.</p>
<p>Group Environment and Planning</p>	<p>(b) That the meeting include all key stakeholders, such as Ryde City Hockey Club with the outcomes being reported to Council.</p>	<p>Officer Adrian Melo</p>	<p>TCA has released a preliminary concept design, however Council has requested (on 1 June 2012) that additional information be provided, including the size, scope, and nature of the open space areas. This has not yet been received (as at 16 July 2012). Report to Council following receipt of additional information.</p>

17-Jul-12

Page 9 of 38

ITEM 16 (continued)

ATTACHMENT 2

17-Jul-12

Page 10 of 38

Report to Council TBA.

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	252 QUARRY ROAD, RYDE. LOT 2 DP 701738. Local Development Application for demolition and erection of an attached dual occupancy. LDA 2010/439	14/08/2012	Report to Council following mediation meeting - meeting is scheduled for 24 January 2012 - Submitter cancelled.
22/11/2011	That this matter be deferred to allow the Group Manager, Environment and Planning to undertake mediation to address the issues of overshadowing, privacy and unacceptable non compliances and that a further report be provided to Council following the conduct of this mediation.	Anticipated date 7/08/2012	Re-scheduled for 22 February 2012 - Submitter cancelled.
Group Environment and Planning		Officer Liz Coad	Re-scheduled for 5 March 2012 - Applicant failed to attend.
			Re-scheduled for Wednesday 21 March 2012.
			Mediation held 21 March 2012.
			Amended Plans and renotification required. If amendments are received in May, a report could be forwarded to Council in July.
			Report scheduled to go to Planning and Environment Committee 7 August 2012.

17-Jul-12

Page 11 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council Meeting Date 22/11/2011	MAYORAL MINUTE 15/11 - CUDAL RESERVE PUTNEY AND SMALLS ROAD RYDE (a) That the Mayor and General Manager pursue meetings with the relevant State Government Ministers with the purpose of: (1) ensuring that both sites remain in public ownership; (2) ensuring that the zoning of both sites reflects public ownership; (3) obtaining the dedication of Cudal Reserve as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council; (4) obtaining the dedication of the ovals within the former school site at Smalls Road as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council.	23/10/2012 Anticipated date 23/10/2012	<i>Consultation with Department of Planning and Infrastructure and Relevant State Ministers undertaken.</i>
Group Community Life		Officer Tajjana Domazet	
<hr/> (b) That this matter be reported back to Council.			

17-Jul-12

Page 12 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	TENDER FOR SURVEYING AND ASSESSMENT OF CITY OF RYDE'S CUSTOMER SERVICES - COMPLETED	22/05/2012	COMPLETED (To be removed following Council Meeting to be held 24 July 2012).
Meeting Date 13/12/2011	(b) That Council be provided with a further report exploring online and other options with costs that are available in the market place.	Anticipated date 12/06/2012	
Group Corporate Services		Officer Angela Jones- Blayne	

17-Jul-12

Page 13 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE	28/02/2013	<i>Skateboard Clinics are scheduled for 11th July 2012.</i>
Meeting Date	(e) That a further report be presented to Council in February 2013 at the conclusion of the series of skate clinics.	Anticipated date	<i>Report to be provided in 2013.</i>
13/12/2011		28/02/2013	
Group		Officer	
Community Life		Fiona Morrison	

17-Jul-12

Page 14 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community			
Meeting Date	Traffic and Parking Matters presented to Ryde Local Traffic Committee Meeting held on 24 November 2011 - (m) SIGNAGE ON COXS ROAD AND LANE COVE ROAD - COMPLETED	17/07/2012	An Item will be prepared for the Ryde Traffic Committee at its meeting to be held in May 2012, following which a Report will be prepared for the Works and Community Committee at its meeting to be held on 17 July 2012, containing the Minutes of the Meeting of the RTC May meeting.
7/02/2012	(f) That a working party comprising Council, RMS, NSW Police and State Transit representatives review the concerns raised by the NPRS School President in relation to the Lane Cove Road, Kent Road and Cox's Road intersection and that a further report be brought back to the Committee in due course.	Anticipated date 17/07/2012	Community Committee at its meeting to be held on 17 July 2012, containing the Minutes of the Meeting of the RTC May meeting.
Group		Officer	
Public Works		Ramesh Desai	Report has been prepared for submission to Works & Community Committee Meeting on 19 June 2012.
			COMPLETED: (To be removed following Council Meeting to be held on 24 July 2012).

17-Jul-12

Page 15 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community			
Meeting Date	Traffic and Parking Matters presented to Ryde Local Traffic Committee Meeting held on 24 November 2011 - (h) LANCASTER AVENUE AND COBHAM AVENUE, MELROSE PARK - Bypassing Traffic - COMPLETED	17/07/2012	An Item will be prepared for the Ryde Traffic Committee at its meeting to be held in May 2012, following which a Report will be prepared for the Works and Community Committee at its meeting to be held on 17 July 2012, containing the Minutes of the Meeting of the RTC May meeting.
7/02/2012	(iii) That a further review be undertaken in 6 months with a report to the Committee detailing the results.	Anticipated date 17/07/2012	
Group		Officer	
Public Works		Ramesh Desai	Report has been prepared for submission to Works & Community Committee Meeting on 19 June 2012.
			COMPLETED: (To be removed following Council Meeting to be held on 24 July 2012).

17-Jul-12

Page 16 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	64 PELLISIER ROAD, PUTNEY. LOT 102 DP 866280. Local Development Application for Alterations and additions to the existing dwelling including an additional new storey and new cabana in the rear yard. LDA2011/493	15/05/2012	Mediation meeting scheduled for 15 March 2012.
Meeting Date			<i>Further report outlining possible solutions to this matter will be provided to the Planning and Environment Committee at its meeting of 15 May 2012.</i>
14/02/2012		Anticipated date	
	That the Group Manager Environment and Planning undertake a mediation session with the applicant and objectors to determine a possible solution to this matter and then be reported back to the Planning and Environment Committee for consideration within two months.	7/08/2012	<i>Amended Plans submitted 16 April 2012. These will be assessed and notified and a report will then be put to the Planning and Environment Committee.</i>
Group		Officer	
Environment and Planning		Liz Coad	<i>Report scheduled to go to Planning and Environment Committee meeting 7 August 2012.</i>

17-Jul-12

Page 17 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH A DISABILITY - COMPLETED	26/06/2012	This will be included in the Workforce Plan, which is currently being developed.
Meeting Date 14/02/2012	That the General Manager report to Council on ways to improve the employment opportunities for people with a disability within the organisation.	Anticipated date 26/06/2012	Report to Council Meeting on 26 June 2012.
Group General Manager		Officer Beki Boulet	COMPLETED (To be removed following Council Meeting to be held on 24 July 2012)

17-Jul-12

Page 18 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	SHAFTSBURY ROAD AND GLEN STREET, EASTWOOD - Proposed Traffic Facilities (Black Spot Remediation Site - UPDATE) - COMPLETED	5/06/2012	An Item will be prepared for the Ryde Traffic Committee at its meeting to be held in May 2012, following which a Report will be prepared for the Works and Community Committee at its meeting to be held on 17 July 2012, containing the Minutes of the Meeting of the RTC May meeting.
6/03/2012	That a further report be provided to the Committee on the future provision of angled parking in Glen Street, adjacent to the Sydney Water stormwater drain.	17/07/2012	Community Committee at its meeting to be held on 17 July 2012, containing the Minutes of the Meeting of the RTC May meeting.
Group		Officer	
Public Works		Harry Muker	Report has been prepared for submission to Works & Community Committee Meeting on 19 June 2012.
			COMPLETED: (To be removed following Council Meeting to be held on 24 July 2012).

17-Jul-12

Page 19 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	INTEGRATED OPEN SPACE PLAN - COMPLETED	24/07/2012	<i>Matter was placed on public exhibition for eight weeks and to be reported to Council Meeting on 24 July 2012.</i>
Meeting Date 27/03/2012	(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.	Anticipated date 24/07/2012	<i>COMPLETED (To be removed following Council Meeting to be held on 24 July 2012)</i>
Group Community Life	(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.	Officer Tajjana Domazet	

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	DEBBIE STREET - Submissions on Public Notification of Proposed Lease	1/05/2012	<i>Council staff are negotiating with the property owner. The report will not be finalised until if or when satisfactory agreement is reached. If Council is unable to reach a satisfactory agreement the report may be delayed.</i>
Meeting Date 27/03/2012	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.	Anticipated date 23/10/2012	<i>Remains on-going - no updated information yet available.</i>
Group Public Works		Officer Russell Nash	<i>Updated 25/6/12: Anticipated date of report amended now to 23 October 2012.</i>

17-Jul-12

Page 21 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	BEST VALUE REVIEW - SPORTSGROUND ALLOCATION AND MANAGEMENT	23/10/2012	<i>To be reported on 23 October 2012 following review and consultation.</i>
Meeting Date 27/03/2012	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.	Anticipated date 23/10/2012	
Group Community Life		Officer Tajjana Domazet	

17-Jul-12

Page 22 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community			
Meeting Date			
27/03/2012	TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 2 February 2012 - COMPLETED	24/05/2012	An Item will be prepared for the Ryde Traffic Committee at its meeting to be held in May 2012, following which a Report will be prepared for the Works and Community Committee at its meeting to be held on 17 July 2012, containing the Minutes of the Meeting of the RTC May meeting.
Group		Anticipated date	
Public Works	(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.	17/07/2012	Report has been prepared for submission to Works & Community Committee Meeting on 19 June 2012.
		Officer	
		Harry Muker	COMPLETED: (To be removed following Council Meeting to be held on 24 July 2012).

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	FEASIBILITY STUDY ON MULTIPURPOSE SYNTHETIC (ARTIFICIAL) FIELDS	20/11/2012	<i>The Workshop on Synthetic Fields has been scheduled for 8 August 2012.</i>
Meeting Date 10/04/2012	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.	Anticipated date 20/11/2012	<i>To be reported to the Works and Community Committee on 20 November 2012.</i>
Group Community Life	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. A feasibility study cost be funded through the 2012/13 First Quarter Budget review.	Officer Tajjana Domazet	

17-Jul-12

Page 24 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	TRAINING FACILITIES FOR WOMEN'S NETBALL IN THE CITY OF RYDE	7/08/2012	<i>To be reported to the Works and Community Committee on 17 July 2012.</i>
Meeting Date 10/04/2012	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) and local schools. The resultant report should also include possible funding implications associated with improved and additional facilities.	Anticipated date 7/08/2012	<i>Report is completed and has been moved to 7 August meeting to allow for consultation with the local club.</i>
Group Community Life		Officer Tajjana Domazet	

17-Jul-12

Page 25 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	WATER BOTTLE REFILL STATIONS - COMPLETED	19/06/2012	<i>Matter was reported to the Works and Community Committee on 5 June 2012.</i>
Meeting Date 10/04/2012	That Council investigate and report on the installation of water bottle refill stations in our major parks and/or centres	Anticipated date 19/06/2012	<i>COMPLETED (To be removed following Council Meeting to be held on 24 July 2012)</i>
Group Community Life		Officer Tajjana Domazet	

17-Jul-12

Page 26 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
<p>Council</p> <p>Meeting Date 24/04/2012</p> <p>Group Public Works</p>	<p>NOTICE OF MOTION - PUBLIC DOMAIN AREAS - WEST RYDE - COMPLETED</p> <p>That the General Manager report to the Works and Community Committee on the intended usability and presentation of the public domain areas on and around the new West Ryde (Coles) development site at the following stages of the project:</p> <p>(a) following opening of the Council underground carpark; (b) following opening the retail (Coles) development; and (c) for the duration of the construction of the residential units.</p> <p>For the purposes of this report, the public domain includes the market place, footpaths, roads, traffic facilities, lighting, public art, furniture, street trees, signage and any other feature intended to be installed on public land as part of the complete development.</p>	<p>Anticipated date 24/07/2012</p> <p>Officer Peter Nguyen</p>	<p>Update unavailable as at 14 May 2012 - revised programme dependant upon outcome of May 2012 PCG Meeting. Matter has been escalated to Group Manager / General Manager. Date of proposed report is currently pending.</p> <p>Update 28/5/12. Coles have requested an extension and a site visit on 29/5/12. Revised program and outstanding issues remain pending. Once information is made available to CoR, a report date can then be scheduled.</p> <p>Updated 7/6/12. CoR is awaiting further contact from Coles - issues remain pending.</p> <p>Updated 19/6/12. "Correspondence" prepared for Council Meeting to be held on 24 July 2012.</p>

17-Jul-12

Page 27 of 38

ITEM 16 (continued)

ATTACHMENT 2

COMPLETED: (To be removed following Council Meeting to be held on 24 July 2012.

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	FLOODING AT FIRST AVENUE, EASTWOOD	24/07/2012	Report anticipated on 24 July 2012.
Meeting Date 24/04/2012	That the General Manager investigate the issue of flooding on the southern side of First Avenue, Eastwood and provide a report to Council within three months outlining options for consideration.	Anticipated date 7/08/2012	Update: 9 July 2012. Report is currently being prepared for the Works & Community Committee at its meeting to be held on 7 August 2012.
Group Public Works		Officer Anthony Ogle	

17-Jul-12

Page 28 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	COX'S ROAD MASTERPLAN	24/07/2012	<i>Master Plans are on exhibition from 9 May 2012 to 20 June 2012. The report on the outcomes from the exhibition are anticipated to be reported to Council - date to be advised.</i>
Meeting Date 24/04/2012	(b) That a further report be provided to Council following the public exhibition period.	Anticipated date 24/07/2012	
Group Environment and Planning		Officer Meryl Bishop	

17-Jul-12

Page 29 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	THE CITY OF RYDE PRECINCT REDEVELOPMENT STAGE 3- STATUS REPORT	30/11/2012	
Meeting Date 8/05/2012	(b) That a detailed report which recommends the most appropriate course of action for the redevelopment of the Argyll Centre site be prepared for Council by November 2012, which examines how Council can utilise a shared equity scheme, the National Rental Affordability Scheme and a partnership with a social housing company. The report to specifically include :-	Anticipated date 27/11/2012	
Group General Manager	(i) A detailed financial and cash flow model (including an option for Council to borrow funds) for developing each of options 2 and 3 for the redevelopment of the Argyll Centre as outlined in this report. The model be designed to deliver 10 to 15 affordable / key worker housing units and provides Council with the best sustainable revenue stream possible considering Council's appetite for risk. (ii) The most appropriate governance, procurement and management model required to manage redevelopment risk, oversee the redevelopment of the Argyll Centre site and	Officer Mitch Corn	

17-Jul-12

Page 30 of 38

ITEM 16 (continued)

ATTACHMENT 2

manage any housing stock which Council may retain in its ownership for each of options 2 and 3 as outlined in this report.

(iii) An open space concept plan relating to the future development of the Ryde City Bowling Club and the Argyle Centre site.

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	DRAFT FOUR YEAR DELIVERY PLAN 2012/2016 INCLUDING ONE YEAR OPERATIONAL PLAN 2012/2013 - COMPLETED	26/06/2012	<i>COMPLETED (To be removed following meeting to be held 24 July 2012).</i>
Meeting Date		Anticipated date	
8/05/2012	(d) That following the public exhibition period detailed in part (c), Council consider all public submissions at its meeting to be held on Tuesday 26 June 2012 prior to formally adopting its Four-Year Delivery Plan 2012/2016 including the One-Year Operational Plan 2012/2013.	26/06/2012	
Group		Officer	
Corporate Services		John Todd	

17-Jul-12

Page 31 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council Meeting Date 22/05/2012 Group Public Works	NOTICE OF MOTION - EASTWOOD FLOODING - HILLVIEW LANE STORMWATER CANAL. That Council investigates and reports on the factors that increased the intensity of the Eastwood flash flood on 18 April 2012 and any measure that could alleviate the intensity of flooding including the feasibility and effectiveness of increasing the height of the Eastwood Hillview Lane stormwater canal walls so as to reduce the impact of potential future flash floods on nearby businesses and parked cars.	Anticipated date 28/08/2012 Officer Anthony Ogle	Update: 7 June 2012. Matter is programmed for discussion with responsible Council officers - anticipated report date is unable to be confirmed at this time. Update: 9 July 2012. Report is currently being prepared for the Works & Community Committee at its meeting to be held on 7 August 2012.

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	62 HIGGINBOTHAM ROAD, GLADESVILLE. LOT 4 DP 814502. Local Development Application to erect a front and side boundary fence 1.2m & 1.8m high. LDA2011/0665	19/06/2012	LDA2011/0665 has been withdrawn (to be removed).
22/05/2012	(a) That consideration of Local Development Application No. LDA 2011/665 at 62 Higginbotham Road, Gladesville be deferred until the Planning and Environment Committee Meeting on 19 June 2012 to allow the applicant's legal representatives time to review the report and make representations to Council prior to the application being determined.	Anticipated date 19/06/2012	
Group Environment and Planning		Officer Liz Coad	

17-Jul-12

Page 33 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	NOTICE OF MOTION - WOLFE ROAD AND BLUE GUM DRIVE, EAST RYDE - COMPLETED	26/06/2012	The Group Manager, Community Life verbally updated the Works and Community Committee on the 19th June 2012 regarding the outcomes of the Neighbourhood Forum that was held on 16th June 2012. It was also advised that the late report will be submitted to the next Council Meeting providing the update on the outcome of the Forum.
Meeting Date 22/05/2012	- That Council prepare a report of the Neighbourhood Forum for consideration at a Works and Community Committee for referral to a Council meeting.	Anticipated date 26/06/2012	
Group Community Life		Officer Tajjana Domazet	
			Late report submitted to Council Meeting on 26 June 2012.
			COMPLETED (To be removed following Council Meeting to be held on 24 July 2012)

17-Jul-12

Page 34 of 38

ITEM 16 (continued)

ATTACHMENT 2

<p>Meeting Type Council</p>	<p>Resolution WATER BOTTLE REFILL STATIONS IN OPEN SPACE</p>	<p>Due Date of Report 16/10/2012</p>	<p>Comments/Update Will be reported to Works and Community Committee Meeting on 16 October 2012.</p>
<p>Meeting Date 12/06/2012</p>	<p>That this matter be deferred pending a further report on alternate systems including those that are not chilled.</p>	<p>Anticipated date 16/10/2012</p>	
<p>Group Community Life</p>		<p>Officer Tajjana Domazet</p>	
<p>Meeting Type Council</p>	<p>Resolution DRAFT DCP 2011 - PART 3.4 MULTI DWELLING HOUSING - COMPLETED</p>	<p>Due Date of Report 26/06/2012</p>	<p>Comments/Update Report to Council meeting 24 July 2012.</p>
<p>Meeting Date 12/06/2012</p>	<p>That this matter be deferred to the next Council meeting on 26 June 2012 to allow for a report from the Group Manager – Environment and Planning regarding Bankstown Council and boarding houses and proposed amendments to the LEP.</p>	<p>Anticipated date 24/07/2012</p>	<p><i>COMPLETED (To be removed following Council Meeting to be held 24 July 2012)</i></p>
<p>Group Environment and Planning</p>		<p>Officer Meryl Bishop</p>	

17-Jul-12

Page 35 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community			
Meeting Date			
19/06/2012	TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 24 May 2012 - (g) NELSON ROAD, GLADESVILLE - Request for 2P Restrictions	20/11/2012	Report to Council anticipated 20 November 2012.
Group		Anticipated date	
Public Works		20/11/2012	
		Officer	
		Ramesh Desai	

17-Jul-12

Page 36 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community			
Meeting Date			
19/06/2012	TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 24 May 2012 - (a) BRENDON STREET, NORTH RYDE - Give Way Restriction	21/08/2012	Report to Council anticipated 21 August 2012.
Group		Anticipated date	
Public Works	That consideration of this matter to be deferred and a further report be brought back to this Committee after further technical considerations.	21/08/2012	
		Officer	
		Ramesh Desai	

17-Jul-12

Page 37 of 38

ITEM 16 (continued)

ATTACHMENT 2

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	GLADESVILLE VACATION CARE SERVICE- Transfer to Gladesville Public School P&C	30/06/2013	<i>This report will be provided after 12 months as per the resolution</i>
Meeting Date 26/06/2012	(c)That Council staff review and report to Council on the above arrangements (to ensure service continues to meet the needs of families) after 12 months.	Anticipated date	
Group Community Life		Officer	

17-Jul-12

Page 38 of 38

PRECIS OF CORRESPONDENCE

1 NOTICE OF MOTION - Public Domain Areas - West Ryde

Report prepared by: Service Unit Manger - Project Development

Report dated: 18/06/2012

File No.: PM2010/36/005 - BP12/727

CORRESPONDENCE:

Submitting correspondence from Notice of Motion – Public Domain Areas - West Ryde, dated 24 April 2012, regarding:

That the General Manager report to the Works and Community Committee on the intended usability and presentation of the public domain areas on and around the new West Ryde (Coles) development site at the following stages of the project:

- (a) Following opening of the Council underground carpark.
- (b) Following opening the retail (Coles) development.
- (c) For the duration of the construction of the residential units.

RECOMMENDATION:

That the correspondence be received.

ATTACHMENTS

- 1 Walter Kullen (Coles) in response to Council's Motion of Notice 24 April 2012

Report Prepared By:

Peter Nguyen
Service Unit Manger - Project Development

Report Approved By:

Terry Dodds
Group Manager - Public Works

Precis of Correspondence 1 (continued)

ATTACHMENT 1

From: Walter Kullen [Walter.Kullen@coles.com.au]
Sent: Monday, 18 June 2012 11:00 AM
To: Jeff Dearden
Cc: Paul Christie
Subject: RE: WRCC Notice of Motion

Jeff

I refer to our discussions during last week's PCG Meeting in respect to the provision of an updated response to the "Notice of Motion dated 24/4/12" and please be advised as follows in the context of our understanding of the motion:

(a). Opening of the Council underground carpark:

The contractor's most recent target program has the SP2 component of the development (Levels B1, B2 and Retail shell) targeting completion by 1/11/12 & Road works by 7/12/12.

Given the road works completion becomes integral to accessing the car parks, the current forecast access to the Level B1 and B2 Basement car parks could be operational from 10/12/12 provided that

- The Car Park Management plan is agreed and operational prior to 10/12/12; and
- An interim Certificate of Occupation can be issued by the Certifier.

(b). Opening of the Coles Retail Development:

If the interim Occupation Certificate as noted above was to be issued for the Basement car parks, the Supermarket would be fitted out thereafter with an anticipated opening in late March 2013.

(c). Construction durations of the residential units:

Based on advice provided by the prospective Residential Developer at the last Development PCG Meeting on 23 May 2012, they indicated that a target duration of 12 months had been allocated for the construction. Since this timeframe remains a targeted duration and subject to a number of variables (i.e. weather, variations etc), it would be suggested that a duration of 18 months would not be an unreasonable forecast at this time.

I trust this satisfactorily responds to the enquiry raised in Council's notice of Motion and please don't hesitate to call me if we can be of any further assistance.

Regards

Walter Kullen | Senior Development Manager NSW | Property
Level 2, 6 Giffnock Avenue, Macquarie Park NSW 2113 Australia
Telephone 61 2 **9919 1412** | Mobile **0439 290 970** | Email walter.kullen@coles.com.au

2 MACQUARIE PARK TASKFORCE

Report prepared by: Business Support Co-ordinator**Report dated:** 27/06/2012**File No.:** GRP/09/6/5 - BP12/759**CORRESPONDENCE:**

Submitting correspondence regarding the Macquarie Park Taskforce from The Honourable Victor Dominello MP, State Member for Ryde, dated 8 June 2012, further to Council Resolution 22 May 2012, that letters be sent confirming Council's position regarding the Macquarie Park Taskforce (as outlined in Council Resolution of 10 April 2012).

RECOMMENDATION:

That the correspondence be received.

ATTACHMENTS

- 1 Advice from The Honourable Victor Dominello MP that Macquarie Park Taskforce concerns forwarded to Minister for Finance and Services

Report Prepared By:

Dyalan Govender
Business Support Co-ordinator

Report Approved By:

Dominic Johnson
Group Manager - Environment & Planning

Precis of Correspondence 2 (continued)

ATTACHMENT 1



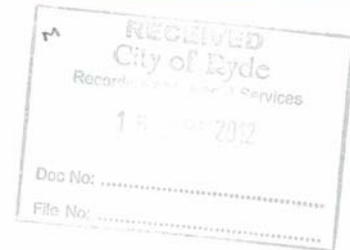
Victor Dominello MP

State Member for Ryde



Friday, 8 June 2012

Mr D Johnson
Ryde City Council
Locked Bag 2069
NORTH RYDE NSW 1670



Dear Mr Johnson,

Thank you for taking the time to contact me in relation to Macquarie Park Taskforce.

I have written to the Minister for Finance and Services asking that he respond to your concerns. Attached is a copy of this correspondence for your records.

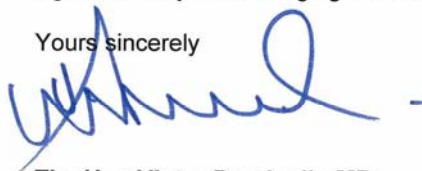
I have asked the Minister to liaise directly with you in relation to your concerns.

As you may appreciate, Ministerial Offices often have large volumes of correspondence to process, so it may take some time to obtain a written response. If you do not hear back from the Minister within eight weeks please do not hesitate to contact my office again, preferably by email or letter, and we will follow up on our initial correspondence.

In the meantime, please do not hesitate to call on me if I can help with this or any other matter.

Again, thank you for bringing this matter to my attention.

Yours sincerely



The Hon Victor Dominello MP
Member for Ryde

ATTACHMENT

Precis of Correspondence 2 (continued)

ATTACHMENT 1



Victor Dominello MP

State Member for Ryde



Friday, 8 June 2012

The Hon Greg Pearce MLC
Minister for Finance and Services
Minister for the Illawarra
Level 36 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

By fax: (02) 9228 5811

Dear Minister

Re: Macquarie Park Taskforce

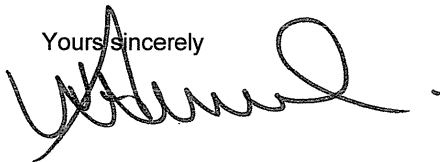
I write on behalf of Dominic Johnson, Ryde Council Group Manager, in relation to the Macquarie Park Taskforce and the Ivanhoe Place housing Estate.

I attach a copy of Mr. Johnson's correspondence which sets out the situation in further detail.

I ask that your Department please respond to their concerns. I would appreciate it if you would please liaise directly with Mr. Johnson in relation to this matter and provide copies of any correspondence to my office for our records.

Thank you for your assistance with this matter. I look forward to your response.

Yours sincerely



The Hon Victor Dominello MP
Member for Ryde

cc. Mr D Johnson of Ryde City Council, Locked Bag 2069, NORTH RYDE NSW 1670.

ATTACHMENT

3 SEPTEMBER 2012 LOCAL GOVERNMENT ELECTIONS - CARETAKER PROVISIONS

Report prepared by: Executive Assistant to Group Manager

Report dated: 27 June 2012

File No.: GRP/11/7/1/6 - BP12/760

CORRESPONDENCE:

Submitting Ministerial Circular 12-19 dated 25 June 2012 from Ross Woodward, Chief Executive, Local Government, Division of the Department of Premier and Cabinet regarding the September 2012 Local Government Elections – Caretaker Provisions.

RECOMMENDATION:

That the correspondence be received.

ATTACHMENTS

- 1 Circular to Councils No. 12-19 dated 25 June 2012 regarding the September 2012 Local Government Elections - Caretaker Provisions

Precis of Correspondence 3 (continued)

ATTACHMENT 1



Circular to Councils

Circular No. 12-19
Date 25 June 2012
Doc ID. A285099

Contact Governance Team
02 4428 4100

**SEPTEMBER 2012 LOCAL GOVERNMENT ELECTIONS –
CARETAKER PROVISIONS**

Purpose

With the upcoming local government elections in September 2012 this circular provides a summary of the new caretaker provisions pursuant to the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

Issue

- Like Commonwealth and State Government, local councils are expected to assume a caretaker role during the election period to ensure that major decisions are not made which would limit the actions of an incoming council.
- On 22 June 2012 amendments were made to the *Local Government (General) Regulation* to mandate what were formally caretaker conventions.
- Clause 393B requires that the council, the General Manager or any other delegate of the council (other than a Joint Regional Planning Panel or the Central Sydney Planning Committee) must not exercise the following functions during the four weeks preceding an ordinary election (caretaker period):
 - Entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger).
 - Determining a controversial development application, except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period. The term "controversial development application" is defined as one for which at least 25 persons have made submissions by way of objection.
 - Appointing or renewing the appointment of the General Manager or terminating their employment. (This does not include the appointment of an acting or temporary General Manager).
- In particular cases these functions may be exercised with the approval of the Minister.

Division of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

Precis of Correspondence 3 (continued)

ATTACHMENT 1

2

- The caretaker period for the September 2012 ordinary local government elections commences on Friday 10 August 2012 and ends on Saturday 8 September 2012.

Action

- General Managers are asked to bring this circular to the attention of all councillors and senior staff.



Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

4 SEPTEMBER 2012 LOCAL GOVERNMENT ELECTIONS - USE OF COUNCIL RESOURCES AND ELECTORAL MATERIAL

Report prepared by: Meeting Support Coordinator

Report dated: 12 July 2012

File No.: CLM/12/1/4/11 - BP12/839

CORRESPONDENCE:

Submitting Circular No. 12-20 from Ross Woodward, Chief Executive, Local Government, a Division of the Department of Premier and Cabinet dated 28 June 2012 regarding the September 2012 Local Government Elections – Use of Council Resources and Electoral Material.

RECOMMENDATION:

That the correspondence be received.

ATTACHMENTS

- 1 Circular from the Division of Local Government No. 12-20 dated 28 June 2012 regarding September 2012 Local Government Elections - Use of Council Resources and Electoral Material

Precis of Correspondence 4 (continued)

ATTACHMENT 1



Circular to Councils

Circular No. 12-20
Date 28 June 2012
Doc ID. A285099

Contact Governance Team
02 4428 4100

SEPTEMBER 2012 LOCAL GOVERNMENT ELECTIONS – USE OF COUNCIL RESOURCES AND ELECTORAL MATERIAL

Purpose

With the upcoming local government elections in September 2012 this circular provides a reminder of the obligations of council officials in relation to the use of council resources and the potential for council publications to be considered 'electoral material'.

Issue

- To ensure transparency, accountability and community confidence in councils during local government elections it is important that council officials observe their obligations in relation to the use of council resources.
- All council officials must use council resources ethically, effectively and carefully. Council officials must not use resources for private purposes unless the use is lawfully authorised and proper payment is made where appropriate.
- The Model Code of Conduct deems the interest of a councillor in their re-election to public office to be a personal interest. The Model Code of Conduct requires that council officials must:
 - be scrupulous in their use of council property, including intellectual property, official services and facilities
 - not permit the misuse of council property by any other person or body
 - avoid any action or situation which could create the impression that council property, official services or public facilities are being improperly used for their own or any other person's or body's private benefit or gain
 - not seek or obtain, either directly or indirectly, any benefit or other improper advantage for themselves, or any other person or body, from the use of council information
 - not convert any property of the council to their own use unless properly authorised
 - not use council property or facilities for the purpose of assisting their or others election campaign (unless such property or facilities are available for use and proper payment is made where appropriate)

Division of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

Precis of Correspondence 4 (continued)

ATTACHMENT 1

2

- not use council letterhead, council crests and other information for private purposes.
- Council resources must also be used in accordance with council policies such as the council's policy on the payment of expenses and the provision of facilities to mayors and councillors.
- Misuse of council resources may be a breach of a council's code of conduct and may result in disciplinary action under its code. It may also result in action by the Division of Local Government and other regulatory agencies, such as the Independent Commission Against Corruption and the NSW Ombudsman.
- Councils should also be aware that publications that promote the current elected council's policies or emphasises the achievements of an elected member or group may potentially fall within the definition of "electoral matter" and thereby constitute "electoral material" under clause 356A of the *Local Government (General) Regulation*. "Electoral material" is subject to certain regulatory requirements during the 40 days preceding the election.
- Electoral matter broadly includes any matter that is intended or likely to affect voting in an election. The name and likeness of a candidate also fall within the definition of electoral matter.
- In practical terms, council publications that may be affected include websites, newsletters, media releases, published speeches, brochures on services/facilities, advertisements, letters to residents and newspapers.

Action

- General Managers are asked to bring this circular to the attention of all councillors and senior staff.
- General Managers should ensure that appropriate mechanisms are in place to ensure that council resources are used appropriately.
- Councils must not issue publications that fall within the definition of "electoral matter" during the 40-day regulated period prior to the election.



Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

NOTICES OF RESCISSION

- 1 NOTICE OF RESCISSION: DEFERRED REPORT: DRAFT PART 3.4 MULTI DWELLING HOUSING DCP AND BANKSTOWN CITY COUNCIL BOARDING HOUSE CASES - Councillor Nicole Campbell, Councillor Gabrielle O'Donnell, Councillor Ivan Petch**

File Number: CLM/12/1/4/7 - BP12/869

That Council rescind the previous resolution in relation to ITEM 13 (c) and (d) – DEFERRED REPORT: DRAFT PART 3.4 MULTI DWELLING HOUSING DCP AND BANKSTOWN CITY COUNCIL BOARDING HOUSE CASES, passed at the Extraordinary Council Meeting held on 17 July 2012, namely:-

- (c) *That Council's DCP 2011 - Part 3.4 Multi Dwelling Housing not include reference to the permissible use of boarding houses in R2/Low Density suburbs until changes are made to the LEP that reflects the zoning definition similar to that in place at Bankstown City Council.*
- (d) *That Council amend its LEP to reflect the zoning that articulates boarding houses as a 'prohibited land use' in the residential R2(a) land use zone.*

- 2 NOTICE OF RESCISSION: COMPLETION OF BUSINESS - COUNCIL RESOLUTION TO CONDUCT AN EXTRAORDINARY COUNCIL MEETING AT 7.00PM ON 24 JULY 2012 - Councillor Bill Pickering, Councillor Roy Maggio, Councillor Gabrielle O'Donnell**

File Number: CLM/12/1/4/7 - BP12/870

That Council rescind the previous resolution in relation to the Completion of Business – Council Resolution to conduct an Extraordinary Council Meeting at 7.00pm on 24 July 2012, passed at the Extraordinary Council Meeting held on 17 July 2012, namely:

That all remaining Items of Business be considered at an Extraordinary Meeting of Council to be held on 24 July 2012, commencing at 7.00pm.

CONFIDENTIAL ITEMS

17 MACQUARIE UNIVERSITY - DRAFT DEVELOPMENT AGREEMENT

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: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Report prepared by: Place Manager; Team Leader - Design and Development

Report dated: 4/06/2012

File No.: PM2011/46 - BP12/675

Page: 302

18 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: 28/06/2012

File No.: GRP/11/7/1/6 - BP12/777

Page: 308