



3 APRIL 2014

NOTICE OF MEETING

You are advised of the following meeting:

TUESDAY 8 APRIL 2014.

Council Meeting No. 5/14

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

English

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

Arabic

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

Armenian

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

Chinese

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

Farsi

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

Italian

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

Korean

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

Meeting Date: Tuesday 8 April 2014
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. Council Meetings will also be webcast.

NOTICE OF BUSINESS

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MM8/14 GOLF DAY TO SUPPORT UNICEF - The Mayor, Councillor Roy Maggio

File No.: MYR/07/10/20 - BP14/432

I have been approached by a resident who is undertaking fundraising for UNICEF and their mobile health units.

As part of ongoing fundraising a charity golf day will be held on 23 May 2014 at North Ryde Golf Club.

Details of the event are attached with a summary as follows:

“Our last charity fundraiser is on Friday, 23 May - a charity golf day and lunch at North Ryde Golf Club: 18 holes, teams of 4 with shotgun start followed by lunch. We plan to have over 100+ players there, and probably more for lunch.

We are seeking 18 businesses to sponsor a hole each for \$300 and 2 businesses to sponsor the two drinks buggies for \$800 each. Of course we are also looking for teams of 4!”

I believe this event to be worthy of support and I would like Council to sponsor a hole at a cost of \$300.00.

I would also like to see this event publicised through Council’s regular media channels including the Mayor’s Community Message.

RECOMMENDATION:

- (a) That Council support the fundraising initiative for UNICEF by sponsoring a hole at the Golf Day to be held on 23 May 2014 – at a cost of \$300.00.
- (b) That the funds be allocated from the Mayor’s budget.
- (c) That the event be publicised through Council’s regular media channels including the Mayor’s Community Message.

ATTACHMENTS

- 1 Charity Golf Day for UNICEF 23 May 2014 – information from Tanya Allen

Report Prepared By:

**The Mayor
Councillor Roy Maggio**

MM8/14 (continued)

ATTACHMENT 1

Hi Roy,

**Charity Golf Day for UNICEF
23 May 2014**

Nice to chat to you yesterday. Thank you for already offering to bring along a team and promote this event.

You have always been very supportive and enthusiastic towards community projects such as this. Thank you.

Yvette Vignando and I are joining a team of 25 people trekking up Kilimanjaro in June to raise much needed funds for UNICEF and their mobile health units that go to remote places to provide basic care and food for children in need. Here is a media story about Yvette and I, that appeared on the Daily Telegraph website and in the North Shore

Times <http://www.dailytelegraph.com.au/newslocal/news/aint-no-mountain-high-enough-for-charitable-locals/story-fngr8gwi-1226844724246>. Also attached is a copy of the cutting from the North Shore Times.

Our last charity fundraiser is on Friday 23 May - a charity golf day and lunch at North Ryde Golf Club: 18 holes, teams of 4 with shotgun start followed by lunch. We plan to have over 100+ players there, and probably more for lunch.

We are seeking 18 businesses to sponsor a hole each for \$300 and 2 businesses to sponsor the two drinks buggies for \$800 each. Of course we are also looking for teams of 4!

We thought you would be a fabulous person to advise who to approach and suggest who might be willing to sponsor this event? If you have time to pass on your knowledge we'd be immensely grateful. We are inviting the CEO of UNICEF (who happens to be a friend of Yvette's - he has not said yes yet!), and as many prominent locals as we can muster. If you have any to suggest, we would be grateful for recommendations?

We have two months left to reach our goals. You will see a link to my fundraising page below. Likewise, if you can suggest other sponsors, this would be of immense help.

We should have proper invitations etc. in a week or so but we are approaching sponsors already so we can name some of them while we promote it. If you can promote the event on your Mayor's diary pages we would be very grateful. As soon as I have booking details and flyers we will send them onto you.

Thanks for your support for this very worthwhile cause.

Kind Regards
Tanya
Tel: 0411 405 805

I'm trekking up Kilimanjaro to raise funds for UNICEF

Because children all over the world desperately need our support
I'd love you to donate to my Climb For Kids challenge. Please go to

<https://unicefkilimanjaroclimb2014.everydayhero.com/au/tanya>

You can donate online there or pledge a cash donation. Thanks so much.

1 CONFIRMATION OF MINUTES - Council Meeting held on 25 March 2014

Report prepared by: Meeting Support Coordinator
File No.: CLM/14/1/4/2 - BP14/126

REPORT SUMMARY

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

RECOMMENDATION:

That the Minutes of the Council Meeting 4/14, held on 25 March 2014 be confirmed.

ATTACHMENTS

- 1 Minutes - Ordinary Council Meeting - 25 March 2014

ITEM 1 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 4/14**

Meeting Date: Tuesday 25 March 2014

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

Time: 7.30pm

Councillors Present: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Petch, Pickering, Salvestro-Martin, Simon and Yedelian OAM.

Note: Councillor Petch left the meeting at 8.44pm and did not return. He was not present for consideration of Mayoral Minute 5/14, Mayoral Minute 6/14, Items 1, 3, 4, 5, 6, 7, 8, 9, Precis of Correspondence 1, Precis of Correspondence 2, Precis of Correspondence 3, Questions with Notice 1, Confidential Items 10, 11 and 12.

Note: Councillor Salvestro-Martin left the meeting at 9.11pm and did not return. He was not present for consideration of Items 6, 7, 8, 9, Precis of Correspondence 1, Precis of Correspondence 2, Precis of Correspondence 3, Questions with Notice 1, Confidential Items 10, 11 and 12.

Apologies: Nil.

Leave of Absence: Councillor Perram.

Staff Present: Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, Chief Financial Officer, Manager – Communications and Media, Section Manager – Waste, Section Manager – Properties, Section Manager – Community Engagement, Section Manager – Communications and Meeting Support Coordinator.

PRAYER

Councillor Laxale offered prayer prior to the commencement of the meeting.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

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

That those speakers who submitted requests, including late requests, to address Council on Item 2(3) –20 Amiens Street, Gladesville – LDA2013/0211 from the report of the of the Planning and Environment Committee Meeting 4/14 held on 18 March 2014, be allowed to address the meeting, the time being 7.33pm.

ITEM 1 (continued)

ATTACHMENT 1

On being put to the Meeting, the voting on the Motion was five (5) votes For and six (6) votes Against. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Chung, Pendleton, Petch, Salvestro-Martin and Yedelian OAM

Against the Motion: The Mayor, Councillor Maggio and Councillors Etmekdjian, Laxale, Li, Pickering and Simon

DISCLOSURES OF INTEREST

There were no disclosures of interest.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:

Name	Topic
Jay Nair	Mayoral Minute 7/14 – Kiss and Drop Zones - Railway Station Sites

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council on Items not listed on the Agenda.

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Simon and Li)

That Council now consider the following Items, the time being 7.44pm:

- **Mayoral Minute 7/14** – Kiss and Drop Zones - Railway Station Sites and **Notice of Motion 1** - Sydney Trains Parking at Eastwood Station
- **Item 2** – Report of the of the Planning and Environment Committee Meeting 4/14 held on 18 March 2014

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

MAYORAL MINUTES AND NOTICE OF MOTION

MM 7/14 KISS AND DROP ZONES - RAILWAY STATION SITES - The Mayor Roy Maggio

NOM 1 SYDNEY TRAINS PARKING AT EASTWOOD STATION - Deputy Mayor Justin Li

Note: Jay Nair addressed the meeting in relation to this Item.

Note: Notice of Motion 1 - Sydney Trains Parking at Eastwood Station was dealt with in conjunction with this Mayoral Minute.

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

- (a) That the Group Manager – Environment and Planning explore options to alleviate the current pressure on short term parking spaces in the vicinity of local railway stations – especially kiss and drop facilities.
- (b) That the above exploration be carried out in conjunction with the State Rail Authority.
- (c) That the matter be reported back to Council.
- (d) That in the event Sydney Trains makes available their parking spaces for public usage as per the Transport Minister's recent announcement, Ryde Council shall work with Sydney Trains and the Traffic Committee to convert these spaces to provide a Kiss and Ride zone for commuters.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 4/14 held on 18 March 2014

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

That Council determine Item 3 of the Planning and Environment Committee report 4/14 held on 18 March 2014, noting that Items 1 and 2 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

- 3 20 AMIENS STREET, GLADESVILLE - LOT A DP27326.
Development Application for Demolition and Construction of a New
Part 2 / Part 3 Storey Dwelling, Pool, Front Fence and Landscaping.
LDA2013/0211.**

MOTION: (Moved by Councillors Etmekdjian and Pickering)

- (a) That LDA2013/0211 at 20 Amiens Street, Gladesville being LOT A DP27326 be approved subject to the conditions set out below:

DEFERRED COMMENCEMENT

The following are the Deferred Commencement condition(s) imposed pursuant to Section 80(3) of the Environmental Planning & Assessment Act 1979.

1. **Plan amendments.** The submission of amended plans for the approval of Council's Group Manager Environment & Planning which provide the following plan amendments:
 - Amendment of the front gable and associated roof structure over the Loft Room and Balcony on the top level; to reduce the overall height and minimize the loss of water views from the heritage items located across the road
 - The rear gable end above the Lounge Room must be replaced with a hipped roof (to reduce the overall height);
 - Specific Details must be provided on the proposed Solar Tiles (If it is found that there would be any adverse impact on the adjacent Heritage Items this element must be removed) and replaced with an appropriately approved alternative;
 - A detailed Photographic Archival Recording is to be undertaken in accordance with the NSW Heritage Division guidelines of the existing two dwellings located on the site (including internal and external images) prior to any excavation or demolition;
 - Detailed Schedule on how the existing sandstone will be re-used in the construction of the new dwelling; including details on cleaning, storing and location of the re-used sandstone.
2. **Access & Parking.** All internal driveways, vehicle turning areas, garage opening widths and parking space dimensions shall comply with AS 2890.1-2004.

With respect to this, the following revision(s) must be undertaken;

- (a) A splay clear of obstructions must be provided on the eastern side of the driveway entry to permit adequate sight distance between pedestrians and a vehicle exiting the property. The splay must be generally in accordance with Figure 3.3 of AS 2890.1 and is to provide 2m clearance from the edge of the driveway at the property boundary alignment.

ITEM 1 (continued)
ATTACHMENT 1

The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

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 & Site Analysis	October 2013	Drawing No. A-01 Rev A
Ground Floor Plan	October 2013	Drawing No. A-02 Rev A
First Floor Plan	October 2013	Drawing No. A-03 Rev A
Roof Plan	October 2013	Drawing No. A-04 Rev A
Elevations	October 2013	Drawing No. A-05 Rev A
Elevations & Section	October 2013	Drawing No. A-06 Rev A
Landscape Planting Plan	9 May 2013	L01/1- K18101
Arboricultural Assessment Report	23 May 2013	No reference
Demolition Work Plan	June 2013	Project No. J10-12
Waste Management Plan	June 2013	Project No. J10-12
Stormwater Drainage/Sediment Control Details	4 July 2013	1404-S1/3 Revision D
Stormwater Drainage/Sediment Control Details	4 July 2013	1404-S2/3 Revision D
Stormwater Drainage/Sediment Control Details	4 July 2013	1404-S3/3 Revision D

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(s) numbered 484676S, dated 17 June 2013.

ITEM 1 (continued)

ATTACHMENT 1

4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

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. **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.
7. **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

8. **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.
9. **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.

Swimming Pools/Spas

10. **Pool filter – noise.** The pool/spa pump/filter must be enclosed in a suitable ventilated acoustic enclosure to ensure the noise emitted therefrom does not exceed 5dB(A) above the background noise level when measured at any affected residence.

ITEM 1 (continued)**ATTACHMENT 1**

11. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.
12. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.
13. **Resuscitation Chart.** A resuscitation chart containing warning "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL" must be provided in the immediate vicinity of the pool area so as to be visible from all areas of the pool.

Engineering Conditions

14. **Stormwater disposal.** Stormwater runoff from all impervious areas of the site is to be collected and piped to the existing or new underground stormwater drainage system in accordance with Council's DCP 2010, Part 8.2 "Stormwater Management".
15. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
16. **Service Alterations.** All mains, services, poles, etc., which require alteration to facilitate the development shall be altered at the applicant's expense. Written approval and signed off at completion from the relevant Public Authority shall be submitted to Council.
17. **Restoration.** To ensure public areas will be safely maintained at all times all disturbed public areas must be restored to Council satisfaction. All restoration of disturbed road, footway areas, kerb and gutters, redundant vehicular crossings etc arising from the proposed development works will be carried out by Council subject to the lodgement of a Road Opening Permit application to Council with payment of fees in accordance with Council's Management Plan, prior to commencement of works.
18. **Road Opening Permit.** To ensure all restoration works within the public road reserve will be completed and restored to Council satisfaction, the applicant shall apply for a Road Opening permit where excavation works are proposed within the road reserve. No works shall be carried out on the road reserve without this permit being paid and a copy kept on the site.
19. **Council's Approval.** To ensure all engineering works within the public road and/or drainage reserve, including Council's parkland will be completed to Council satisfaction, engineering approval and compliance certificates must be obtained from Council for the following works at the

ITEM 1 (continued)

ATTACHMENT 1

specified stage where applicable and **submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.** Fees applicable to the proposed works in accordance with Council's Management Plan are to be paid to Council prior to approval being given by Council:

- Approval for drainage connection(s) to Council's stormwater drainage systems and inspection of the stormwater connection by council prior to backfilling.
- Approval shall be obtained for the construction of any structure on Council's road and drainage reserve, including parkland. The inspection(s) for these structures, during construction shall be made by Council e.g. prior to casting & backfilling of Council's pits and other drainage structures including kerb & gutter, access ways, aprons, pathways, vehicular crossings, dish crossings and pathway steps etc.
- Final inspection by Council after completion of all external works with all disturbed areas satisfactorily restored.

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.

20. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
- (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
 - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
21. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).

ITEM 1 (continued)**ATTACHMENT 1****22. Excavation**

- (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
- (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

23. **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.

24. **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 dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.

25. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.

26. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

Imported fill

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

28. **Imported fill – validation.** All imported fill must be supported by a validation from a qualified environmental consultant that the fill constitutes Virgin Excavated Natural Material. Records of the validation must be provided upon request by the Council.

29. **Delivery dockets to be provided.** Each load of imported fill must be accompanied by a delivery docket from the supplier including the description and source of the fill.

ITEM 1 (continued)

ATTACHMENT 1

30. **Delivery dockets – receipt and checking on site.** A responsible person must be on site to receive each load of imported fill and must examine the delivery docket and load to ensure that only Virgin Excavated Natural Material that has been validated for use on the site is accepted.
31. **Delivery dockets – forward to PCA on demand.** The delivery dockets must be forwarded to the Principal Certifying Authority within seven (7) days of receipt of the fill and must be produced to any authorised officer who demands to see them.

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.

32. **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**.
33. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
34. **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)

ITEM 1 (continued)

ATTACHMENT 1

35. **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
36. **Alignment Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific alignment levels by Council prior to the issue of the **Construction Certificate**.
37. **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**.
38. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely 18 and 24 Amiens Street, Gladesville. A copy of the survey is to be submitted to the PCA (*and Council, if Council is not the PCA*) prior to the release of the **Construction Certificate**.
39. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of the **Construction Certificate**, 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.
40. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
41. **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**.

ITEM 1 (continued)**ATTACHMENT 1**

42. **Pool fencing.** The pool fence is to be erected in accordance with the approved plans and conform with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*. Details of compliance are to be reflected on the plans submitted with the **Construction Certificate**.
43. **Relocation of retaining wall and rain water tank.** To ensure adequate protection of the tree's roots covered in the following condition, the proposed rainwater tank and retaining wall adjacent to the rainwater tank is to be relocated away from the 2.4m tree protection zone area. Details of the revised rainwater tank and retaining wall location are to be submitted to Council for approval prior to the issue of the **Construction Certificate**.
44. **Tree protection.** The *Glochidion ferdinandi* (Cheese Tree) located on the adjoining property at 34 Meriton Street is to be retained and protected as part of the proposed development through establishment of a 2.4m Tree Protection Zone (TPZ).

In this regard, to ensure adequate protection of the tree's roots, the proposed rainwater tank and retaining wall adjacent to the rainwater tank is to be relocated away from the 2.4m tree protection zone area. Details of the revised rainwater tank and retaining wall location are to be submitted to Council for approval prior to the issue of the **Construction Certificate**.

Engineering Conditions

45. **Site Stormwater Drainage System.** To ensure satisfactory stormwater disposal and minimise downstream stormwater impacts, stormwater runoff from the site shall be collected and piped by gravity flow to the public road in accordance with the requirements of DCP 2010: Part 8.2- Stormwater Management. Accordingly, detailed engineering plans with certification indicating compliance with this condition are to be submitted with the Construction Certificate application.
46. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveways, carparking areas, landscaping and stormwater drainage design where applicable to ensure smooth transition.
47. **Driveway Grades.** The driveway access and footpath crossing(s) shall be designed to fully comply with the relevant section of AS 2890.1.-2004 and Council's issued alignment levels. Engineering certification indicating compliance with this condition is to be submitted with the Construction Certificate application.

ITEM 1 (continued)

ATTACHMENT 1

48. **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 crossing(s) are to be constructed in plain reinforced with location, design and construction shall conform to Council requirements. Accordingly, prior to issue of Construction Certificate an application shall be made to Council's Public Works division for driveway crossing alignment levels. These issued levels are to be incorporated into the design of the driveway access and clearly delineate on plans submitted with the Construction Certificate application.

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.

49. **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.

50. **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.

51. **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.

ITEM 1 (continued)

ATTACHMENT 1

- (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).

52. Excavation adjacent to adjoining land

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

- 53. 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.

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.

- 54. 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*.

ITEM 1 (continued)

ATTACHMENT 1

55. **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.
56. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
57. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
 - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
 - (c) the material is reused only to the extent that fill is allowed by the consent.
58. **Construction materials.** All materials associated with construction must be retained within the site.
59. **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.
60. **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.
61. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
62. **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.

ITEM 1 (continued)

ATTACHMENT 1

63. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.
64. **Tree protection.** The *Glochidion ferdinandi* (Cheese Tree) located on the adjoining property at 34 Meriton Street is to be retained and protected as part of the proposed development through establishment of a 2.4m Tree Protection Zone (TPZ).
65. **Tree works – Australian Standards.** Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.
66. **Tree works – provision of arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.
67. **Tree works – arborist supervision.** A Project Arborist with AQF Level 5 qualifications is to be engaged to ensure compliance with the tree protection measures and oversee all works including demolition and construction, in relation to the trees identified for retention on the site.
68. **Drop-edge beams.** Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

PRIOR TO OCCUPATION CERTIFICATE

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

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

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

69. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 484676S, dated 17 June 2013.

ITEM 1 (continued)

ATTACHMENT 1

70. **Landscaping.** All landscaping works approved by Condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.
71. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

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

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

72. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of the **Occupation Certificate**.
73. **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

74. **Disused Gutter crossing.** Any disused gutter crossings shall be removed and kerb and gutter including footpath shall be reinstated to Council's satisfaction.
75. **Engineering Certification.** To ensure stormwater drainage works are completed in accordance with approved plans, Certification shall also be obtained from a chartered civil engineer with NPER registration with Engineers Australia, indicating the constructed works complied with DCP 2010. Part 8.2.

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

ITEM 1 (continued)

ATTACHMENT 1

76. **Single dwelling only.** The dwelling is not to be used or adapted for use as two separate domiciles or a boarding house.

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

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

(a) That LDA2013/0211 at 20 Amiens Street, Gladesville being LOT A DP27326 be refused for the following reasons:

(i) There are a number of non-compliances with Council's Dwelling House Development Control Plan (DCP) including, but not limited to:

- a three storey element;
- a roof top terrace; and
- cut and fill that exceeds Councils controls.

(ii) That approval of this application would not be in the public's interest.

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

On being put to the Meeting, the voting on the Amendment was three (3) votes For and eight (8) votes Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: Councillors Chung, Petch and Salvestro-Martin

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

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

(a) That LDA2013/0211 at 20 Amiens Street, Gladesville being LOT A DP27326 be approved subject to the conditions set out below:

DEFERRED COMMENCEMENT

The following are the Deferred Commencement condition(s) imposed pursuant to Section 80(3) of the Environmental Planning & Assessment Act 1979.

ITEM 1 (continued)

ATTACHMENT 1

1. **Plan amendments.** The submission of amended plans for the approval of Council's Group Manager Environment & Planning which provide the following plan amendments:
 - Amendment of the front gable and associated roof structure over the Loft Room and Balcony on the top level; to reduce the overall height and minimize the loss of water views from the heritage items located across the road
 - The rear gable end above the Lounge Room must be replaced with a hipped roof (to reduce the overall height);
 - Specific Details must be provided on the proposed Solar Tiles (If it is found that there would be any adverse impact on the adjacent Heritage Items this element must be removed) and replaced with an appropriately approved alternative;
 - A detailed Photographic Archival Recording is to be undertaken in accordance with the NSW Heritage Division guidelines of the existing two dwellings located on the site (including internal and external images) prior to any excavation or demolition;
 - Detailed Schedule on how the existing sandstone will be re-used in the construction of the new dwelling; including details on cleaning, storing and location of the re-used sandstone.

2. **Access & Parking.** All internal driveways, vehicle turning areas, garage opening widths and parking space dimensions shall comply with AS 2890.1-2004.

With respect to this, the following revision(s) must be undertaken;

- (a) A splay clear of obstructions must be provided on the eastern side of the driveway entry to permit adequate sight distance between pedestrians and a vehicle exiting the property. The splay must be generally in accordance with Figure 3.3 of AS 2890.1 and is to provide 2m clearance from the edge of the driveway at the property boundary alignment.

The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

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:

ITEM 1 (continued)
ATTACHMENT 1

Document Description	Date	Plan No/Reference
Site Plan & Site Analysis	October 2013	Drawing No. A-01 Rev A
Ground Floor Plan	October 2013	Drawing No. A-02 Rev A
First Floor Plan	October 2013	Drawing No. A-03 Rev A
Roof Plan	October 2013	Drawing No. A-04 Rev A
Elevations	October 2013	Drawing No. A-05 Rev A
Elevations & Section	October 2013	Drawing No. A-06 Rev A
Landscape Planting Plan	9 May 2013	L01/1- K18101
Arboricultural Assessment Report	23 May 2013	No reference
Demolition Work Plan	June 2013	Project No. J10-12
Waste Management Plan	June 2013	Project No. J10-12
Stormwater Drainage/Sediment Control Details	4 July 2013	1404-S1/3 Revision D
Stormwater Drainage/Sediment Control Details	4 July 2013	1404-S2/3 Revision D
Stormwater Drainage/Sediment Control Details	4 July 2013	1404-S3/3 Revision D

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(s) numbered 484676S, dated 17 June 2013.
4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

ITEM 1 (continued)

ATTACHMENT 1

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. **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.
7. **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

8. **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.
9. **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.

Swimming Pools/Spas

10. **Pool filter – noise.** The pool/spa pump/filter must be enclosed in a suitable ventilated acoustic enclosure to ensure the noise emitted therefrom does not exceed 5dB(A) above the background noise level when measured at any affected residence.
11. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.
12. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.
13. **Resuscitation Chart.** A resuscitation chart containing warning “YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL” must be provided in the immediate vicinity of the pool area so as to be visible from all areas of the pool.

ITEM 1 (continued)**ATTACHMENT 1**Engineering Conditions

14. **Stormwater disposal.** Stormwater runoff from all impervious areas of the site is to be collected and piped to the existing or new underground stormwater drainage system in accordance with Council's DCP 2010, Part 8.2 "Stormwater Management".
15. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
16. **Service Alterations.** All mains, services, poles, etc., which require alteration to facilitate the development shall be altered at the applicant's expense. Written approval and signed off at completion from the relevant Public Authority shall be submitted to Council.
17. **Restoration.** To ensure public areas will be safely maintained at all times all disturbed public areas must be restored to Council satisfaction. All restoration of disturbed road, footway areas, kerb and gutters, redundant vehicular crossings etc arising from the proposed development works will be carried out by Council subject to the lodgement of a Road Opening Permit application to Council with payment of fees in accordance with Council's Management Plan, prior to commencement of works.
18. **Road Opening Permit.** To ensure all restoration works within the public road reserve will be completed and restored to Council satisfaction, the applicant shall apply for a Road Opening permit where excavation works are proposed within the road reserve. No works shall be carried out on the road reserve without this permit being paid and a copy kept on the site.
19. **Council's Approval.** To ensure all engineering works within the public road and/or drainage reserve, including Council's parkland will be completed to Council satisfaction, engineering approval and compliance certificates must be obtained from Council for the following works at the specified stage where applicable and **submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.** Fees applicable to the proposed works in accordance with Council's Management Plan are to be paid to Council prior to approval being given by Council:
 - Approval for drainage connection(s) to Council's stormwater drainage systems and inspection of the stormwater connection by council prior to backfilling.

ITEM 1 (continued)

ATTACHMENT 1

- Approval shall be obtained for the construction of any structure on Council's road and drainage reserve, including parkland. The inspection(s) for these structures, during construction shall be made by Council e.g. prior to casting & backfilling of Council's pits and other drainage structures including kerb & gutter, access ways, aprons, pathways, vehicular crossings, dish crossings and pathway steps etc.
- Final inspection by Council after completion of all external works with all disturbed areas satisfactorily restored.

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.

20. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
 - (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
 - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
21. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
22. **Excavation**
 - (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
 - (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

ITEM 1 (continued)

ATTACHMENT 1

23. **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.
24. **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.
25. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
26. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

Imported fill

27. **Imported fill – type.** All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.
28. **Imported fill – validation.** All imported fill must be supported by a validation from a qualified environmental consultant that the fill constitutes Virgin Excavated Natural Material. Records of the validation must be provided upon request by the Council.
29. **Delivery dockets to be provided.** Each load of imported fill must be accompanied by a delivery docket from the supplier including the description and source of the fill.
30. **Delivery dockets – receipt and checking on site.** A responsible person must be on site to receive each load of imported fill and must examine the delivery docket and load to ensure that only Virgin Excavated Natural Material that has been validated for use on the site is accepted.
31. **Delivery dockets – forward to PCA on demand.** The delivery dockets must be forwarded to the Principal Certifying Authority within seven (7) days of receipt of the fill and must be produced to any authorised officer who demands to see them.

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.

ITEM 1 (continued)

ATTACHMENT 1

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.

32. **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**.
33. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
34. **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)
35. **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
36. **Alignment Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific alignment levels by Council prior to the issue of the **Construction Certificate**.
37. **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**.
38. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely 18 and 24 Amiens Street, Gladesville. A copy of the survey is to be submitted to the PCA (*and Council, if Council is not the PCA*) prior to the release of the **Construction Certificate**.

ITEM 1 (continued)

ATTACHMENT 1

39. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of the **Construction Certificate**, 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.

40. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
41. **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**.
42. **Pool fencing.** The pool fence is to be erected in accordance with the approved plans and conform with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*. Details of compliance are to be reflected on the plans submitted with the **Construction Certificate**.
43. **Relocation of retaining wall and rain water tank.** To ensure adequate protection of the tree's roots covered in the following condition, the proposed rainwater tank and retaining wall adjacent to the rainwater tank is to be relocated away from the 2.4m tree protection zone area. Details of the revised rainwater tank and retaining wall location are to be submitted to Council for approval prior to the issue of the **Construction Certificate**.
44. **Tree protection.** The *Glochidion ferdinandi* (Cheese Tree) located on the adjoining property at 34 Meriton Street is to be retained and protected as part of the proposed development through establishment of a 2.4m Tree Protection Zone (TPZ).

ITEM 1 (continued)

ATTACHMENT 1

In this regard, to ensure adequate protection of the tree's roots, the proposed rainwater tank and retaining wall adjacent to the rainwater tank is to be relocated away from the 2.4m tree protection zone area. Details of the revised rainwater tank and retaining wall location are to be submitted to Council for approval prior to the issue of the **Construction Certificate**.

Engineering Conditions

45. **Site Stormwater Drainage System.** To ensure satisfactory stormwater disposal and minimise downstream stormwater impacts, stormwater runoff from the site shall be collected and piped by gravity flow to the public road in accordance with the requirements of DCP 2010: Part 8.2- Stormwater Management. Accordingly, detailed engineering plans with certification indicating compliance with this condition are to be submitted with the Construction Certificate application.
46. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveways, carparking areas, landscaping and stormwater drainage design where applicable to ensure smooth transition.
47. **Driveway Grades.** The driveway access and footpath crossing(s) shall be designed to fully comply with the relevant section of AS 2890.1.-2004 and Council's issued alignment levels. Engineering certification indicating compliance with this condition is to be submitted with the Construction Certificate application.
48. **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 crossing(s) are to be constructed in plain reinforced with location, design and construction shall conform to Council requirements. Accordingly, prior to issue of Construction Certificate an application shall be made to Council's Public Works division for driveway crossing alignment levels. These issued levels are to be incorporated into the design of the driveway access and clearly delineate on plans submitted with the Construction Certificate application.

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****49. 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.

50. 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.

51. 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

52. Excavation adjacent to adjoining land

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

53. 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.

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.

- 54. 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*.
- 55. 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.
- 56. Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
- 57. Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
 - (a) Fill is allowed under this consent;
 - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;

ITEM 1 (continued)

ATTACHMENT 1

- (c) the material is reused only to the extent that fill is allowed by the consent.
58. **Construction materials.** All materials associated with construction must be retained within the site.
59. **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.
60. **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.
61. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
62. **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.
63. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.
64. **Tree protection.** The *Glochidion ferdinandi* (Cheese Tree) located on the adjoining property at 34 Meriton Street is to be retained and protected as part of the proposed development through establishment of a 2.4m Tree Protection Zone (TPZ).
65. **Tree works – Australian Standards.** Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.
66. **Tree works – provision of arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

ITEM 1 (continued)

ATTACHMENT 1

67. **Tree works – arborist supervision.** A Project Arborist with AQF Level 5 qualifications is to be engaged to ensure compliance with the tree protection measures and oversee all works including demolition and construction, in relation to the trees identified for retention on the site.
68. **Drop-edge beams.** Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

PRIOR TO OCCUPATION CERTIFICATE

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

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

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

69. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 484676S, dated 17 June 2013.
70. **Landscaping.** All landscaping works approved by Condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.
71. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

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

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

ITEM 1 (continued)

ATTACHMENT 1

72. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of the **Occupation Certificate**.
73. **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

74. **Disused Gutter crossing.** Any disused gutter crossings shall be removed and kerb and gutter including footpath shall be reinstated to Council's satisfaction.
75. **Engineering Certification.** To ensure stormwater drainage works are completed in accordance with approved plans, Certification shall also be obtained from a chartered civil engineer with NPER registration with Engineers Australia, indicating the constructed works complied with DCP 2010. Part 8.2.

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

76. **Single dwelling only.** The dwelling is not to be used or adapted for use as two separate domiciles or a boarding house.
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Etmekdjian, Laxale, Li, Pendleton, Pickering, Simon and Yedelian OAM

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

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Li and Etmekdjian)

That standing orders be suspended for Council to now consider tabling of petitions, the time being 8.44pm.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

TABLING OF PETITIONS

Councillor Li tabled a petition from 62 local residents objecting to a combined entry/exit vehicular access from Epping Road between Herring Road and Sobraon Road proposed in LDA2014/0041.

MAYORAL MINUTES

5/14 SAVE OUR STREETS... REAL ACTION ON ALCOHOL NOW - The Mayor Roy Maggio

Note: Councillor Petch left the meeting 8.44pm and did not return. He was not present for consideration or voting on this Item.

Note: Cllr Yedelian OAM left the meeting at 8.46pm and was not present for voting on this Item.

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

That this matter be deferred for a Councillor Workshop and a presentation at that Workshop.

Record of Voting:

For the Motion: Unanimous

6/14 POTENTIAL NSROC - SHOROC MERGER - The Mayor Roy Maggio

Note: Councillors Petch and Yedelian OAM were not present for consideration or voting on this Item.

RESOLUTION: (Moved by The Mayor, Councillor Maggio and Councillor Salvestro-Martin)

- (a) That Council support the formation and participation in a Northern Metropolitan Council of Mayors (working title).
- (b) Council authorise the Mayor and Acting General Manager to sign a Memorandum of Understanding for Council to become a member of the Northern Metropolitan Council of Mayors (working title) under the terms outlined in the draft Terms of Reference.

ITEM 1 (continued)

ATTACHMENT 1

- (c) Council outline to the NSW Government in its submission regarding the Independent Local Government Review Panel's 'Revitalising Local Government' report the intention to form the Northern Metropolitan Council of Mayors noting its alignment with the Panel's proposed Joint Organisation model.
- (d) That if any funding is requested of Council following signing of an MOU, that this request come back to Council for its consideration.

Record of Voting:

For the Motion: Unanimous

7/14 KISS AND DROP ZONES - RAILWAY STATION SITES - The Mayor Roy Maggio

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

Note: Councillor Yedelian OAM returned to the meeting at 8.47pm

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 11 March 2014

Note: Councillor Salvestro-Martin left the meeting at 8.47pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Simon)

That the Minutes of the Council Meeting 3/14, held on 11 March 2014 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 4/14 held on 18 March 2014

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

Note: Councillor Salvestro-Martin returned to the meeting at 8.54pm.

ITEM 1 (continued)

ATTACHMENT 1

3 CITY OF RYDE DRAFT COMMUNICATIONS AND ENGAGEMENT STRATEGY

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

RESOLUTION: (Moved by Councillors Pickering and Pendleton)

- (a) That Council endorse the City of Ryde's Draft Communications and Engagement Strategy.
- (b) That Council publishes the City of Ryde Communications & Engagement Strategy on Council's website.
- (c) That the Media and Communications team be congratulated on their work on the City of Ryde Draft Communications and Engagement Strategy.

Record of Voting:

For the Motion: Unanimous

4 ELS HALL PARK - WEST TIGERS

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

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

- (a) That Council receive and note the actions as detailed in this report.
- (b) That Council not undertake any further action until West Tigers clarify their position on this matter.

Record of Voting:

For the Motion: Unanimous

5 GRAFFITI ACTION PLAN 2014 - 2016

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

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

That Council endorse the draft Graffiti Action Plan 2014 – 2016 as attached.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

6 CITY OF RYDE NEW WASTE MANAGEMENT STRATEGY

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

Note: Councillor Pendleton left the meeting at 9.11pm and was not present for voting on this Item.

Note: Councillors Salvestro-Martin left the meeting at 9.11pm and did not return. He was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

(a) That the 2014 City of Ryde Waste Management Strategy be adopted including the three (3) key initiatives outlined in the reports as follows:

1. Increase waste avoidance and landfill diversion.
2. Review of current Household Clean-up collection.
3. Managing waste services to high-rise multi-unit developments.

(b) That staff be congratulated on their work on developing the City of Ryde Waste Management Strategy.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Pendleton returned to the meeting at 9.11pm.

7 INVESTMENT REPORT - February 2014

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

That Council endorse the report of the Chief Financial Officer dated 12 March 2014 on Investment Report – February 2014.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

8 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - 15 to 18 June 2014

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Pendleton and Pickering)

- (a) That Council endorse the attendance of the Mayor, Councillor Maggio and Councillor Etmekdjian at the National General Assembly of Local Government held in Canberra on Sunday, 15 June 2014 to Wednesday, 18 June 2014.
- (b) That Council nominate The Mayor, Councillor Maggio to be the voting delegate to represent the City of Ryde during debates on Motions presented to the Assembly.

Record of Voting:

For the Motion: Unanimous

9 REPORTS DUE TO COUNCIL

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

That the report on Outstanding Council Reports be endorsed.

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

1 COMMUNITY HUB MODEL

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

- (a) That the correspondence be received and noted.
- (b) That the relevant staff be congratulated on their work on the implementation of the Community Hub Model.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

2 NSW TAXI TRANSPORT SUBSIDY SCHEME

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Simon and Pickering)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

3 RESPONSE FROM HON DON PAGE MP - REQUEST FOR MEETING

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Simon and Pickering)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 SYDNEY TRAINS PARKING AT EASTWOOD STATION - Deputy Mayor Justin Li

Note: This matter was dealt with earlier in the meeting in conjunction with Mayoral Minute 7/14 – KISS AND DROP ZONES - RAILWAY STATION SITES as outlined in these Minutes.

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Sarkis Yedelian OAM

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

ITEM 1 (continued)**ATTACHMENT 1**

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

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

Record of Voting:

For the Motion: Unanimous

Question 1

Who decided to hold Citizenship Ceremony on Harmony Day and was Harmony Advisory Committee or the Chair been advised.

Answer 1

The Community Harmony Advisory Committee was consulted on re-shaping the Harmony Day celebrations and based on advice from the Committee it was decided to conduct a trial of the Harmony Day Celebrations at Top Ryde City from 12noon-5pm with the objective of promoting the event to a wider audience.

The Committee's advice was sought at three (3) meetings June, September and November 2013, staff also conducted a special feedback workshop in August 2013, results of which were discussed with the Committee at its September meeting.

The Mayor, Councillor Maggio had requested that staff investigate the possibility of conducting "special" Citizenship Ceremonies outdoors, in addition to the formalised ceremonies in the Civic Hall. Given the alignment of the objectives and audience of Citizenship Ceremonies with the objectives of Harmony Day Celebrations, it was deemed appropriate to trial a Citizenship Ceremony, on the same day, prior to the start of the Harmony Day Celebration event at 12pm.

The addition of the Ceremony to the Harmony Day Celebrations was not discussed at a meeting of the Community Harmony Advisory Committee, as the Ceremony did not impact the activities planned for the Harmony Day Celebration Event.

Both trial Events will be evaluated to assess success and to identify areas of improvement. The Community Harmony Advisory Committee will be consulted as part of this process.

Question 2

Why no invitation was sent to all Councillors as was the procedure till now (I know it was listed in CIB) and Harmony Advisory Committee members as was the custom.

ITEM 1 (continued)

ATTACHMENT 1

Answer 2

The Harmony Day Celebrations and the Citizenship Ceremony were both notified to Councillors through the Outlook Calendar as well as through the Councillor Information Bulletin (CIB).

Question 3

How much each Citizenship is costing Council. Please itemise the cost.

Answer 3

The direct cost for each Citizenship Ceremony is approximately \$820 (Excluding GST). In addition to the direct cost, there is cost of staff time working in the evening of each event and cost of printing which is undertaken internally.

See below (4) for breakdown.

Question 4

Are we paying (if yes, how much) the participants of citizenship, concert band, Councillors, aboriginal elder who performs welcome to country, singer, Electoral office representatives. Why a sort of shade was not provided to the outdoor marquis (sun was scorching and many recipient, elderly, guests and VITS were feeling sick. Eventually half way in the ceremony people left the venue to be sheltered elsewhere).

Answer 4

Ryde City Concert Band Donation	\$120.00
National Anthem Singer – Roseanna Gallo	\$150.00
Welcome to Country – Uncle Greg Simms	\$200.00
Catering	\$180.00
City of Ryde Flag pins – Gifts	\$100.00
Australian Flag hand wavers	\$70.00

The marquee provided on 22 March 2014 had a clear roof and was chosen to complement the outdoor environment and the forecasted weather. In the week leading up to the Event, the weather forecast was for possible showers and temperatures in mid-20's. Unfortunately the day became quite hot and very humid.

The staff distributed water during the ceremony, which lasted approximately 45 minutes. Refreshments were provided after the Ceremony in the Events Cinema Lounge for all participants.

ITEM 1 (continued)**ATTACHMENT 1**Question 5

Why we are having the same singer singing Australian Anthem, when we have many other talented Ryde citizens happy to perform without pay.

Answer 5

The civic importance of Citizenship Ceremonies call for a certain level of formality and consistency in standard of delivery. At the request of the Mayor, staff are currently reviewing the format of Citizenship Ceremonies to improve efficiency and flow of the event. The approach to the performance of the National Anthem is also being considered.

Question 6

Please provide listing with cost of non COR staff being engaged at all COR events.

Answer 6

City of Ryde events are developed and managed by Council staff, external staff are not engaged. Depending on the size and type of each event, appropriate contractors and suppliers are engaged to provide services such as entertainment and infrastructure. These suppliers are engaged in line with Council's Procurement Guidelines.

CLOSED SESSION**ITEM 10 - REQUEST FOR TENDER - COR-RFT-25/13 - Auditing Services for six years from 2013/2014 to 2018/2019****Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

ITEM 11 - WEST RYDE URBAN VILLAGE - PROGRESS REPORT**Confidential**

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

ITEM 1 (continued)

ATTACHMENT 1

ITEM 12 - 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.

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Simon)

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

Record of Voting:

For the Motion: Unanimous

Note: Council closed the meeting at 9.21pm. The public and media left the chamber.

10 REQUEST FOR TENDER - COR-RFT-25/13 - Auditing Services for six years from 2013/2014 to 2018/2019

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Etmekdjian and Yedelian OAM)

- (a) That Council accept the tender from Price Waterhouse Coopers for the auditing services for six years from the 2013/2014 financial year to the 2018/2019 financial year inclusive to the amount of \$55,000 as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the Acting General Manager the authority to enter into a contract with Price Waterhouse Coopers 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.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

11 WEST RYDE URBAN VILLAGE - PROGRESS REPORT

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Etmekdjian and Simon)

- (a) That Council receive and note this report.
- (b) That Huntington's Disease Association be kept informed on progress for the relocation of the pole outside their property.

Record of Voting:

For the Motion: Unanimous

12 ADVICE ON COURT ACTIONS

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Etmekdjian and Yedelian OAM)

That the report be received and noted.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 9.30pm.

ITEM 1 (continued)

ATTACHMENT 1

Note: Councillors Petch and Salvestro-Martin were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Pickering)

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

Record of Voting:

For the Motion: Unanimous

NATIONAL ANTHEM

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

The meeting closed at 9.34pm.

CONFIRMED THIS 8TH DAY OF APRIL 2014

Chairperson

2 PUBLIC TOILET AT SAGER PLACE SHOPPING CENTRE

Report prepared by: Team Leader - Design and Development
File No.: PM12/70001/002 - BP14/78

REPORT SUMMARY

At the meeting on 26 November 2013, a report on the Landscape Concept Plan of the Sager Place Shopping Centre was considered by Council. At the meeting a petition requesting that Council provide public toilets at the centre was tabled and Council was addressed by a speaker who made the same request. Council approved the Landscape Concept Plan subject to further investigation with regard to the provision of a public toilet at the site.

Investigations have been undertaken as follows:

1. Council has written to State Transit requesting a financial contribution towards the funding of a toilet at Sager Place.
2. Two options for the location of a toilet have been identified.
3. Cost estimate has been prepared that includes supply, installation and ongoing maintenance costs for the two options.

This report recommends that a public toilet facility not be provided at Sager Place due to:

- the demand for the toilet appears to be created by the needs of the bus drivers.
- public toilets in local parks such as Heatly Reserve are not usually provided by Council due to the size of the parks, low usage rates, short time stay of users and the location of the park within residential areas.
- the location of the toilet in the park will have an impact on the function of the park (Option 1) or would reduce the number of off street car parking spaces at the Centre (Option 2).
- additional project budget (up to \$134,000) and recurrent budget (up to \$7,500) is required to fund the provision of the facility and the ongoing operational requirements - cleaning, maintenance, etc.

RECOMMENDATION:

- (a) That Council note the report into investigations on the provision of a public toilet at Sager Place Neighbourhood Centre.
- (b) That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan.
- (c) That Council does not support the provision of a public toilet at Sager Place Neighbourhood Centre.

ITEM 2 (continued)

ATTACHMENTS

- 1 Works and Community Committee Report 19 November 2013 - Upgrade of Sager Place Shopping Centre Concept Plan
- 2 Toilet Facility and Costings

Report Prepared By:

Margaret Fasan
Team Leader - Design and Development

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 2 (continued)**Discussion**

At the meeting on 26 November 2013, a report on the Landscape Concept Plan of the Sager Place Shopping Centre was considered by Council is **ATTACHED** (Attachment 1). The Concept Plan proposed upgrading of the footpaths, including footpath widening and street tree planting on Moncrieff Drive and Elliott Avenue. It is noted that the footpath immediately in front of the shops is not owned by Council and so no upgrading works were proposed in this location. The Sager Place shops are adjoined by Heatly Reserve.

At this meeting a petition requesting that Council provide public toilets at the centre was tabled and Council was addressed by a speaker who made the same request.

The Council report provided the following background information on this issue:

Public toilets

An unresolved issue that has emerged through the consultation is that because there are no public toilets at Sager Place, Sydney Bus drivers and others ask shopkeepers to use their private toilets. The frequency of these requests is regarded as a nuisance by some of the shopkeepers. This matter was discussed at length at the first consultation meeting and generally the provision of a public toilet was not supported for the following reasons:

- *The installation of a toilet is expensive – resulting in limiting the funds available for other improvement works*
- *As there is insufficient space within the footpath area, a public toilet would need to be located in Heatly Reserve. This was considered to be an unsightly addition to the park and could cause ongoing problems such as anti-social behaviour, smells etc.*
- *There would be ongoing maintenance costs to Council.*

Council's Section Manager - Open Space has advised that in accordance with the Integrated Open Space Plan it is not Council policy to provide toilets in a neighbourhood park such as Heatly Reserve. Following a suggestion from one of the residents, the Acting Manager Urban Planning has written to request that Sydney Buses investigate the provision of toilet facilities for its drivers at either the Ryde Depot in Buffalo Road, which is just off the 506 bus route, or at the Macquarie Shopping Centre - the terminus for the 506 bus route.

At the meeting on 26 November 2013, Council resolved in the following terms:

That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan subject to further investigation with regard to the provision of a public toilet at the site.

ITEM 2 (continued)

In response to the above resolution, this report provides information on the outcomes of the investigations into the provision of a public toilet at the Sager Place Neighbourhood Centre.

Determining the need for a toilet facility

The consultation undertaken for the development of the Landscape Concept Plan involved two workshops

- Workshop 1 held on 11 February 2013 to understand the issues and opportunities of the centre. It was attended by 14 residents and 3 shop owners/tenants. The issues which were raised included maintaining the character of the centre, safety and pedestrian accessibility, parking/traffic and landscape elements that could improve the centre.
- Workshop 2 held on 22 August 2013 to present the draft concept design. The workshop was attended by 9 residents and 1 shop owners/tenants. The suggestions to improve the concept plan included the use of evergreen native species, orientation of picnic table towards the playground, and widening the footpath on Moncrieff Drive to enhance pedestrian amenity.

Details on the consultation process are outlined in the report presented to Council in November 2013 – Attachment 1

The provision of public toilets at the centre was discussed at length at workshop 1, with the discussion focused on the need for a facility mainly to address the needs of the bus drivers. While the provision of a toilet was not resolved at the workshops, it was generally agreed by those at the workshop that a toilet not be included as part of the landscape works and identified in the concept design on the grounds that :

- there is insufficient space in Heatly Reserve,
- the location of the facility in the park could lead to anti-social behaviour and
- the limited funding available to undertake both the improvements works and to build a facility.

A petition tabled at the meeting on 26 November 2013 had a total of 515 signatures requesting that Council provide a toilet block at Sager Place. It is noted that 218 of these signatories were from Ryde Bus Depot.

Since the Council meeting in November 2013 correspondence has been received from 2 members of the local community opposing a public toilet at the centre.

While there may be a need for a public toilet, particularly to address the needs of by the bus drivers, the need or desire for a toilet facility by the general community remains unclear. It is considered that further consultation would need to be undertaken to determine the support for the facility.

ITEM 2 (continued)**Toilets on Dowd Lane**

There are two existing toilets (private property) at the rear of 8 Sager Place fronting Dowd Lane. It has been suggested that Sydney Bus drivers could use these toilets as they would have ready access to them from the laneway. It may be possible for the owner to negotiate a lease with Sydney Buses whereby State Transit pays rent and undertakes the ongoing maintenance of the toilets. The arrangement would be a relationship between the owner and Sydney Buses, not Council. Council has written to the owner of 8 Sager Place with this suggestion and to ascertain the owner's level of interest. To date no response has been received.

Provision on Public Toilets in Neighbourhood Centres and Local Parks

The provision of public toilets in a neighbourhood centre can often be pursued by Council as part of a redevelopment of the centre –for example with the redevelopment of the centres at Midway the developer was required to provide a toilet facility available to the public.

The provision of public toilets in local parks such as Heatly Reserve is not usually provided by Council due to factors such as:

- the size of the parks,
- low usage rates,
- short time stay of users and
- location of the park within residential areas and in proximity to dwellings.

Request for funding to Sydney Buses

As one of the primary users of a toilet facility at Sager Place would be Sydney Bus drivers, the Group Manager Environment and Planning wrote to State Transit on 16 December 2013 requesting a financial contribution towards the funding of a toilet at the Centre.

State Transit replied on 24 December 2013 stating “*State Transit is a government bus operator and its funding does not provide for infrastructure developments such as a toilet facility at a shopping centre, and as such we are unable to contribute to the funding of the facility*”.

Potential Location of a Toilet

Two potential locations have been identified for the installation of a new toilet at the Centre. Costings for both options have been prepared that include supply, installation, site works and connection to services.

ITEM 2 (continued)

[Proposed Location 1 – Heatly Reserve \(MODUS – Yarra 1 or Yarra 3\)](#)

[Proposed Location 2 - Toilet adjacent to rear of Bottle Shop \(EXELOO – Ecoloo Tasman\)](#)



Option 1- Heatly Reserve

Option 1 locates the toilet in Heatly Reserve adjacent to the central path that leads from Sager Place to the shops. This location can be readily accessed from the footpath in front of the shops and bus stop and would require only minimal grading works.

Advantages

- Close to bus stop and playground
- No residences address this location, so it is unlikely that there will be objections
- No loss of car parking spaces

Disadvantages

- Encroaches on the open space area is quite significant, reducing the use of the park
- The toilet could be regarded as unsightly and reduce visibility of the shops from the street
- Potential for odour close to shop fronts
- Significant cost to connect to sewer (75m)
- Grading works would be required to create a flat pad

ITEM 2 (continued)

A smaller unisex toilet would have less of an impact on the use and appearance of the park. However, as it is not Council practice to provide unisex toilets, two types of toilets have been costed for Option 1.

- Single, accessible unisex (Yarra 1) at a cost of \$111,260 (including installation cost).
- Annual maintenance - \$7,500



Interior size 2.1 x 2.1m

- Triple, including one male, one female and one unisex accessible (Yarra 3) at a cost of \$133,648 (including installation costs).
- Annual maintenance - \$10,000



Interior size 2.1 x 4.3m

ITEM 2 (continued)

Option 2 - adjacent to rear of Bottle Shop on Elliott Avenue

Option 2 locates a toilet within a kerb extension of the frontage to Elliott Avenue. Two car spaces would need to be removed for this option.

Advantages

- Close proximity to sewer connection, electricity and water
- Will not impact negatively on the frontages to the shops on Sager Place or the park

Disadvantages

- The adjacent shop owner may object
- Residents on Elliott Avenue may object as the toilet is immediately opposite some properties
- Loss of two car parking spaces

Option 2 location is an urban setting and so the design and finishes of the toilet should be of a high quality. Costings have been prepared for a single, accessible unisex toilet in this location (Ecoloo or similar).

- Single, accessible unisex toilet (Ecoloo) at a cost of \$121,550 (including installation).
- Annual maintenance - \$7,500



Interior size 2.2 x4.3m

Details on these options and the costings are **ATTACHED** (Attachment 2).

ITEM 2 (continued)**Preferred Option for the Toilet Facility**

Of the two options, Option 2 on the Elliott Avenue frontage is considered to be the preferred option as it would not have a detrimental impact on Heatly Reserve and the shop frontages. The cost of the facility being \$121,550 (including installation) with an annual maintenance costs of \$7,500.

If Council was to support the provision of a toilet facility in Sager Place, it is considered that further consultation with shop owners/tenants and the community would need to be undertaken regarding the preferred location.

Financial Implications

The City of Ryde 2013/17 Four Year Delivery Plan has a budget of \$613,540 to be spent in 2014/15 for the Neighbourhood Centres Renewal Program that will cover the total project cost for the construction of the public domain works of both the Quarry Road and Sager Place centres.

The construction cost to implement the Landscape Concept Plan for the Sager Place centre upgrade has been estimated to be \$275,000. If Council were to resolve to support the provision of a toilet facility at Sager Place, additional funding of up to \$133,700 would be required.

The additional budget of up to \$134,000 would need to be allocated to the Centres and Neighbourhood Program resulting in a total budget for the project being over \$400,000. The additional funds would be required to be sourced from General Revenue.

Options

The options in relation to proceeding with the provision of a public toilet at the Sager Place Neighbourhood Centre are outlined as follows:

Option 1

The public domain works as identified in the concept plan and the provision of a public toilet at Sager Place shops are supported and that consultation with the local community is undertaken to determine a preferred location for the toilet

This option would require an additional budget of up to \$134,000 to be allocated to the Centres and Neighbourhood Program resulting in a total budget for the project being over \$400,000. The additional funds would be required to be sourced from General Revenue.

If Council resolves to support this option the design and documentation process of the Sager Place Neighbourhood Centre Landscape Concept Plan would need to put on hold pending the outcome of consultation with the community regarding the preferred location of a toilet. This delay may result in the constructions works program being extended into the financial year of 15/16.

ITEM 2 (continued)Option 2

The public domain works as identified in the concept plan for Sager Place are supported and the works are undertaken within the current proposed budget of \$275,000 and funded in the 14/15 budget. The provision of a public toilet at the centre does not proceed as:

- The demand for the toilet appears to be created by the needs of the bus drivers.
- Public toilets in local parks such as Heatly Reserve are not usually provided by Council due to the size of the parks, low usage rates, short time stay of uses and the location of the park within residential areas.
- The location of the toilet in the park will have an impact on the function of the park (Option1) or would reduce the number of off street car parking spaces at the Centre (Option 2).
- Additional project budget and recurrent budget is required to fund the provision of the facility and the ongoing operational requirements such cleaning, maintenance.

Option 3

The provision of a public toilet at Sager Place shops is supported and that consultation with the local community is undertaken to determine a preferred location for the toilet. The public domain works as identified in the concept plan does not proceed. The option would result in a community need being addressed; however the following public domain upgrades at the centre would not occur:

- New street trees to provide shade and local character
- Distinctive concrete and granite paving.
- New picnic tables adjacent to the playground in Heatly Reserve.
- Improved lighting near the bus stop in Sager Place and along Elliott Avenue
- New bike racks on the Elliott Avenue frontage
- New “Welcome to Sager Place” entry sign at the corner of Heatly Reserve on Moncrieff Drive
- New raised planter bed and landscaping to replace the raked footpath.

Option 2 is considered the preferred option and this report recommends that Council adopt the concept plan for the Centre and the public works be undertaken in 2014/2015.

ITEM 2 (continued)

ATTACHMENT 1

PREVIOUS REPORT

3 NEIGHBOURHOOD CENTRES RENEWAL PROGRAM - UPGRADE OF SAGER PLACE SHOPPING CENTRE - CONCEPT PLAN

Report prepared by: Team Leader - Design and Development
File No.: PM12/70001/003 - BP13/1533

REPORT SUMMARY

Council's Four Year Delivery Plan under the Neighbourhood Centre renewal program includes funding for a public domain upgrade of the Sager Place neighbourhood centre. This report outlines the community consultation that has taken place to inform the landscape concept plan for the Sager Place centre. Endorsement is sought for the Landscape Concept Plan in order to proceed with the preparation of detailed design and tender documents in the 2013/14 financial year and construction during the 2014/15 financial year.

RECOMMENDATION:

That Council approve the Sager Place Neighbourhood Centre Landscape Concept Plan.

ATTACHMENTS

- 1 Sager Place Landscape Concept Plan**

Report Prepared By:

Margaret Fasan
Team Leader - Design and Development

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 2 (continued)**ATTACHMENT 1****PREVIOUS REPORT****Background**

A report on the forward program for capital works expenditure for public domain upgrades in Ryde's town and neighbourhood centres was considered by Council at its meeting on 2 August 2011. The Sager Place shopping centre was identified as having a high priority for an upgrade as there is opportunity to improve the public domain and enhance the safety of this neighbourhood centre. At the meeting, Council resolved in the following terms:

- (a) *That the study 'Centres - public domain upgrades' be adopted by Council.*
- (b) *That the public domain upgrade construction of Church Street Ryde (stage 1) and Rowe Street (east) Eastwood be funded from the town centre upgrade budget in the 4 year period from 2011/12 to 2014/15.*
- (c) *That the public domain upgrade of small and neighbourhood centres for the 4 year period from 2011/12 to 2014/15 commence with Boronia Park shopping centre and then rotate as follows: Agincourt Road, Quarry Road, Sager Place, Allars Street, Watts Road, Callaghan Street, Meadowbank Station (west).*
- (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.*
- (e) *That a further report be provided to Council on this matter after consultation with shop owners in Church Street.*

This report responds to Item (c) of the above resolution. Funding has been allocated in the Four Year Delivery Plan to public domain upgrades in the neighbourhood centres commencing in 2011/12. Boronia Park and Agincourt Road Centres have reached practical completion and outstanding matters are scheduled to be completed by early 2014.

Landscape Concept Plans of the Quarry Road and Sager Place shopping centres have been prepared in 2013. Council approved the Concept Plan of the Quarry Road Centre on 16 July 2013. This report outlines the community consultation that has taken place to inform the landscape concept plan for the Sager Place Centre and recommends that Council approve the resulting concept plan.

Discussion

Council's Urban Planning Unit is the Business Owner of the Neighbourhood and Centres Renewal Programs and has managed the first stage of the public domain upgrade of the Sager Place centre, namely the preparation of the Landscape

ITEM 2 (continued)**ATTACHMENT 1**

PREVIOUS REPORT

Concept Plan (**ATTACHMENT 1**). The Concept Plan has been prepared following input from the local community.

Site Analysis

Sager Place shopping centre is a relatively busy local centre situated between Moncrieff Drive and Elliott Avenue. The centre includes 8 retail shops. The shops are immediately adjacent to Heatly Reserve which has a well patronised playground that functions as a focus for the local community.

Currently, the public domain comprises a concrete footpath immediately in front of the retail tenancies owned by the shops and the footpaths on Moncrieff Drive and Elliott Avenue which are owned by Council. The council owned footpaths in Moncrieff Drive and Elliott Avenue are narrow, in poor condition and require renewal. For this reason the scope of the upgrade has in the main, been restricted to Moncrieff Drive and Elliott Avenue. Ample parking is available on these two frontages.

As with all small retail centres good urban design has the potential to improve the area as a retail destination and an enjoyable gathering place for the local community.

Consultation

Internal Council business units consulted included:

- Project Development
- Open Space
- Traffic
- Asset Management

Two consultation meetings were held to discuss the public domain upgrades with interested landowners and residents. A letter drop was made to local residents around the centre informing them of the meetings. The shop owners were also invited to the meetings.

Consultation meeting One

Before beginning the design process a consultation meeting was held on Monday 11 February 2013 at 6.30pm at the Ryde Civic Centre to ascertain the issues that residents and owners saw as important for the area.

Fourteen residents, three owners/shopkeepers and a Councillor attended the meeting. The group then worked through issues including:

- The character of the centre
- Safety and pedestrian accessibility
- Parking and traffic

ITEM 2 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

- Social amenity
- Landscape and design elements that could improve the centre

There was a general consensus that an upgrade of the Moncrieff Drive and Elliott Avenue frontages, additional tree planting, picnic tables, improved lighting and an entry sign were highly desirable. This information was used to develop a Concept Plan.

Consultation meeting Two

A second consultation meeting was held on Thursday 22 August 2013 at 6.30pm at the Civic Centre.

Nine residents, one shopkeeper and a Councillor attended. The Concept Plan which had been prepared by Council staff was presented. The plan was prepared taking into consideration the issues raised during previous consultation. Whilst there was much support for the Concept Plan, there were also some suggested amendments that have been included in the final Concept Plan including:

- A preference for evergreen/native species rather than deciduous trees,
- Reorienting picnic tables so that parents can watch children in the playground
- Deleting the proposed street trees along Dowd Lane as they would be too difficult to maintain
- Widening the footpath on Moncrieff Drive to enhance pedestrian movement

Due to limited funding, only those suggestions that were seen as high priority have been included in the final Concept Plan.

Public toilets

An unresolved issue that has emerged through the consultation is that because there are no public toilets at Sager Place, Sydney Bus drivers and others ask shopkeepers to use their private toilets. The frequency of these requests is regarded as a nuisance by some of the shopkeepers. This matter was discussed at length at the first consultation meeting and generally the provision of a public toilet was not supported for the following reasons:

- The installation of a toilet is expensive – resulting in limiting the funds available for other improvement works
- As there is insufficient space within the footpath area, a public toilet would need to be located in Heatly Reserve. This was considered to be an unsightly addition to the park and could cause ongoing problems such as anti-social behaviour, smells etc.
- There would be ongoing maintenance costs to Council.

ITEM 2 (continued)**ATTACHMENT 1****PREVIOUS REPORT**

Council's Section Manager - Open Space has advised that in accordance with the Integrated Open Space Plan it is not Council policy to provide toilets in a neighbourhood park such as Heatly Reserve. Following a suggestion from one of the residents, the Acting Manager Urban Planning has written to request that Sydney Buses investigate the provision of toilet facilities for its drivers at either the Ryde Depot in Buffalo Road, which is just off the 506 bus route, or at the Macquarie Shopping Centre - the terminus for the 506 bus route.

Sager Place Landscape Concept Plan

The community consultation indicated a good level of support for City of Ryde's planned improvements to the Sager Place shopping centre. There was agreement that planned improvements could improve the safety and amenity of the area for pedestrians while enhancing the overall appearance of the shopping centre.

The consultation has informed the development of the Landscape Concept Plan (**ATTACHMENT 1**). The Plan includes the following elements:

- The "front doors" to the centre to be given a significant upgrade through footpath widening and street tree planting at the Elliott Avenue and Moncrieff Drive frontages.
- New street trees to provide shade and local character
- Distinctive concrete and granite paving.
- New picnic tables adjacent to the playground in Heatly Reserve.
- Improved lighting near the bus stop in Sager Place and along Elliott Avenue
- New bike racks on the Elliott Avenue frontage
- New "Welcome to Sager Place" entry sign at the corner of Heatly Reserve on Moncrieff Drive
- New raised planter bed and landscaping to replace the raked footpath.

The concept plan will be developed and these issues considered carefully during the preparation of detailed design and tender documents.

Design documentation and construction

The second phase of this project, namely the design and documentation of the landscape works will be managed by Council's Project Development Unit in the 2013/2014 financial year. The program for this work allows for construction in the financial year 2014/2015.

ITEM 2 (continued)**ATTACHMENT 1**

PREVIOUS REPORT**Financial Implications**

The City of Ryde 2013/17 Four Year Delivery Plan has a budget of \$613,540 to be spent in 2014/15 for the Neighbourhood Centres Renewal Program that will cover the total project cost including documentation and construction for both the Quarry Road and Sager Place upgrades.

The construction cost to implement the Landscape Concept Plan for the Sager Place centre upgrade has been estimated to be \$275,000.

Risks

It should be noted that the cost estimate allows a provisional sum for utilities upgrades and that the overall cost may increase upon receipt of formal advice from utilities and Telco agencies. In addition sub-surface investigations have not been undertaken in the preparation of the cost estimate and latent conditions may also impact on the final cost. Any cost increases are expected to be manageable and will be able to be borne entirely within the existing Neighbourhood Centres Renewal budget.

ITEM 2 (continued)

ATTACHMENT 1

PREVIOUS REPORT – ATTACHMENT 1

SAGER PLACE SHOPPING CENTRE PUBLIC DOMAIN UPGRADE

CONCEPT PLAN

November 2013





Not to scale

LEGEND

- New pigmented concrete paving with granite banding
- New street tree planting—evergreen/native trees
- Existing trees to be retained



HOOP BIKE RACK








SAGER PLACE SHOPPING CENTRE PUBLIC DOMAIN UPGRADE

CONCEPT PLAN

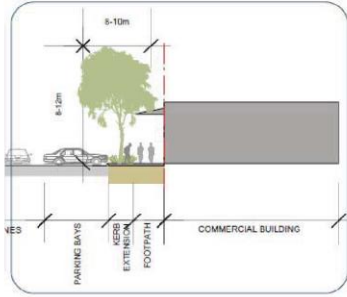


SIGNAGE

- a distinctive sign on Moncrieff Drive will help to promote the centre (indicative images)



New picnic tables and benches to be located in close proximity to the existing playground (indicative furniture)



SECTION—ELLIOTT AVENUE

The proposed upgrade of the Elliott Avenue frontage will provide a welcoming “front door” to the shopping centre. The kerb extension provides spill out space for the retail outlets and allows for significant tree planting

EXISTING ELLIOTT AVENUE



ARTIST'S IMPRESSION OF PROPOSED ELLIOTT AVENUE

ITEM 2 (continued)

ATTACHMENT 1

PREVIOUS REPORT – ATTACHMENT 1

SAGER PLACE SHOPPING CENTRE **EXISTING IMAGES**



Elliott Avenue frontage - footpath to be widened and street trees planted



Sager Place frontage - seat to be replaced by picnic tables



Memorial - memorial to be retained



Moncrieff Drive frontage - footpath to be widened and street trees planted. A raised garden bed and new landscaping to be implemented



Sager Place frontage - privately owned footpath to remain



Healty Reserve – location of proposed entry sign

ITEM 2 (continued)

ATTACHMENT 2



1- Modulated Toilet Variations

Option 1
Modus - Yarra 1

General

- Single unisex accessible
(Interior - 2.1m x 2.1m)
- Includes all fixtures and fittings
- Requires onsite assembly

Basic and Indicative Requirements

- Supply of Kit - \$16,500
- Geotech investigation and footing design
- Survey
- Pad preparation & pouring of concrete
- Erection of Toilet Building
- Connection to services

Optional Extras

- Aluminum composite interior
- Stainless Pan
- Auto Timer Locks



Aluminum composite finish



Orb profile finish

ITEM 2 (continued)

ATTACHMENT 2



Option 1
Modus - Yarra 3

General

- Single unisex accessible plus Male and Female Toilet
- (Interior - 2.1m x 4.3m)
- Includes all fixtures and fittings
- Requires onsite assembly

Basic and Indicative Requirements

- Supply of Kit - \$31,970
- Geotech investigation and footing design
- Survey
- Pad preparation & pouring of concrete
- Erection of Toilet Building
- Connection to services

Optional Costs

- Aluminum composite interior
- Stainless Pans
- Auto Timer Locks



Aluminium composite finish



Orb profile finish

ITEM 2 (continued)

ATTACHMENT 2



Option 2
EXELOO – Ecoloo Tasman

General

- Single unisex accessible – Manual (Interior - 2.2m x 3.3m)
- Includes all fixtures and fittings
- Prefabricated

Basic and Indicative Only Costs

- Supply of unit - \$49,000 ex gst
- Geotech investigation and footing design
- Survey
- Pad preparation & pouring of concrete
- Delivery and Install of Toilet Building
- Connection to services

Optional Costs

- Stainless interior
- Auto Timer Locks



Tile interior



Thorn LED Escort light



Stainless interior

ITEM 2 (continued)
ATTACHMENT 2

3 – Costing

Proposed Location 1 – Toilet located in Park (Heatly Reserve)

The estimated total cost to have the toilet option located in Heatly Reserve is;

Toilet Option 1	Toilet Type	Cost (Ex GST)
MODUS – Yarra 1	Single Accessible, Unisex	\$111,260 *
MODUS – Yarra 3	Triple, including one Male, One Female and one unisex Accessible	\$133,648 *

For a detailed breakup please refer page 8 and 9 respectively

Proposed Location 2 – Toilet adjacent to rear of Bottle shop

The estimated total cost to have the toilet option located adjacent to the rear of the Bottle shop (corner of Elliot and Dowd Lane) is;

Toilet Option 2	Toilet Type	Cost (Ex GST)
EXELOO – Ecoloo Tasman	Single Accessible, Unisex	\$121,550 *

For a detailed breakup please refer page 10

NOTE: Opinion of probable costing only, based on time estimate was prepared. Re-evaluation may be required.

ITEM 2 (continued)
ATTACHMENT 2
Detailed Costing for - Modus - Yarra 1
**Sager Place - Toilet Block -
 MODUS - Yarra 1 - single unisex
 accessible**
Preliminary Budget Estimate

Mar-14

Item	Unit	QTY	Rate	Total
Building work				
Supply of Kit - (includes basic fixtures and fittings)	item	1	\$16,500	\$16,500
Erection of Toilet Building	item	1	\$4,500	\$4,500
Footing and Concrete pad preparation and pouring of concrete	item	1	\$4,000	\$4,000
Signs	item	3	\$500	\$1,500
Connection to services				
Electrical/Security/Lighting	item	1	\$6,000	\$6,000
Water connection	item	1	\$3,000	\$3,000
Sewer Connection	m	75	\$450	\$33,750
Insurances	item			\$1,500
Safety materials, first aid equipment, OH+S materials	item			\$800
Bin hire, rubbish removal, and final cleaning	item			\$3,500
Site management	3 week	3		\$5,000
Building Works				\$80,050.00
Professional Services				
Architect/Engineering/Survey - Design (including footing and geotech)	item	1	\$8,000	\$8,000
Authority fees - connections to services	allowance	1	\$10,000	\$10,000
Project Contingency	5% allowance		15%	\$13,207.50
Total				\$111,257.50
Options/Extras				
WC pans (Stainless steel)	No	1	\$3,000	\$3,000
Aluminium Composite interior	item	1	\$2,000	\$2,000
Auto Timer Locks	item	1	\$1,500	\$1,500
Total for building works including extras				\$117,757.50
				plus
Daily Cleaning (Maintenance yearly)	yearly	1	7,500	\$7,500.00

ITEM 2 (continued)

ATTACHMENT 2

Detailed Costing for - Modus - Yarra 3

**Sager Place - Toilet Block - MODUS - Yarra 3 - Triple,
Male/Female/Unisex accessible**
Preliminary Budget Estimate

Mar-14

Item	Unit	QTY	Rate	Total
Building work				
Supply of Kit - (includes basic fixtures and fittings)	item	1	\$31,970	\$31,970
Erection of Toilet Building	item	1	\$6,000	\$6,000
Footing and Concrete pad preparation and pouring of concrete	item	1	\$5,000	\$5,000
Signs	item	3	\$500	\$1,500
Connection to services				
Electrical/Security/Lighting	item	1	\$6,000	\$6,000
Water connection	item	1	\$3,000	\$3,000
Sewer Connection	m	75	\$470	\$35,250
Insurances	item			\$1,500
Safety materials, first aid equipment, OH+S materials	item			\$800
Bin hire, rubbish removal, and final cleaning	item			\$3,500
Site management	3 week	3		\$5,000
Building Works				\$99,520
Professional Services				
Architect/Engineering/Survey - Design (including footing and geotech)	item	1	\$8,000	\$8,000
Authority fees	allowance	1	\$10,000	\$10,000
Project Contingency	5% allowance		15%	\$16,128.00
Total				\$133,648
Options/Extras				
WC pans (Stainless steel)	No	3	\$3,000	\$9,000
Aluminium Composite interior	item	1	\$4,000	\$4,000
Auto Timer Locks	item	1	\$4,500	\$4,500
Total for building worksincluding extras				\$151,148
				Plus
Daily Cleaning (Maintenance yearly)	yearly	1	10,000	\$10,000

ITEM 2 (continued)

ATTACHMENT 2

Detailed Costing for – EXELOO – Ecoloo

Sager Place - Toilet Block - EXELOO - Ecoloo Tasman - single unisex accessible
Preliminary Budget Estimate Mar-14

Item	Unit	QTY	Rate	Total
Building work				
Supply of Kit - (includes basic fixtures and fittings)	item	1	\$49,000	\$49,000
Erection of Toilet Building	item	1	\$1,000	\$1,000
Footing and Concrete pad preparation and pouring of concrete	item	1	\$10,000	\$10,000
Signs	item	3	\$500	\$1,500
Connection to services				
Electrical/Security/Lighting	item	1	\$5,000	\$5,000
Water connection	item	1	\$4,500	\$4,500
Sewer Connection	m	20	\$460	\$9,200
Insurances	item			\$1,500
Safety materials, first aid equipment, OH+S materials	item			\$800
Bin hire, rubbish removal, and final cleaning	item			\$3,000
Site management	2 week	2		\$3,500
Building Works				\$89,000
Professional Services				
Architect/Engineering/Survey - Design (including footing and geotech)	item	1	\$8,000	\$8,000
Authority fees	allowance	1	\$10,000	\$10,000
Project Contingency	5% allowance		15%	\$14,550.00
Total				\$121,550
Options/Extras				
Stainless steel interior	item	1	\$5,500	\$5,500
Auto Timer Locks	item	1	\$5,000	\$5,000
Total for building worksincluding extras				\$132,050
				plus
Daily Cleaning (Maintenance yearly)	yearly	1	7,500	\$7,500

3 PLANNING PROPOSAL - 269-271 Lane Cove Road, Macquarie Park

Report prepared by: Planning Proposal Coordinator
File No.: LEP2013/16/003 - BP14/414

REPORT SUMMARY

Council has received a Planning Proposal to amend controls within Local Environmental Plan 2010 as they apply to land at 269-271 Lane Cove Road, Macquarie Park.

The land is currently zoned Commercial Core (B3).

The Planning Proposal seeks to change the zoning, height and floor space controls applying to the site to facilitate the development of the site for a mixed use precinct that integrates commercial, retail and residential uses on the site.

This will require:

- Amending LEP 2010 Land Zoning Map for the site to B4 Mixed Use;
- Amending LEP 2010 Floor Space Ratio Map to increase the FSR to 3:1 from a combination of 2:1 and 3:1 under LEP 2010; and
- Amending LEP 2010 Height of Buildings Map to increase the maximum height of buildings to 130m from 30m, 37m and 44.5m under LEP 2010.

The below table is a summary of the proposed development within the preferred strategy.

Summary of Proposed and Existing Development

ELEMENT	LEP 2010	LEP 2014 (Amendment 1)	Proposed Planning Controls
Zoning	B3 Commercial Core	B3 Commercial Core	B4 Mixed Use
Land Use	Industrial/Commercial	Industrial/Commercial	<ul style="list-style-type: none"> ▪ Approx 600 apartments ▪ 5,350m² sq.m commercial floor space ▪ Maximum of 814 parking spaces ▪ 1.3ha public open space
Floor Space Ratio	2:1 and 3:1	3:1 (67, 620m ²) but subject to incentive provisions and delivery of fine grain road network	3:1 (67, 620m ²) includes road network
Building Heights	30m, 37m and 44.5	65m (17 storeys) but subject to incentive provisions and delivery of fine grain road network	12m - 130m (max. 40 storeys)

ITEM 3 (continued)

The Planning Proposal (JBA Planning Proposal) is **CIRCULATED UNDER SEPARATE COVER** (Attachment 1).

Council has reviewed the planning proposal and identified significant areas of concerns. These include but are not limited to:

1. Failure to comply with strategic direction for Macquarie Park Corridor.
2. Inappropriate built form and not in keeping with surrounding development which will be limited to a maximum height of 65m and commercial/office land uses.

RECOMMENDATION:

- (a) That Council does not support the Planning Proposal for 269-271 Lane Cove Road Macquarie Park proceeding to a Gateway determination on the grounds that:
 - The Planning Proposal is inconsistent with the vision for the Macquarie Park Corridor as a Specialist Precinct whose primary purpose is for employment and economic functions;
 - The inclusion of residential uses within the commercial core fails to consider the holistic strategic plan for Macquarie Park Corridor and will set a precedent for future proposals in the corridor;
 - The Planning Proposal is inconsistent with the strategic direction for the Macquarie Park Corridor adopted in the City of Cities: A Plan for Sydney's Future (Metropolitan Strategy), Metropolitan Plan for Sydney 2036, the Draft Metropolitan Strategy for Sydney 2031, Ryde Local Planning Study 2010 and Ryde LEP 2010 and Draft Ryde LEP 2013.
- (b) That the need for the current planning framework applying to Macquarie Park Corridor be retained to protect employment lands that are strategically important to the economic viability of the state.
- (c) That the applicant be advised accordingly.

ITEM 3 (continued)

ATTACHMENTS

- 1** Lane Cove Road 269, Macquarie Park. Planning proposal for LEP, mixed use development. JBA Planning - CIRCULATED UNDER SEPARATE COVER
- 2** Lane Cove Road 269, Macquarie Park. Planning proposal for LEP, mixed use development - Appendix A-D. JBA Planning - CIRCULATED UNDER SEPARATE COVER
- 3** Lane Cove Road 269, Macquarie Park. Planning proposal for LEP, mixed use development - Appendix E-H. JBA Planning - CIRCULATED UNDER SEPARATE COVER
- 4** PwC - Australia uncovered March 2010 - CIRCULATED UNDER SEPARATE COVER
- 5** SGS Report - Stage 2 Strategic Implications for Macquarie Park - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Adrian Melo
Planning Proposal Coordinator

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 3 (continued)

Discussion

The following outlines the “gateway plan-making process”, and a summary of the subject planning proposal.

Gateway Plan-Making Process

1. **Planning proposal** – this is an explanation of the effect of and justification for the proposed plan to change the planning provisions of a site or area which is prepared by a proponent or the relevant planning authority such as Council. The relevant planning authority decides whether or not to proceed at this stage.
2. **Gateway** – determination by the Minister for Planning or delegate if the planning proposal should proceed, and under what conditions it will proceed. This step is made prior to, and informs the community consultation process.
3. **Community Consultation** – the proposal is publicly exhibited (generally low impact proposals for 14 days, others for 28 days).
4. **Assessment** – the relevant planning authority considers public submissions. The relevant planning authority may decide to vary the proposal or not to proceed. Where proposals are to proceed, it is Parliamentary Counsel which prepares a draft local environmental plan – the legal instrument.
5. **Decision** – the making of the plan by the Minister (or delegate).

According to section 55 of the *Environmental Planning and Assessment Act 1979*, a Planning Proposal must include:

- A **statement** of objectives and intended outcomes of the proposal
- An **explanation** of the provisions of the proposal;
- A **justification** of the objectives, outcomes and provisions including the process for implementation;
- **Maps where relevant**, containing the appropriate detail are to be submitted, including land use zones; and
- Details of the **community consultation** that will be undertaken.

Council is the relevant planning authority for this proposal which is at Step 1.

Site Description

The land the subject of the Planning Proposal is known as 269-271 Lane Cove Road, Macquarie Park (LOT 3 in DP 112981).

ITEM 3 (continued)

The site is identified in Figure 1 below and is generally rectangular in size and has:

- A frontage to Lane Cove Road of 229.4m,
- A frontage to Waterloo Road of 102.8m,
- An average depth of 101m, and
- An area of 2.25 hectares.



Figure 1 – Subject Site
(Source: JBA Planning Proposal)

The site currently contains two existing buildings with one occupied by Foxtel. The site is directly adjacent to Macquarie Park Railway Station with an entrance to the station located immediately north of the site.

Topography

The site has been modified to accommodate the current building forms, but has a fall from its southern side boundary to the Waterloo Road boundary.

ITEM 3 (continued)

Planning Proposal

Proposal

The Planning Proposal seeks to change the zoning, height and floor space controls applying to the site to facilitate the development of the site for a mixed use precinct that integrates commercial office, retail, and residential uses on the site.

The proponents have offered to accompany the proposal with a Voluntary Planning Agreement which at this stage has been verbally identified in the order of \$6 million.

Objectives and Intended Outcomes

The applicant identifies the primary objective of the Planning Proposal as follows:

The objective of the Planning Proposal is to take advantage of the sites close location to the Macquarie Park Station and provide a targeted and planned mixed use development to better complement and activate the surrounding business park and university location and make more efficient and varied use of the significant station and rail infrastructure anchoring the site. The proposal seeks to generate both new housing and some employment on the site (limited convenience retailing and commercial and/or or student housing depending on the market) in the form of a transit orientated development (TOD) consistent with the relevant state strategies applying to the site and complementary to local planning strategies even if not directly consistent with Council's current desired future vision. Some specific objectives enabled by the proposal include:

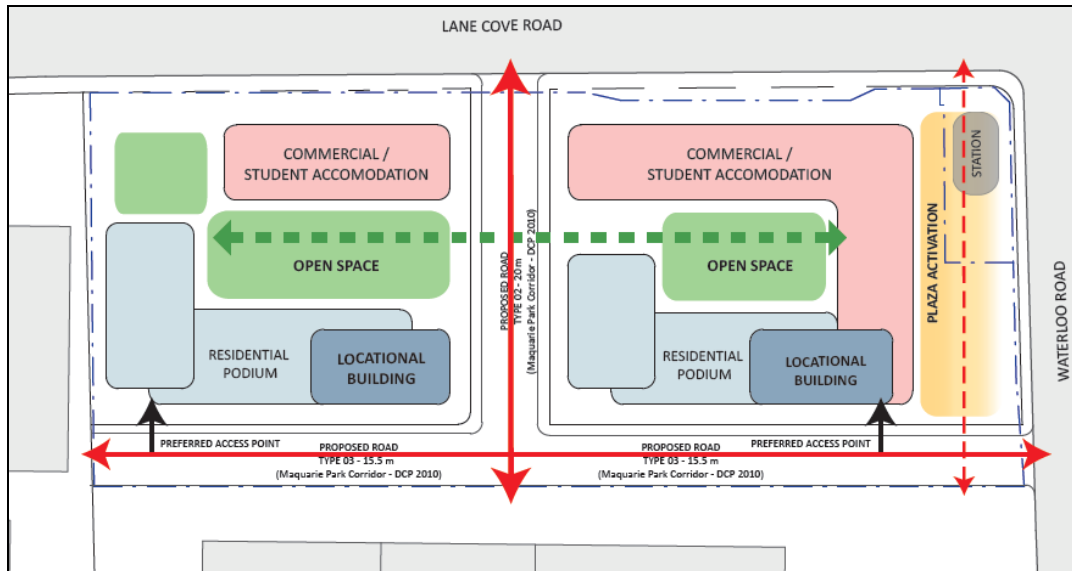
- *Provision of compatible land uses that create a vibrant and active community, contributing to greater activation of the station precinct and business park;*
- *Integrating the site with Macquarie Park and contributing to Council's desired fine grain network through improved pedestrian and vehicle connections, with a new networks of roads and open spaces;*
- *To provide a diversity in built form, responsive to site conditions and amenity and a diversity of publically accessible; and*
- *Increase patronage and activation of Macquarie Park Station. (page 15 JBA Planning Proposal Report)*

The Planning Proposal is accompanied by an indicative Concept Scheme, the purpose of which is to identify potential opportunities associated with the redevelopment of the site. It should be noted that this is not the final proposal for the site but simply an indicative scheme demonstrating one development outcome.

The scheme can be found at Figure 2.

ITEM 3 (continued)

Figure 2



Details of the Concept Scheme are provided in the following table:

ELEMENT	
Land Use	Mixed Use
Total GFA	67, 620m ² Max. Residential of 62, 270m ² (approx. 6200 dwellings) Min. non-residential of 5,350m ²
Height	12m – 130m (4-40 storeys)
Parking	Maximum 814 spaces to reflect proximity to station and based on indicative scheme subject to further planning.

The Concept Master plan includes approximately 1.3ha of dedicated accessible spaces which are identified in **Figure 3** as follows.

Figure 3



Figure 21 – Overall Landscape Site Strategy

ITEM 3 (continued)Proposed Amendments to LEP 2010

The Planning Proposal seeks to:

- Amend LEP 2010 Land Zoning Map to B4 Mixed Use;
- Amend LEP 2010 Height of Buildings Map to 65m for the whole of the site and to allow for two location buildings of 90m and 130m; and
- Amend LEP 2010 Floor Space Ratio Map across the whole of the site to 3:1.

The Planning Proposal also suggests an alternative mechanism to amending the Land Zoning Map is to implement the proposal through the additional use provisions of Schedule 1 of Ryde LEP 2010. Should the amendments be adopted, these amendments would also need to be incorporated into Draft Ryde LEP 2014.

It should be noted that the proponents have indicated that they would be willing to enter into a Voluntary Planning Agreement with Council, should the proposal be supported. This would be undertaken to achieve an uplift in the FSR to 3:1 (as per Amendment 1). The proponents Planning Proposal Report has indicated that this would include the delivery of the fine grain road network identified in Amendment 1 and the dedication of open spaces identified within the development.

At a Councillor workshop held 11 March 2014, the applicants identified that it could include up to \$6 million for development contributions. The breakdown of this contribution is unknown and whether it includes S94 Contributions, land / floor space or cash contributions. This has not been further elaborated on by the proponent other than the above figure and limited discussions within submitted planning proposal provided at Section 3.4 of the JBA Planning Proposal.

Planning Justification

Detailed planning reasons justifying the Planning Proposal can be found in *Part 4 – Need for the Planning Proposal* in the JBA Report (commencing page 20)

The proponent in summary argues that the Planning Proposal should be supported as it:

- *Residential development in commercial centres has been shown to increase and support commercial activity.*
- *A defined and quarantined Transit Orientated Development (TOD) around the stations may release pressure for residential rezoning's elsewhere in the business park. In this regard, rezoning around the stations makes planning sense and allows Council to provide a defensible position on not allowing the remainder of the commercial core to become eroded by 'precedent'.*

ITEM 3 (continued)

- *The rezoning responds to the current underutilisation of the station and evidence of other TODs on stations (e.g. the Forum in St Leonards) have shown the dramatic increase in rail/public transport usage contributing to State infrastructure viability as well as local vibrancy and activation. (Page 20 Planning Proposal JBA)*

A number of detailed reports have been provided in support of the Planning Proposal and are noted as follows:

- *271 Lane Cove Road Macquarie Park Planning Proposal prepared by JBA, dated November 2013;*
- *Indicative Concept Drawings, prepared by Mirvac Design Studio*
- *Landscape Principles, prepared by Aspect*
- *Economic Impact Assessment, prepared by HillPDA*
- *Demand/Supply Analysis, prepared by Colliers International*
- *Traffic Impact Assessment, prepared by GTA Consultants*
- *Contamination Assessment, prepared by Colliers International*

ContextImmediate Context

The site is located within the Macquarie Park Corridor. Immediately to the north of the site is an entrance to Macquarie Park Railway Station. On the opposite side of Waterloo Road, is 33 Waterloo Road. Which contains a two (2) storey building containing various commercial uses.

The land to the east of the site comprises the property known as 3-5 Thomas Holt Drive which contains:

- a six (6) storey building, with parking under it, occupied by Foxtel on 5 Thomas Holt Drive; and
- a one (1)/part eight (8) storey building on 3 Thomas Holt Drive.

The land to the west, on the opposite side of Lane Cove Road, comprises the properties known as 384-396 Lane Cove Road and 36-42 Waterloo Road. These properties contain:

- a single storey brick dwelling house occupied as the North Ryde Veterinary Hospital on 384 Lane Cove Road;
- a single storey brick dwelling house on 386 Lane Cove Road;
- a single storey brick dwelling house used in conjunction with excavation and demolition contracting businesses on 388-390 Lane Cove Road;

ITEM 3 (continued)

- a single storey brick dwelling house on 392 Lane Cove Road;
- a relatively new commercial building (part 9 storey) occupied by Hyundai Australia Pty Ltd at 394 Lane Cove Road; and
- a one (1/part two (2) storey industrial complex on 396 Lane Cove Road and 36-42 Waterloo Road.

Broader Context

The site is located within the Macquarie Park Corridor which is located in the northwest of Sydney, approximately 12 kilometres from the Sydney CBD and 2 kilometres from Epping. It is a 7.5km² employment centre located equidistant from the CBD of Sydney and Parramatta respectively.

The corridor comprises an area of land generally bound by the M2 Motorway and Delhi Road on the northeast, Epping Road and the Lane Cove River on the southwest, and Macquarie University. On the southern side of Epping Road, the corridor is adjoined by low density residential development.

More than 800,000m² of the corridor is commercially zoned comprising a mix of B3 Commercial Core, B4 Mixed Use and B7 Business Park.

Macquarie Park is the location of many of Australia's leading companies including Optus and Foxtel, and plays a strategic role in this economy. It is a specialised centre offering a range of commercial research activities in the areas of information technology, telecommunications, pharmaceuticals, medicine, health and education. The corridor has developed into a major employment centre in the past 30 years. Key assets within the Corridor include:

- Macquarie University and Hospital;
- Macquarie Shopping Centre;
- Three (3) rail stations on the Epping Chatswood Rail link;
- Home to several leading Australian and international companies; and
- Adjacent to the Lane Cove River National Park.

This region accounts for the majority of Sydney's global orientated commercial businesses and over 10% of gross domestic product. Employment within The Corridor exceeds 39,000 jobs, with over 30,000 students attending Macquarie University.

Under the existing strategic framework, the corridor is part of the Global Economic Corridor, a broad area of economic activity stretching from Port Botany and Sydney Airport, through the Sydney CBD, North Sydney, St Leonards to Parramatta.

ITEM 3 (continued)

Often described as ‘Australia’s Silicon Valley’, Macquarie Park is the head office location for many of Australia’s ‘Top 100’ companies including Optus, Foxtel, CSIRO, and Microsoft; and plays a strategic role in the economy. It is a specialised centre offering a range of commercial research activities in the areas of information technology, telecommunications, pharmaceuticals, medicine, health and education. Key assets within the Corridor include:

- Macquarie University and Hospital
- Macquarie Shopping Centre
- Three (3) rail stations on the Epping Chatswood Rail link

PricewaterhouseCoopers in a report released in March 2014 titled *Australia uncovered - A new lens for understanding our evolving economy* identifies Macquarie Park as one of the top 10 locations nationally in terms of total contribution (economic output) to Australia’s economy in the financial year 2012/2013. (Source: *PwC Australia uncovered - A new lens for understanding our evolving economy March 2014* - pg. 4 which is **CIRCULATED UNDER SEPARATE COVER**).

Figure 4 indicates/illustrates that Macquarie Park’s contribution in 2012/2013 to economic output was \$9.13 billion.

Figure 4

Location	2012/13
1 Sydney CBD	\$64,208
2 Melbourne CBD	\$55,315
3 Perth CBD	\$28,461
4 Roebourne (WA)	\$24,488
5 Ashburton (WA)	\$24,353
6 East Pilbara (WA)	\$24,168
7 Brisbane CBD	\$23,395
8 Adelaide CBD	\$16,136
9 North Sydney (NSW)	\$10,928
10 Macquarie Park (NSW)	\$9,113
Top 10 as a per cent of total economic output	18.4%



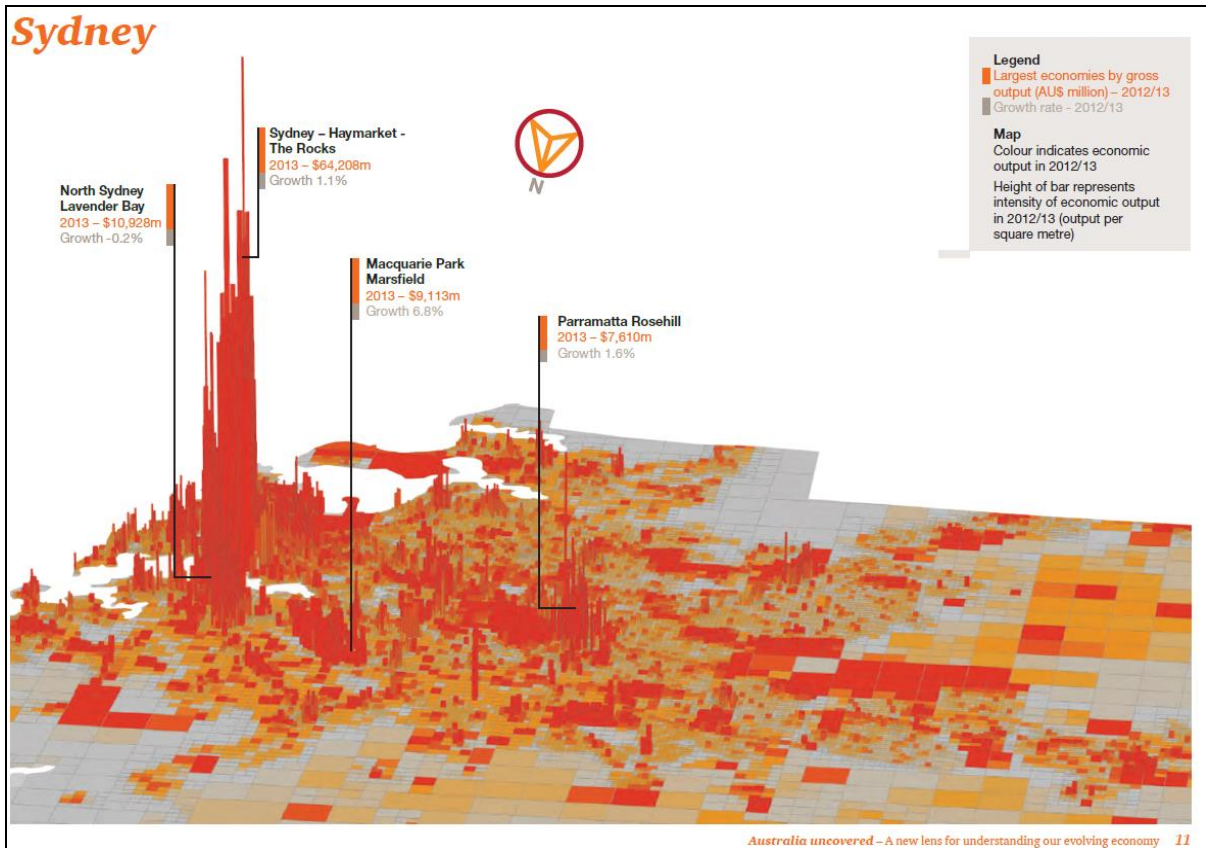
Source: *PwC Australia uncovered - A new lens for understanding our evolving economy March 2014* - pg 4

The report further states “*Growth within cities is highly varied. A spatially aware analysis of economic output reveals a patchwork of locations within cities that drive economic output and productivity growth and those where growth has slowed or is even declining*”. (Exert: *PwC Australia uncovered - A new lens for understanding our evolving economy March 2014* - pg 10).

The report identifies Macquarie Park Corridor as having a growth rate of 6.8%. (source *PwC Australia uncovered March 2014* pge 11). This is significantly higher than the growth rate in North Sydney (0.2%), Parramatta (1.6%) and Haymarket (1.1%) as illustrated in Figure 5 below.

ITEM 3 (continued)

Figure 5



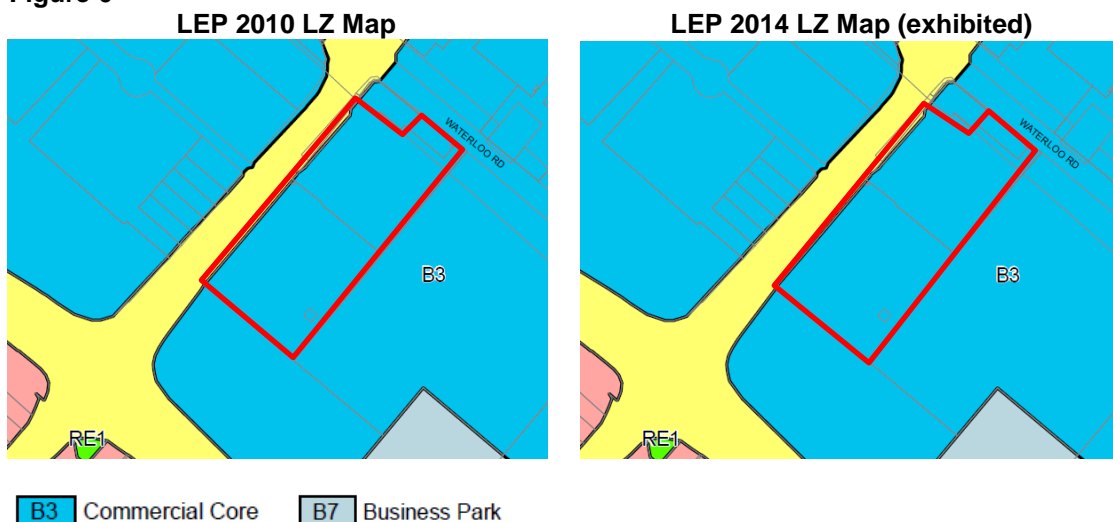
Source: PwC *Australia uncovered - A new lens for understanding our evolving economy* March 2014 - pg 11

Current Planning Controls

Zoning and Land Use

The subject site is zoned B3 Commercial Core under the Ryde LEP 2010 and Draft Ryde LEP 2014. An extract of the zoning map is provided at Figure 6.

Figure 6



ITEM 3 (continued)

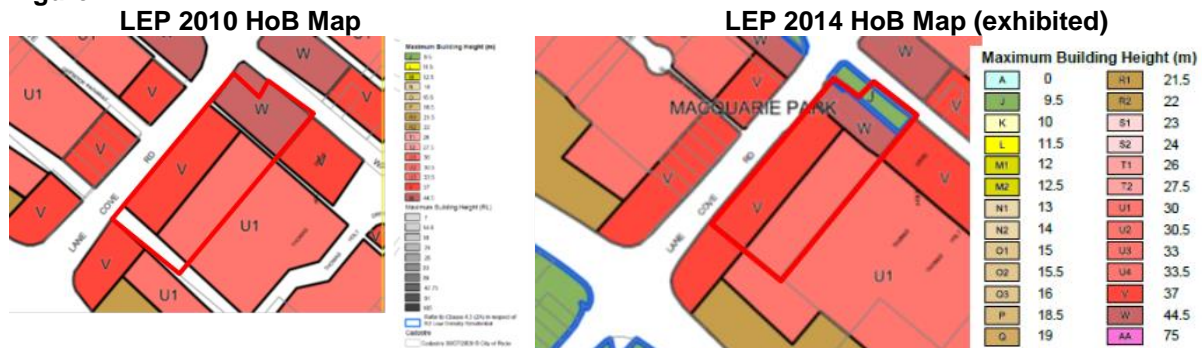
Key uses permitted in the B3 Commercial Core zone are light industries and commercial premises (which are comprised of a variety of retail, office and business land uses). Residential accommodation is prohibited as is Tourist and visitor accommodation with the exception of serviced apartments and hotel and motel accommodation.

Building Height

The applicable building height controls under the Ryde LEP 2010 are 30m (approx. 8 storey) along the southern boundary of the site, 37m (approx. 10 storey) along Lane Cove Road, and 44.5m (approx. 13 storey) along Waterloo Road. Draft RLEP 2014 amends these controls 30m along the southern boundary of the site, 37m along Lane Cove Road, 44.5m along Waterloo Road but offset by a 9.5m (approx. 2 storey) portion directly adjacent to Waterloo Road. It should be noted that a higher number of storeys can be achieved, should the site be developed for residential uses due to lower floor to ceiling height requirements than those applicable to commercial development.

Figure 7 illustrates the relevant height controls of the subject site and surrounding sites.

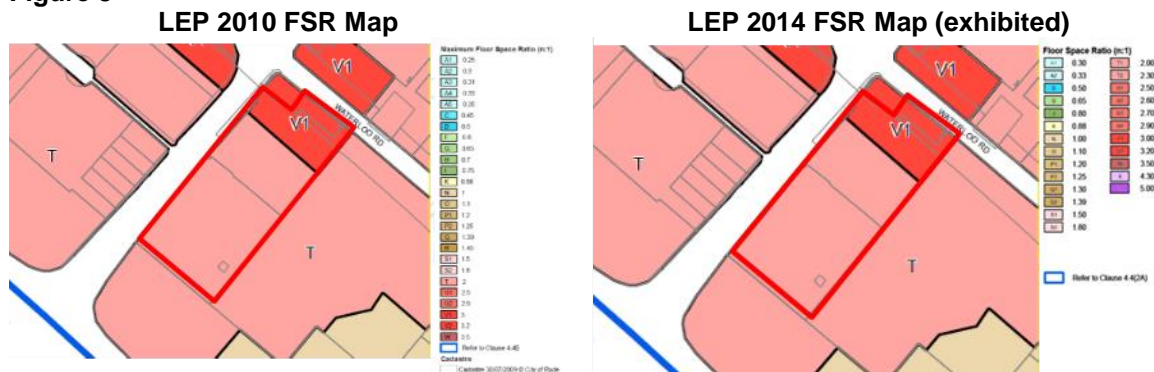
Figure 7



Floor Space Ratio

The relevant floor space ratio for the site under LEP 2010 is a combination of 3:1 along Waterloo Road and 2:1 for the remainder of the site. Under Draft LEP 2014, the FSR remains the same. These FSRs are provided at Figure 8.

Figure 8



ITEM 3 (continued)

Draft Ryde LEP 2014 (Amendment No. 1)

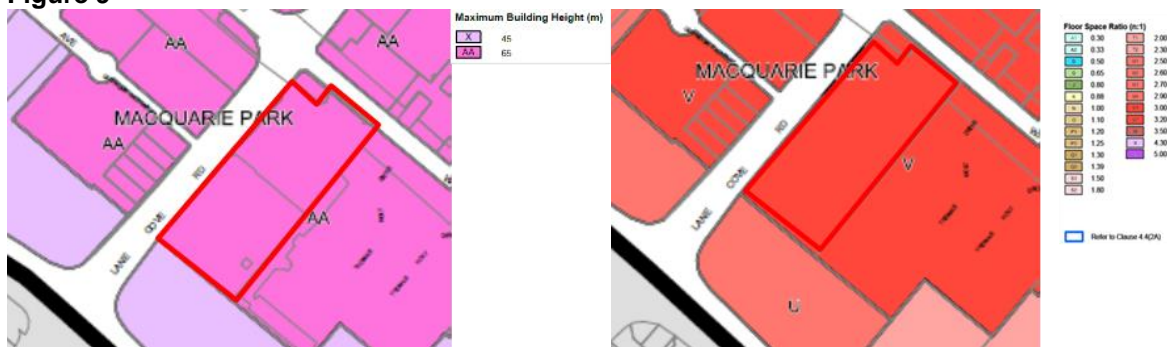
The Planning Proposal for LEP 2014 (Amendment 1) was exhibited from the 12 June 2013 to 19 July 2013.

The amendment proposes to include:

- Deferred provisions for increased FSR and building height controls to become available for development upon entering into a VPA with Council to provide key infrastructure - roads and open space; and
- Introduction of new maps with highest FSR and heights concentrated along Waterloo Road with lowest FSR and heights located towards the perimeter of the Macquarie Park Corridor.

Figure 9 illustrates the potential height and FSR available to the site under the new incentive scheme. This amendment was publicly exhibited in June/July 2013 and was adopted by Council on the 22 October 2013. The plan is currently with NSW Planning and Infrastructure for processing prior to gazettal.

Figure 9



These controls are subject to meeting VPA requirements and envisage development of the site to 65m and to a FSR of 3:1. The controls proposed do not alter the range of permitted uses.

Amendment 1 also includes a revised open space and street network. Extracts from Amendment 1 are provided at Figure 10 and 11.

ITEM 3 (continued)

Figure 10

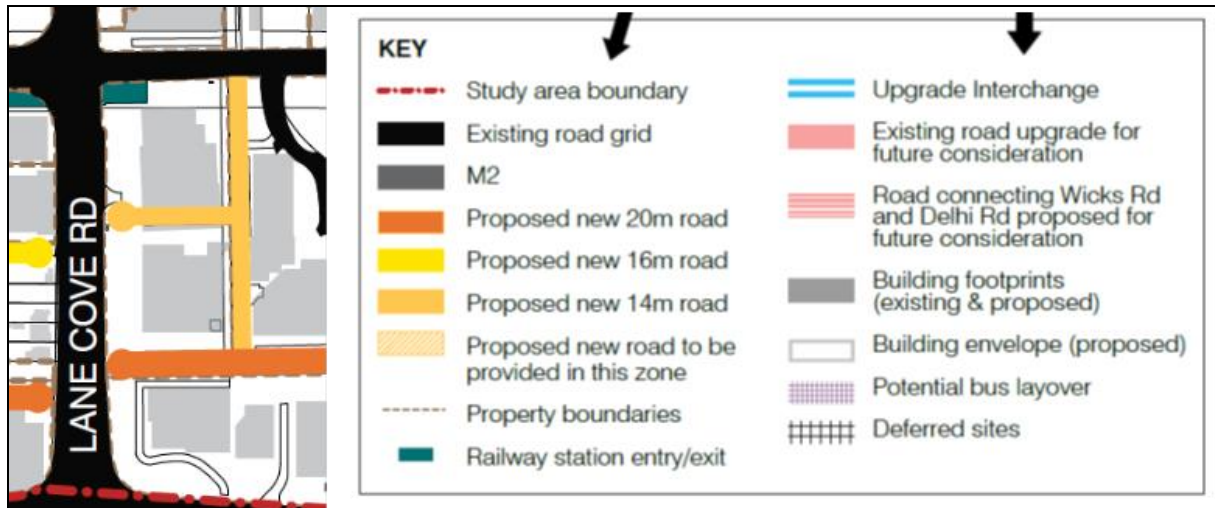
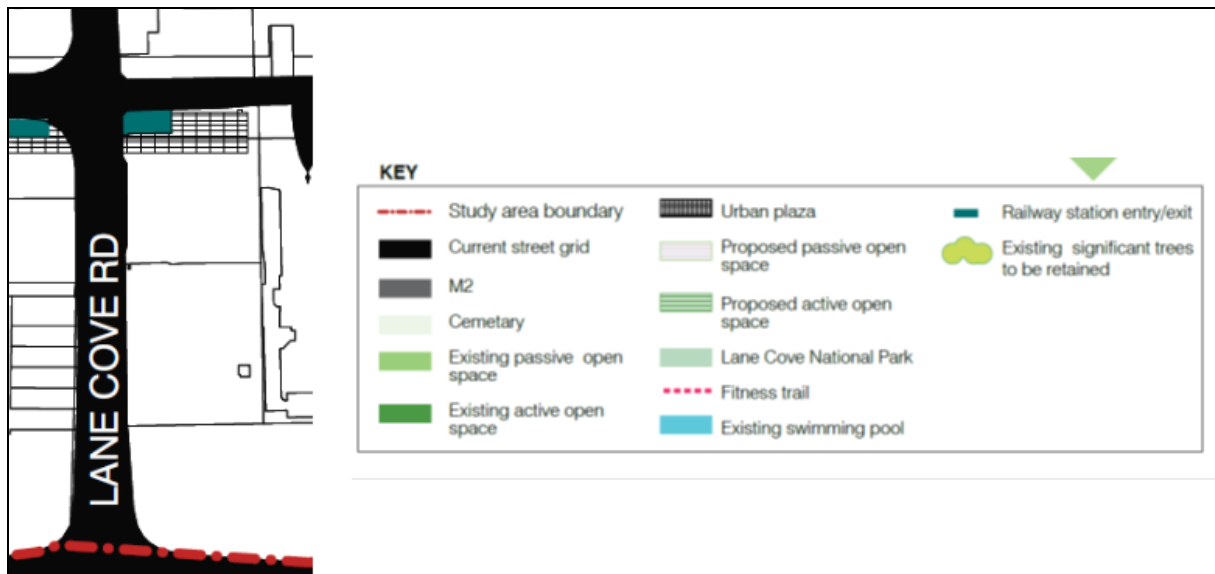


Figure 11



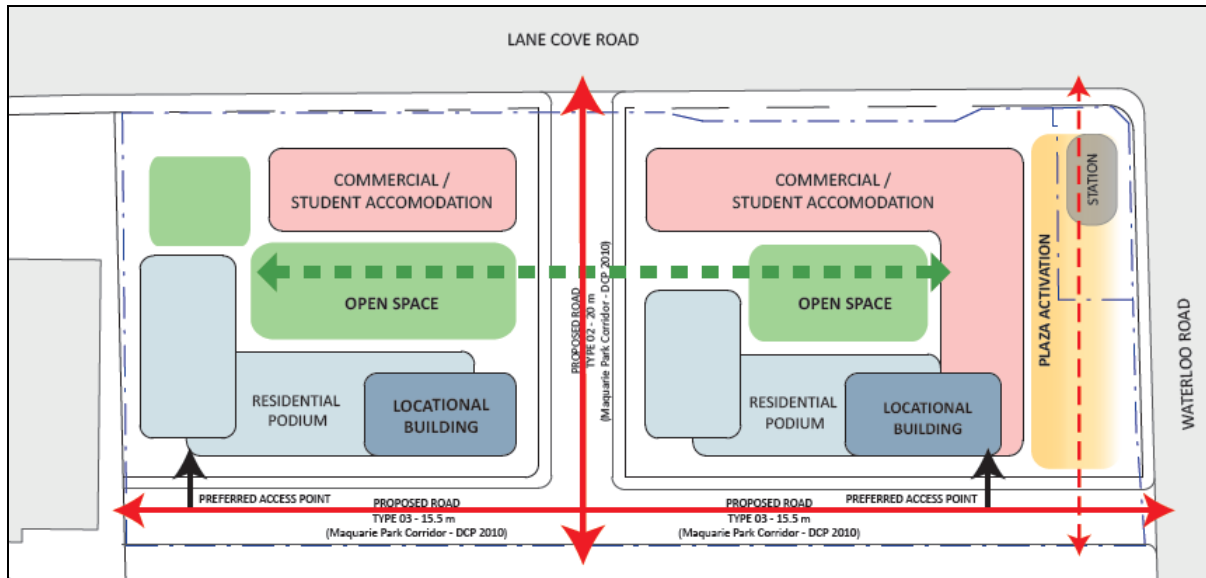
From the above it can be seen that the site must provide the following:

- A 14m Road extending through the central portion of the site,
- A 20m Road along the southern boundary of the site,
- A Urban Plaza at the northern boundary of the site.

The planning proposal has been submitted with an indicative concept scheme which identifies the proposed location of roads and open space areas. The Concept Scheme is provided in Figure 12.

ITEM 3 (continued)

Figure 12



From the above it can be seen that the proposed scheme fails to provide the road network as identified within Amendment 1, but provides the plaza area required and additional open space not identified. The ramifications of the above are discussed later in the assessment part of this report.

However, it should be noted that the proposed street network generally aligns with that currently identified in the current Development Control Plan 2010, subject to minor modifications to the envisaged building forms.

Ryde Development Control Plan 2010 Draft DCP 2013

Part 4.5 Macquarie Park Corridor of the Ryde DCP 2010 and Draft Ryde DCP 2013 contain detailed provisions which set the framework for the future development of Macquarie Park. The DCP provisions note that the controls are based broadly on the objectives and development principles contained in the Macquarie Park Corridor, North Ryde Master Plan, adopted by Council in 2004.

The broad structure plan for the Macquarie Park Network is contained within the Development Control Plan and details a proposed Street Network, Open Space Network and Built Form Network. It should be noted that this DCP will be superseded by the Macquarie Park Planning Proposal (amendment 1), which significantly rationalises and amends the streets, open space and built form as identified above.

Urban Activation Precincts and Macquarie University Part 3A

The proponents have sought a significant increase in height on the basis that the development will act as a locational marker for Macquarie Park Station and that height is in keeping with that permissible at the North Ryde Station Precinct and under the Part 3A application for the Macquarie University Concept Plan.

ITEM 3 (continued)

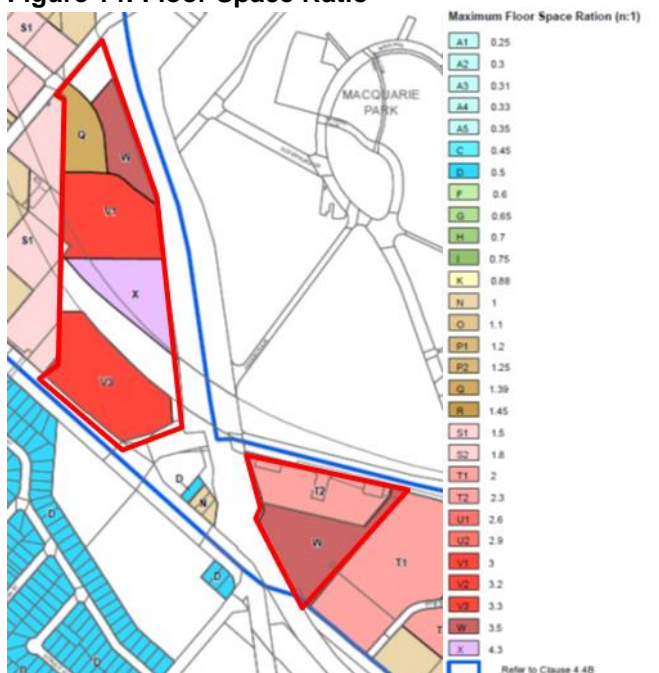
The NSW State Government is planning for eight Urban Activation Precincts (UAPs) in Sydney, in areas where land is available and has the potential for more intensive development due to access to infrastructure, transport, services and jobs. Two of these UAPs are located in the northern and southern ends of Macquarie Park being Herring Road and North Ryde Station.

The North Ryde Station Urban Activation Precinct has been approved by the then Department of Planning and Infrastructure and allows for increased heights above those permissible on adjoining land and residential land uses within Macquarie Park. Figures 13, 14 and 15 detail the approved Zonings, FSR and Height. It should be noted that this was subject to significant infrastructure upgrades being provided which is currently the subject of discussion with UrbanGrowth NSW.

Figure 13: Zoning

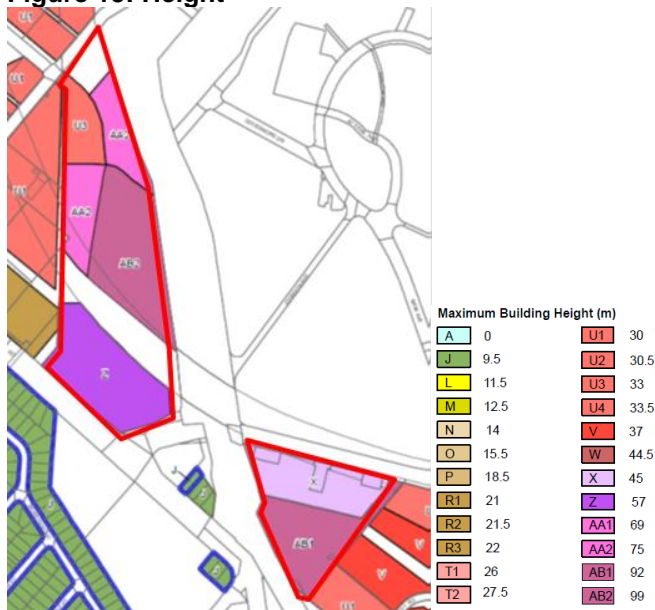


Figure 14: Floor Space Ratio



ITEM 3 (continued)

Figure 15: Height



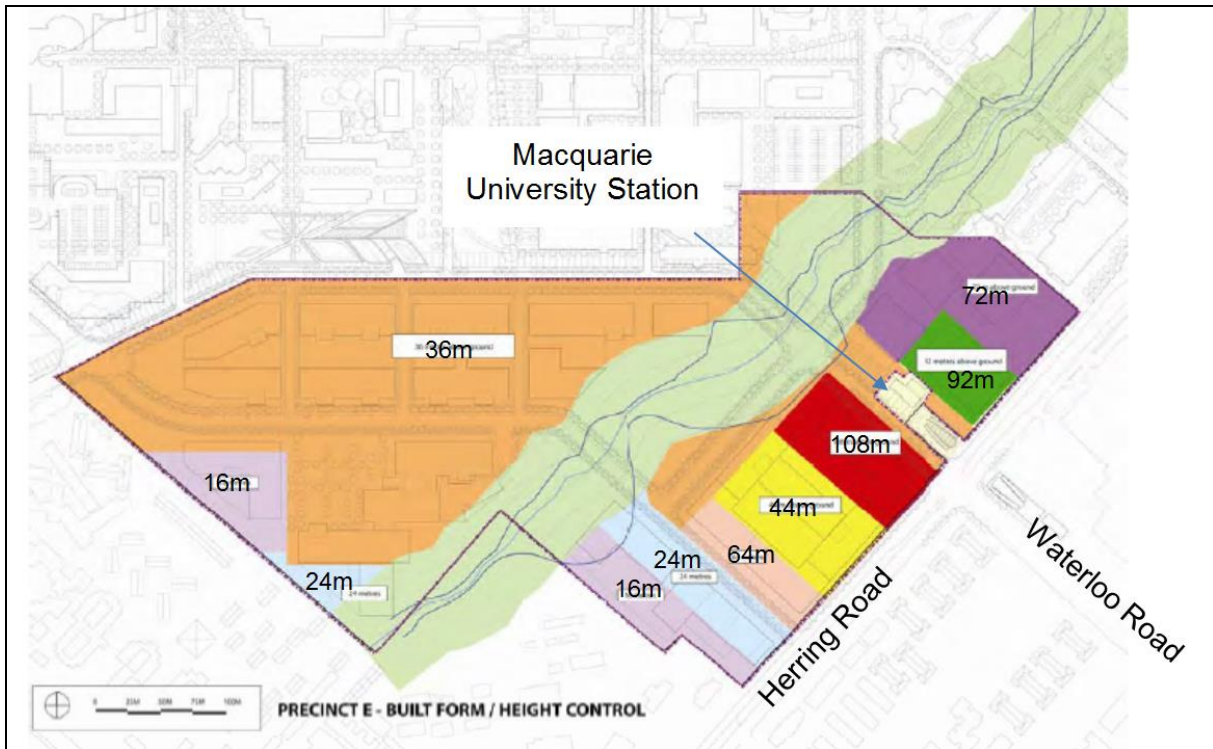
It should be noted that since the establishment of the Epping-Chatswood Railway Line (ECRL) the land contained within the North Ryde Station Precinct UAP was deferred from Council's Planning Instruments. Prior to the ECRL the land was zoned for open space and road reservation under the Ryde Planning Scheme Ordinance 1979.

The Herring Road UAP has not yet been placed on public exhibition and is currently being finalised by Planning and Infrastructure. At this time, limited information is available regarding the Herring Road UAP. The area affected by the Herring Road UAP is currently zoned B4 Mixed Use under LEP 2010, which permits a broad range of uses including commercial, office, retail and residential. An equivalent zoning applied to the area under the Ryde Planning Scheme Ordinance 1979.

The Macquarie University Concept Plan was lodged with the then Department of Planning under the repealed Part 3A legislation. The Concept Plan was approved 13 August 2009. Of particular relevance to this Planning Proposal are the heights approved under the Concept Plan approval. This is demonstrated at Figure 16.

ITEM 3 (continued)

Figure 16



Strategic Context

The strategic planning framework for this Planning Proposal is found in the following key documents:

- Metropolitan Plan 2036 for Sydney and the Draft Metropolitan Strategy for Sydney 2031;
- Inner North Subregion and Draft Subregional Strategy
- City of Ryde Local Planning Study; and
- Macquarie Park Corridor – General Background Studies

Metropolitan Plan 2036 for Sydney and the Draft Metropolitan Strategy for Sydney 2031

The Sydney Metropolitan Strategy sets the NSW Government's framework for the future growth and prosperity of Sydney. It was first released in 2005 and has since been updated twice as follows:

- Metropolitan Plan for Sydney to 2036, NSW Department of Planning and Infrastructure (2010); and
- Draft Metropolitan Strategy for Sydney 2031, NSW Department of Planning and Infrastructure, (2013).

ITEM 3 (continued)

Macquarie Park Corridor was identified in the City of Cities - A Plan for Sydney's Future (December 2005) as a Specialised Centre with a focus on education, employment, research and technology. This was further reinforced in the revised and updated versions of the Metropolitan Plan released in 2010 and the Draft Metropolitan Strategy in 2013.

In the Metropolitan Plan 2036, Specialised Centres are differentiated from other regional and major centres in that they perform vital economic and employment roles for the whole metropolitan area.

A specialised centre is characterised by:

- A stronger employment or economic function than other centres, with a reduced focus for housing;
- Sufficient zoned land provided for business and enterprise in locations with high quality transport access;
- Major airports, ports, hospitals, universities, research and/ or business activities that perform vital economic and employment roles across the metropolitan area;
- Complex interaction with the rest of the city; growth and change in and around them must therefore be carefully planned; and
- An employment base, in common with Major Centres, of at least 8,000 jobs.

Macquarie Park is identified under the Metropolitan Plan 2036 as having a base of 39,000 jobs in 2006 and anticipated to grow to 58,000 by 2036 (p.135 Metropolitan Plan to 2036).

In the Draft Metropolitan Strategy 2031, Specialised Centres are referred to as Specialised Precincts. Appendix B of the Strategy contains criteria for Specialised Precincts. Of particular relevance are the following criteria:

- The primary significance of Specialised Precincts is as employment destinations and/or as the location of essential urban services;
- Specialised Precincts have an amount of employment that is of metropolitan significance, but other uses in the Precinct are not necessarily at a scale currently of metropolitan significance;
- Specialised functions must be protected for the long-term, and residential and other non-specialised but competing uses must not override the core employment activities in these precincts. Some, however, will plan for ancillary uses which are suitable, such as staff or student accommodation near universities and hospitals; and
- The way a Specialised Precinct interacts with the rest of the city is complex, and growth and change in and around them must be carefully planned to ensure they continue to serve their primary employment and economic function

ITEM 3 (continued)

Under the Draft Metropolitan Strategy, the corridor is identified as forming part of the Global Economic Corridor (GEC). The GEC accounts for the majority of Sydney's global orientated commercial businesses and over 10% of gross domestic product. The below extract taken from the *Community Guide: Draft Metropolitan Strategy for Sydney to 2031* is a summary statement of the importance of protecting and developing the Global Economic Corridor, which Macquarie Park is part of, for the economic wellbeing of both Sydney and NSW.

Global Economic Corridor

The Global Economic Corridor will drive the economy for Sydney and NSW. This corridor extends from the national gateways of Port Botany and Sydney Airport through to Global Sydney, and north to St Leonards, Chatswood and Macquarie Park. The strategy will reinforce this area and extend it towards Norwest and Parramatta CBD. This corridor will be protected and developed as the most important cluster of professional and service industry jobs in the country, with a total of 213,000 additional jobs by 2031. It will also contain a number of new Urban Activation Precincts, where the Government will focus attention on renewal and housing delivery over the next few years. (extract Community Guide: Draft Metropolitan Strategy for Sydney to 2031 pge 6)

Inner North Subregion and Draft Sub Regional Strategy

The Inner North Sub Region – Draft Sub Regional Strategy identifies Macquarie Park as a specialised centre stating that:

“Macquarie Park will continue to evolve as Australia’s leading Technology Park with jobs growth, further investment and improved public transport accessibility.”
(p.47)

The strategy also reinforces Macquarie Park as a Specialised Centre with an employment focus. The strategy goes so far as to identify as a key objective of Macquarie Park is to ‘*expand office space to increase productivity advantages and prioritise office space over housing*’ (page 84 Draft Metropolitan Plan: Central Subregion).

It should be noted that whilst the Draft Inner North Subregional Strategy provides for housing targets of 12,000 by 2031 and 21, 000 jobs by 2031, Council is on track to meet these targets and will exceed them taking into account existing approvals alone.

Ryde Local Planning Study 2010

The Ryde Local Planning Study examined the capacity of Ryde's existing Planning Controls to implement the recommendations of the Metropolitan Plan 2036 and the growth targets of the Inner North Subregion – Draft Sub Regional Strategy. The study concluded that capacity existed within Ryde's existing controls to deliver the jobs and dwelling growth targets.

ITEM 3 (continued)

The Local Planning study informed the preparation of the now Ryde Draft LEP 2013 and reinforced the role of the Macquarie Park Corridor as a major employment centre.

The Local Planning Study recognised the need to provide a diverse range of housing within the Local Government Area including residential units. The Local Planning Study identified 5 town centres which are to function as genuine mixed use precincts. The centres are established centres capable of absorbing additional residential development as they provide complementary and supportive uses, services, facilities and open space. This has been captured and reflected in Council's existing planning controls.

With regards to Macquarie Park, it is considered that sufficient residential units are provided in the existing B4 Mixed Use zones around Herring Road and the North Ryde Station Precinct.

If residential development were to occur within the existing commercial core of The Corridor it is considered that Council would need to undertake a new strategic planning process to ensure appropriate controls, infrastructure, services/ facilities are provided to cater for a residential community that could equate to an estimated 20 000 – 25 000 additional dwellings. This would be needed to be urgently undertaken as:

- The existing strategic process involves providing infrastructure i.e. open space and roads geared to an employment centre not a residential centre
- It is anticipated that the annual delivery of floor space would exceed the current estimated 50 000sqm
- It is anticipated that the rate of redevelopment for residential floor space would be rapid

Macquarie Park Corridor – General Background Studies

The Council policy position regarding the Macquarie Park Corridor has been informed by a range of studies and included in more recent years:

- Allen Jack and Cottier Urban Design based Macquarie Park DCP 2008;
- Aspect Studios Macquarie Park Urban Design Manual 2008;
- Aspect Studios Open Space Network Structure Plan;
- Space Syntax Movement Study 2010;
- Macquarie Park Parking Study (2009) , ARUP;
- Bitzios Macquarie Park Transport Management Plan;
- Stephen Collier Road Network Structure Plan;
- Hill PDA Opinion on the Value of Incentive Floor Space, 17 September 2007;
- City of Ryde Infrastructure Cost Study 2010; and
- Drew Bewscher and Associates Macquarie Park Flood Management Plan.

ITEM 3 (continued)

Previous studies that have informed the direction of the Macquarie Park Corridor also include:

- Macquarie Park Growth Model;
- Macquarie Park Pedestrian Movement Study 2009;
- Macquarie Park Public Domain Technical Manual 2008;
- Macquarie Park Traffic Study – Final Report 2008;
- Macquarie Park Corridor Master Plan;
- Macquarie Park Transport Management and Accessibility plan; and
- Macquarie Park Structure Plan 2002.
- Ryde Integrated Open Space Plan

Appraisal of Planning ProposalAdequacy of Documentation

There are some areas of concern within some of the documentation submitted as part of the Planning Proposal. These areas are as follows:

▪ Traffic

Council's Senior Traffic Engineer has reviewed the proposal and identified several areas of concern with the submitted traffic information. However these issues are items that are possible to be resolved post gateway determination by Planning and Infrastructure. They include:

- Need for discussions with the Roads and Maritime Service.
- Need to review the SIDRA files on all intersections
- Need to demonstrate and consider scenario of intersection and network analysis for disallowing access off Lane Cove Road.

▪ Contamination Report

Council's Team Leader Environmental Health, has reviewed the proposal and has identified areas of concerns. These are as follows:

- Aside from a site walkover, no investigation has been carried out in relation to the southern half of the site.
- The investigations carried out do not appear to include a detailed site history review to identify all past potentially contaminating activities.
- There is no plan showing the sampling locations.
- There are little or no details of the actual results (i.e. sample locations and concentrations).

ITEM 3 (continued)

- The results have been compared to the assessment criteria for commercial/industrial use instead of the criteria for the most sensitive use permitted in the zone (eg. residential with gardens and accessible soil including child care centres).
- The report does not comply with the Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011).
- The report does not demonstrate that the site can be made suitable for all of the purposes permitted in the proposed zone.

Whilst the above items are of significant importance in considering the planning proposal the fundamental question of whether Council should allow residential land uses within the Macquarie Park Corridor is of greater importance. The decision must be made whether the fundamental shift in the policy approach to the centre should be changed as requested by the proponents. As such, the rectification of the above issues has not been pursued with the applicant.

Need for a Planning Proposal

The proponents primary argument for the justification of the inclusion of residential land uses into the corridor is to address the underutilisation of the Epping to Chatswood Rail Line (ECRL), to provide a range of alternate land uses that are complementary to the commercial uses currently permitted within the corridor and to relieve existing pressures for residential rezoning elsewhere in the centre.

In all strategic documents, the importance of the Corridor as a specialist employment hub is recognised and is identified as its primary purpose. This importance has been reflected in the State Government's priorities to provide essential infrastructure to the area such as the ECRL.

The Macquarie Park Corridor is a higher order specialised centre, whose primary purpose for employment and economic functions are protected through the adopted policy framework. It is structured as a business core with a residential ring. This is reinforced in the Ryde LEP 2010 and Ryde Draft LEP 2013. It is further reinforced by the initial planning for North Ryde Station Urban Activation Precinct and that being undertaken for the Herring Road Precinct.

The competing interest of different land uses attracted to Specialised Centres/Precincts is recognised in the Criteria at Appendix B of the Draft Metropolitan Strategy 2031. This criteria recognises the competing demands but includes the following criteria:

- *Specialised functions must be protected for the long-term and residential and other non-specialised but competing uses must not override the core employment activities in the precinct.*

ITEM 3 (continued)

The primary significance for the Macquarie Park Corridor is as an employment destination. Strategic decisions have been made about where the focus for residential development should occur. There is no reason to alter this approach. The uses proposed other than the residential are permitted in the B3 Commercial Core zone which is the majority of the site, just not at the scale and density proposed.

Strategically, to alter the zoning and permit residential development is inappropriate given the strategic changes being provided to accommodate residential development within the Macquarie Park Corridor (North Ryde Urban Activation Precinct and Herring Road B4 Mixed Use Zone) and the fact that relevant housing targets can be met within Council's existing planning framework.

The function of the Corridor has been identified and planned. Boundaries have been drawn. The medium to long term protection of the Corridor as a preeminent place for employment overrides the need to consider the site for any residential use.

Assessment of Planning Justification*Proponents stated objectives*

The following comments are provided in respect to the justification for the Planning Proposal presented by the proponent.

- *Residential development in commercial centres has been shown to increase and support commercial activity,*
- *A defined and quarantined Transit Orientated Development (TOD) around the stations may release pressure for residential rezonings elsewhere in the business park. In this regard, rezoning around the stations makes planning sense and allows Council to provide a defensible position on not allowing the remainder of the commercial core to become eroded by 'precedent'.*
- *The rezoning responds to the current underutilisation of the station and evidence of other TODs on stations (e.g. the Forum in St Leonards) have shown the dramatic increase in rail/public transport usage contributing to State infrastructure viability as well as local vibrancy and activation.*

The following is a consideration of the key justifications of the proposal identified by the proponent:

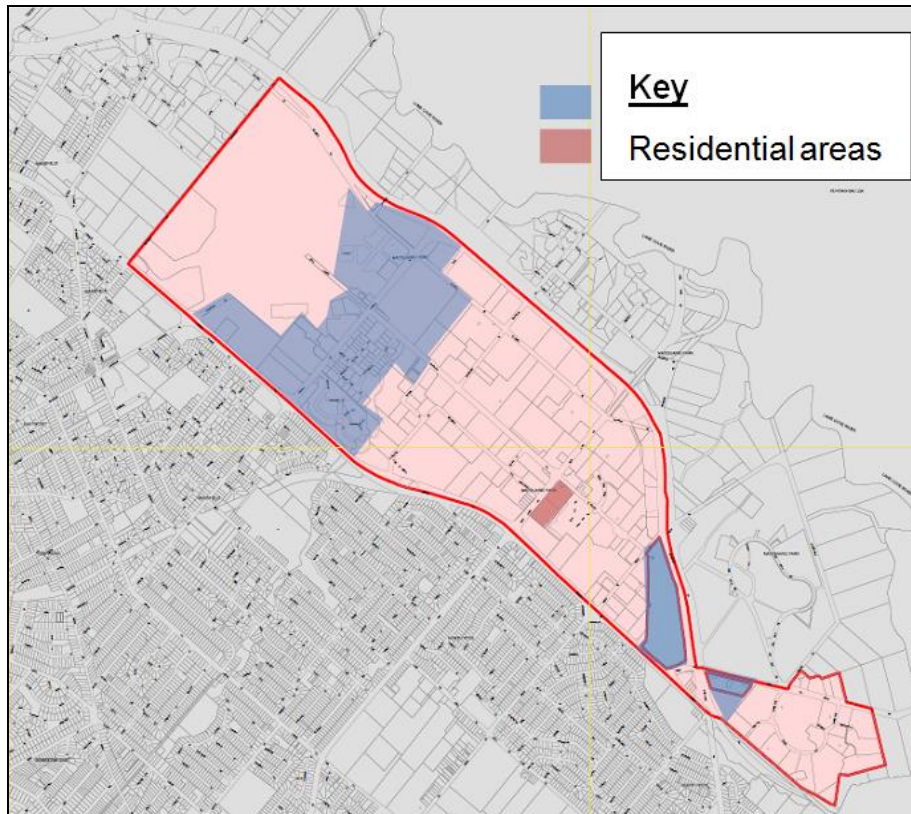
Justification: *Residential development in commercial centres has been shown to increase and support commercial activity,*

Consideration: The above is widely recognised in planning theory both at an academic and practical level. To this end, the Macquarie Park Corridor includes large areas in which residential development is permissible. These are zoned B4 Mixed

ITEM 3 (continued)

Use and R4 High Density Residential under the Ryde Local Environmental Plan and are identified in Figure 17 below.

Figure 17



Council's planning for the corridor was undertaken in a holistic manner that sought to balance the provision of residential land whilst allowing and maintaining the importance of the corridor as a specialised centre. The allowance of a piecemeal encroachment into the commercial area of the corridor is likely to jeopardise the planning undertaken for the wider region. Should the proposed site be approved for residential development it is likely to lead to subsequent planning proposals that will also seek residential development.

Further to the above, it is unlikely that the proposed redevelopment will achieve significant activation of the immediate surrounds as identified by the applicant. Given that the strategic intent for Macquarie Park has been entirely predicated on commercial land uses only, the area surrounding the subject site has not developed in such a manner to cater for residential land uses. It is more likely that the proposed impact of the development will be one of a dormitory type use where residents rely solely on the train line for access to goods and services. This will fail to activate the space surrounding the site as proposed by the applicant.

Furthermore it is likely that the inclusion of residential land uses on this site will have potentially negative impact on the wider Macquarie Park Corridor. SGS Economics and Planning have undertaken a review of Macquarie Park and the proposed incorporation of residential land uses into the corridor which is titled *Strategic*

ITEM 3 (continued)

Implications for Macquarie Park which is provided as **ATTACHMENT 5 - CIRCULATED UNDER SEPARATE COVER**. This review has identified that the inclusion of residential within the corridor may:

- Negatively impact the commercial sense of address within the corridor,
- 'crowd out' future commercial development,
- Impede the branding and relative position of the corridor in the Global Economic Corridor
- May establish a precedent for future rezoning of land for residential purposes which may lead to jeopardising number of jobs generated by the corridor
- May drive up land value expectations – reducing affordability for commercial uses, and it may adversely impact the branding and relative position of MPC in GEC at a State and National level.

Further the review also states '*...that there is a strong case to preserve MPC's role as a hub for future employment. Given its State (and National) importance, Macquarie Park needs careful and proactive planning to protect employment lands for future employment generation.*' (page 33 *SGS Strategic Implications for Macquarie Park*). The review also finds that '*...the case for residential development on current commercial core areas is weak due to current capacity levels in existing residential areas, and due to negative effects associated with allowing residential encroachment. From a policy perspective, this study emphasises the need for proactive and conscientious planning policy to ensure the retention and protection of employment land (and in the case of MPC - uniquely positioned business park floorspace) that is strategically important to the State.*'

Additionally it should be noted that many sites within the corridor contain buildings of an older nature that are likely to be renewed / redeveloped in the near future. Accordingly, it is likely that various landowners within the corridor will view any residential rezoning with interest as it will influence the highest financial yield / return for the redevelopment of the site in the current market. This sets it apart from the centres of St Leonards and Chatswood as these centres already underwent significant redevelopment and had established office / commercial floor space before the inclusion of residential.

As such, it is considered that this justification should not be accorded any weight.

Justification: *A defined and quarantined Transit Orientated Development (TOD) around the stations may release pressure for residential rezonings elsewhere in the business park. In this regard, rezoning around the stations makes planning sense and allows Council to provide a defensible position on not allowing the remainder of the commercial core to become eroded by 'precedent'.*

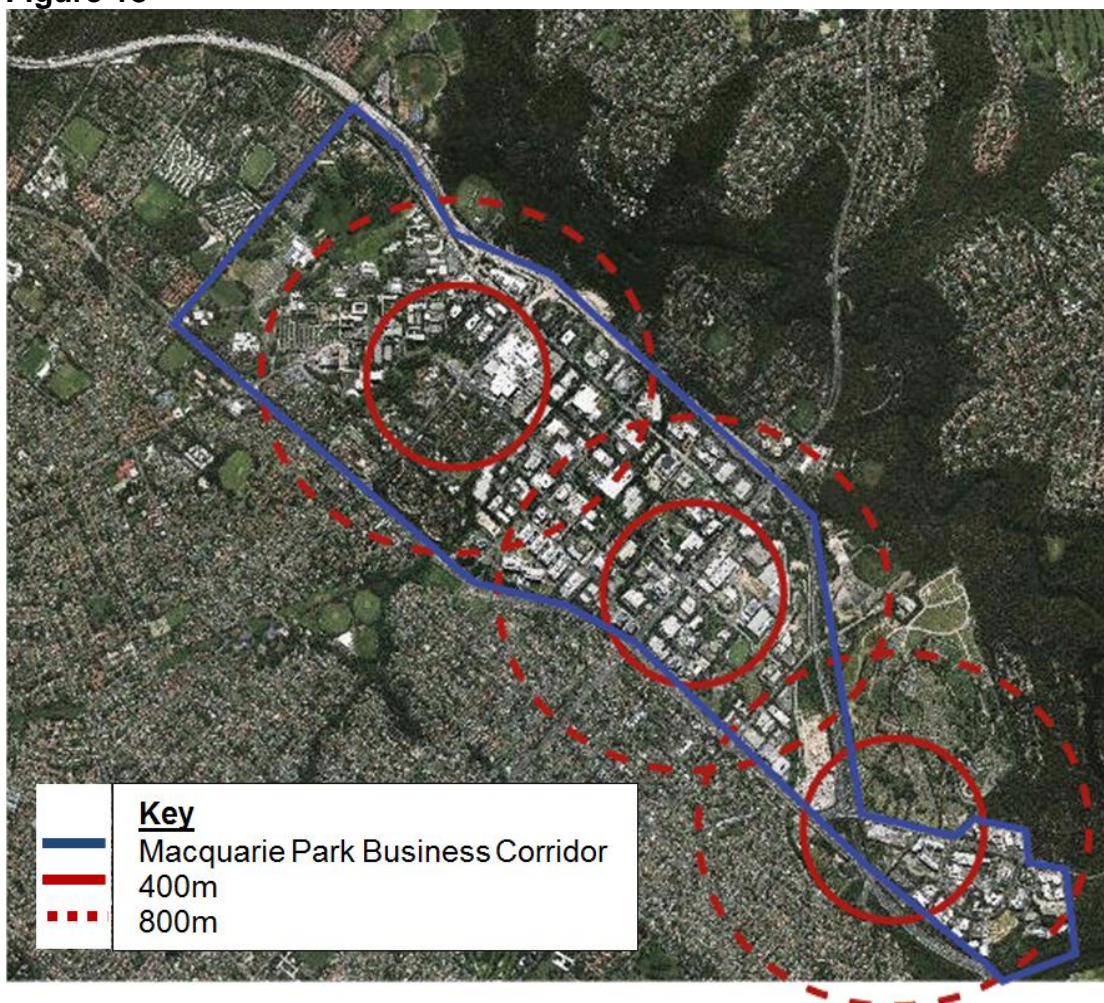
Consideration: Whilst it is recognised that there are significant pressures within the Macquarie Park Corridor for residential rezonings, these are the result of the current Sydney Housing Market which has consistently been undersupplied for a significant period. As such, residential development is currently significantly higher in demand

ITEM 3 (continued)

than that of commercial / office development, making it significantly more financially appealing to land owners and developers. As such, this is likely to act as a significant depressant on the delivery of commercial / office floor space within the centre. Whilst it is noted that the commercial / office uses are permissible within the B4 Mixed Use Zone, any redevelopment within these areas will be left to market forces to determine which given existing trends are likely to be majority residential with a minor retail / commercial / office element at the ground floor.

Any permissibility of residential within the proposed location will establish a precedent for all sites in close proximity to a station. Generally, the widely accepted walking distance is approximately 400m which takes the average person 5 minutes to walk. However, in considering walking distances for a station, normally 800m is used. This takes the average person around 10 minutes. **Figure 18** below gives an indication of the amount of the area within the Macquarie Park Business Corridor that would be within 'reasonable walking distance' of a station. Accordingly, should the proposal be supported on the basis of proximity to the station, it is likely that Council will receive further planning proposals requesting a residential land use for most sites within the 800m and 400m zones. Given the above, this justification is not given any weight.

Figure 18



ITEM 3 (continued)

Justification: *The rezoning responds to the current underutilisation of the station and evidence of other TODs on stations (e.g. the Forum in St Leonards) have shown the dramatic increase in rail/public transport usage contributing to State infrastructure viability as well as local vibrancy and activation.*

Consideration: The applicants claim that the existing railway line is underutilised is noted, however this is in part due to the truncated network, limited service and timetable. It should be noted that the Northwest Rail Link is currently under construction and that once this link is completed that use of the ECRL will be increased.

Whilst Council notes that the *Committee on Transport and Infrastructure Benefits of Utilising Rail Corridors* encouraged TOD type developments, this should not be interpreted as a blank justification for residential development along all rail corridors. Finding 1 of the Committee states:

The Committee finds that transit oriented development of appropriate sites along and above the rail corridor could benefit the community by generating income for funding future infrastructure projects, facilitating sustainable urban renewal and development, encouraging the use of public transport and reducing car usage and improving the connectivity of local communities.

In this respect, it should be noted that the key term ‘*appropriate*’ is used in defining sites. As identified elsewhere in this report, the potential negative outcomes of the inclusion of residential land uses within the commercial core of Macquarie Park do not make this site an appropriate site for residential development.

The underutilisation of the station could be addressed through a variety of alternate methods rather than rezoning the site for residential purposes only. One such example of this is the development of the site for commercial purposes under the approved plans but with a Sustainable Travel Plan imposed that focuses on significant modal shift away from car travel. This is similar to the anticipated modal split proposed for the North Ryde Station Precinct of 60% to public and active transport.

Furthermore, the assumption that residential rezoning of the site will increase rail use is predicated on the development acting as a dormitory development in which residents do not work in the Macquarie Park but commute elsewhere for work. It is noted that it could potentially increase the use of the station for other trips other than work should they work outside the corridor.

The proposal is identified as resulting in an additional 500-600 trips for the 6-9:30am period in the proponents *Macquarie Park Rail Station High level Demand Assessment*. Whilst this increase is not small, in a relative context it represents a small increase. Should the proponents base argument that rail utilisation can only be achieved by residential development be assumed correct, in order to achieve meaningful increase in rail utilisation a large significant portion of the Macquarie Park

ITEM 3 (continued)

Corridor would need to be converted to residential. Any decision along these lines must take place at a higher strategic level considering the wider ramifications for Sydney, given Macquarie Parks identification as an important specialised centre.

Also, should the total potential GFA (67,620m²) be utilised for commercial / office development it will result in approximately 3,381 employees being located on site. With limited car parking spaces imposed within the Macquarie Park Corridor, it is likely that many employees would need to use public / active transport to access the site.

Further to the above, the review undertaken by SGS Economics and Planning identified that the inclusion of residential in centres can often have unanticipated impacts such as the rapid growth of residential units in response to market demands that jeopardise the function of the centre as a commercial / office centre. Examples cited in the SGS review include Hornsby and Chatswood. As a result of allowing residential in the commercial core, these centres underwent significant residential development which significantly limited the possibility of commercial development in the core.

As such, it is considered that this justification should not be accorded any weight.

Strategic Context

State Government Metropolitan-wide strategies and decisions regarding mixed use precincts are considered at a metropolitan level. The Metropolitan Plan 2036 and Draft Metropolitan Strategy 2031 both identify Specialised Centres / Specialised Precincts as having stronger employment and economic functions than other centres – there is a reduced focus on housing.

Where housing is provided for, it is accommodated in a planned way. The decision to identify the North Ryde Station Urban Activation Precinct for housing essentially reinforces the pre-eminence of the remainder of the Corridor for its protection for employment generating uses.

The Specialised Precincts are not the same as Strategic Centres and are not planned in the same way. The Metropolitan Strategy differentiates between the two. To apply the same principles to Strategic Centres as Strategic Precincts – which is essentially what the proponent has done - does not appropriately recognise the differentiation between their relative importance and different functions. In fact, it is likely that the opening up of Macquarie Park will detract further from the existing approved mixed use centres (West Ryde, Eastwood, Ryde, Gladesville and Meadowbank) within the LGA and in surrounding areas.

The bookend of potential residential uses to the remainder of the Macquarie Park Corridor means that residential uses are more than adequately catered for. Further encroachment into the Specialised Precinct would be inconsistent with State and Local strategic directions.

ITEM 3 (continued)*Metropolitan Plan 2036 and Draft Metropolitan Strategy 2031*

The direction of both these documents is very much about protection of Specialised Centres / Specialised Precincts. They perform vital economic and employment roles across the metropolitan area. The introduction of residential use will undermine the key strategic directions for the specialised centres, which are best captured as the criteria for specialised centres outlined at Appendix B of the Draft Metropolitan Strategy 2031 which is also a reflection of the position of the Metropolitan Plan 2036.

These criteria are:

- The primary significance of Specialised Precincts is as employment destinations and/or as the location of essential urban services.
- Specialised Precincts are areas containing major airports, ports, hospitals, universities and metropolitan business parks and office clusters that perform vital economic, research and employment roles across the metropolitan area.
- Have a minimum of 8,000 jobs, with the potential for more than 12,000 jobs
- Specialised Precincts have an amount of employment that is of metropolitan significance, but other uses in the Precinct are not necessarily at a scale currently of metropolitan significance.
- Over time, particular Specialised Precincts such as Sydney Olympic Park may assume a greater mix of residential, retail and service uses, and assume the role of a Major Centre. The emergence of these other uses in Specialised Precincts needs to be balanced to ensure the employment function is not compromised.
- The way Specialised Precincts interact with the rest of the city is complex and growth and change in and around them must be carefully planned to ensure they continue to serve their primary employment and economic development functions.
- Potential Specialised Precincts are areas which have the potential to become significant locations for concentrated employment growth. Potential Specialised Precincts would need to be located near existing public transport and/or be supported by public transport improvements. They would complement existing Specialised Precincts and Strategic Centres.
- Specialised functions must be protected for the long term and residential and other non-specialised but competing uses must not override the core employment activities in these precincts. Some, however, will plan for ancillary uses which are suitable, such as student or staff accommodation near universities and hospitals.
- Need high quality public places and parks for workers and nearby residents. (p. 104 Draft Metropolitan Strategy 2031)

ITEM 3 (continued)

There is a distinction between a Strategic Centre and Specialised Precinct which is not recognised in this Planning Proposal and as such, the planning proposal does not adhere to this broader strategic document. It is recognised within the existing policy framework that the GEC and the Corridor are a vital and crucial part of the wider plan for Sydney's future. The proposal fails to comply with this plan and as such is not supported.

Consistency with S117 Direction – Retention of Employment Lands

The proposal will potentially result in the loss of employment lands for residential use. This is inconsistent with Direction 1.1 Business and Industrial Zones as it potentially undermines the viability of the strategic centre, given the potential for further proposals to be put forward and the loss of employment lands.

The proponents argument is predicated on the assumption that there is not sufficient demand for commercial / office floorspace within Macquarie Park to justify the retention of land for commercial / office use only.

The applicant has argued that a portion of the site will still be allocated to employment generating land uses which will allow for job generation to take place on the site. However, a critical issue is that there is no guarantee that this be achieved on the site. Once the site is zoned B4 Mixed Use, the majority of the site could be occupied with residential floor space with minimal commercial / retail floor space.

Under the existing NSW planning framework, there is no method to effectively limit the amount of residential floor space delivered on site. It is likely that the whole site will be developed for residential and not the limited amount proposed.

Further it should be noted that the Financial Review on the 7 November 2013 in an article titled *More offices in Macquarie Park* stated:

Macquarie Park is expected to continue growing as CBD sites become more limited in supply.

BIS Shrapnel anticipate the precinct to account for 13 per cent of new office constructions over the next 10 years. Mr Walker said the precinct was particularly well positioned.

(Source: <http://www.macquarieparkoffice.com.au/macquarie-park-property-news/>)

As a result of the proposal, further lands within the Macquarie Park Corridor may seek rezoning for residential purposes. This may further jeopardise the specialised centre nature of the corridor which will further erode employment land.

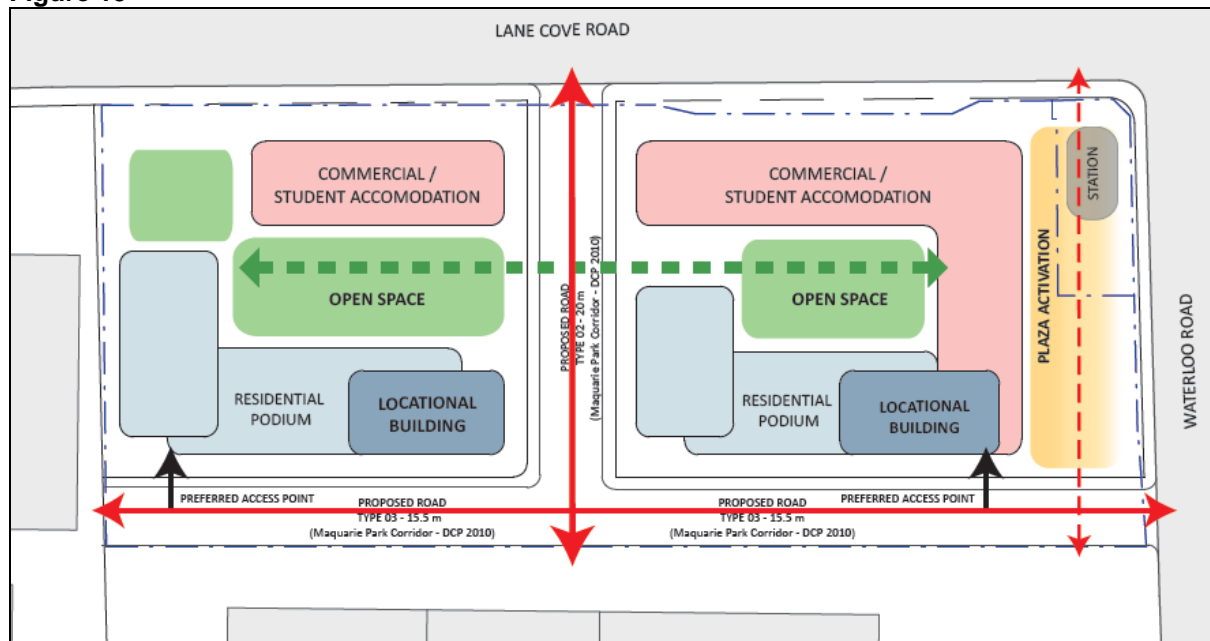
Consistency with Ryde Draft LEP 2010 – Amendment No. 1

The effect of the Ryde Draft LEP 2013 (Amendment No.1) permits access to bonus floor space ratio and height that captures some of the value to implement new roads and parks.

ITEM 3 (continued)

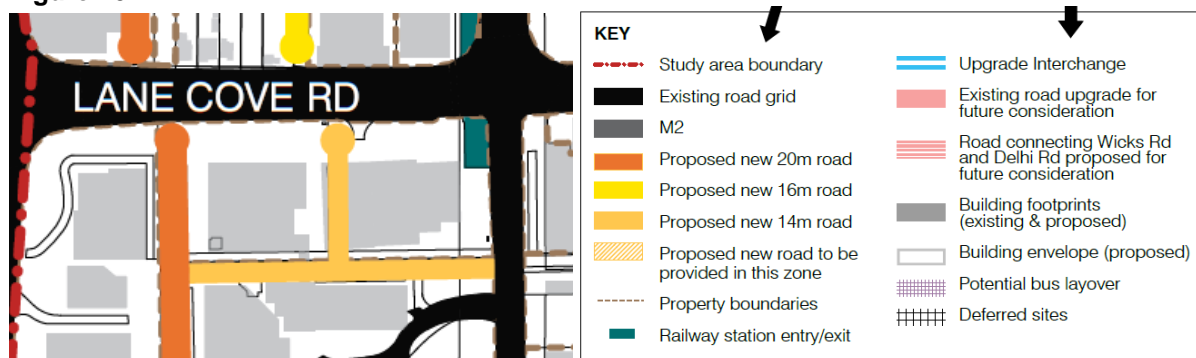
This Planning Proposal is not consistent with the either road infrastructure or open space network as noted previously in this report. It should be noted however, that this is only identified within the proponents indicative scheme for the site should the planning proposal be approved. Should the proposal be approved it should be subject to a site specific Development Control Plan which will allow for further finessing of the concept scheme for the site. The proponents scheme is provided at Figure 19.

Figure 19



Road Network: The proposal includes a significant variation to the proposed road network envisaged under Amendment 1. The network proposed under Amendment 1 is provided at Figure 20. The proponents scheme shows a 15.5m road along the South-eastern boundary which should be 14m wide and a 20m road through the central portion of the site which should be 14m. The proponents concept scheme fails to provide a 20m road along the south-western boundary of the site.

Figure 20

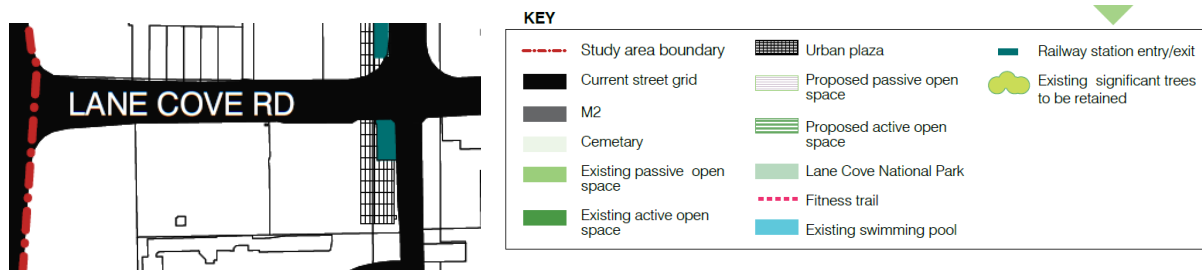


ITEM 3 (continued)

Whilst the proposed roads could be readily amended to be in accordance with Council’s proposed road network, the omission of the 20m wide road along the south-western boundary is of significant concern. In this respect, the 20m wide road forms a crucial central spine that extends from Wicks Road to Lane Cove Road. On the opposite side of Lane Cove Road, the spine road continues to Lyon Park Road. The deletion of this road will have significant ramifications for the wider Macquarie Park road network, and as such is not supported.

Open Space Network: The proposal includes significant open space areas not included in Council’s envisaged open space network. The proposed Open Space network (provided at Figure 21) only includes an urban plaza directly adjacent to the station entrance at the corner of Lane Cove and Waterloo Roads.

Figure 21



The proponents concept scheme (provided at Figure 22) provides for a total 1.5ha publicly accessible open space which includes 0.68ha of roads and 0.82ha of open space.

Figure 22

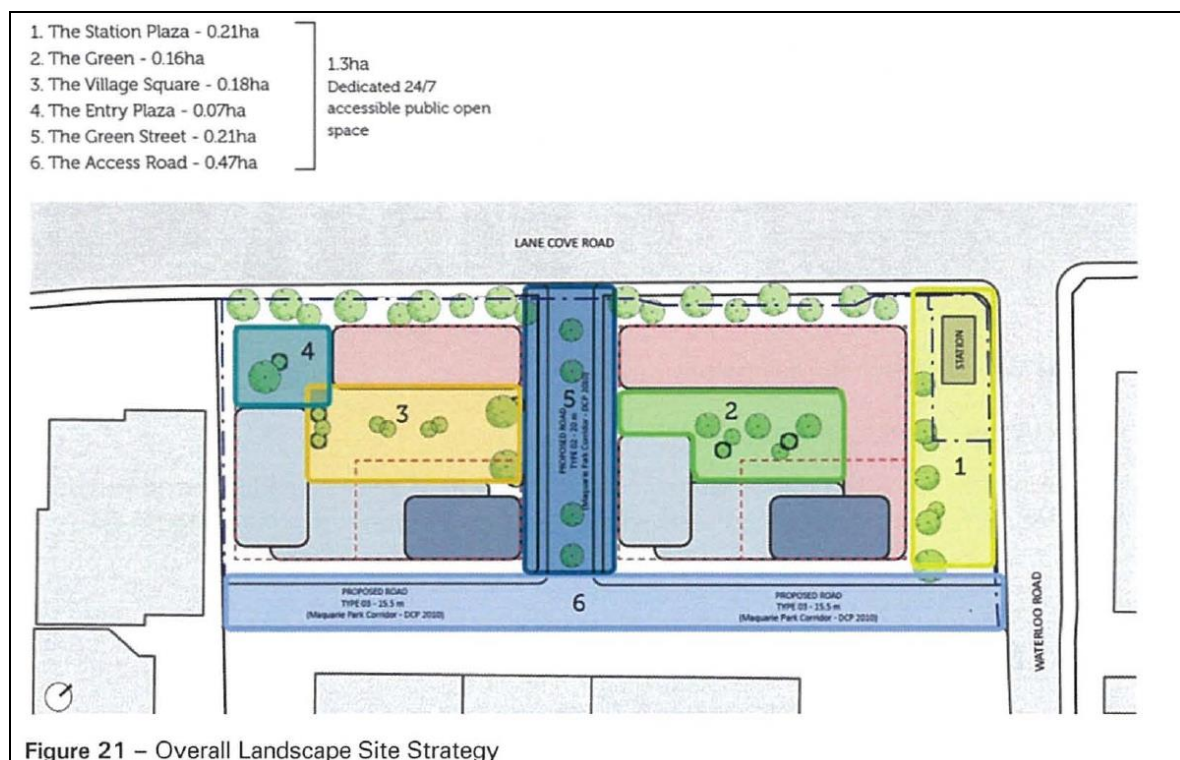


Figure 21 – Overall Landscape Site Strategy

ITEM 3 (continued)

The parks proposed by the applicant are identified as being dedicated to Council, which will add to the significant maintenance burden already borne by Council. Furthermore, much of the open space area is internalised within the development and likely to be significantly underutilised by the wider public. Whilst it is recognised that the above could be further negotiated / discussed with the applicant, given that the proposal contravenes the wider strategic plan for Sydney, it is recommended that the proposal of the community park not be supported as a community benefit.

Site Specific Merit Assessment

- Land Use

The proposal will result in an isolated pocket of B4 lands surrounded by B3 Commercial Core and B7 Business Development. It will result in residential uses being permitted on a site that are not desirable or supported by the wider strategic intent of Council. It is likely, should residential be permitted on the site, that the site will function in a dormitory manner.

Given that the site fails to adhere to the wider strategic intent for the Macquarie Park Corridor, it is not supported.

- Density

The FSRs are in keeping with the incentive scheme proposed in the Ryde Draft LEP 2013 – Amendment No.1. However the proposal as a whole undermines the strategic approach for the Macquarie Corridor. However it should be noted that the proposed FSRs and height are not considered appropriate as detailed in the 'Building Height and Form' section of this report.

However, the use of the site as residential as opposed to the current commercial use will place significant adverse impacts on the potentially affected infrastructure, especially given the likely 'knock on' effect of further residential rezonings. As such, it is not believed that the site can support the residential densities proposed.

- Building Height and Form

The heights have been considered in the context of the North Ryde Station Urban Activation Precinct and the Part 3A Concept Plan for Macquarie University and are not supported.

The proposed development is a perimeter block typology with two slender tall towers (90m and 130m) rising above four storey podiums that front the new road off Waterloo Road. These heights equate to 28 and 40 storeys. The two towers greatly exceed the permissible height of 65m in the recently exhibited LEP amendment (Amendment 1) and are not supported. The proposal claims that the tall towers are necessary to enable the scheme to achieve a FSR of 3:1 which is the permissible FSR for this site under Amendment 1. There may be

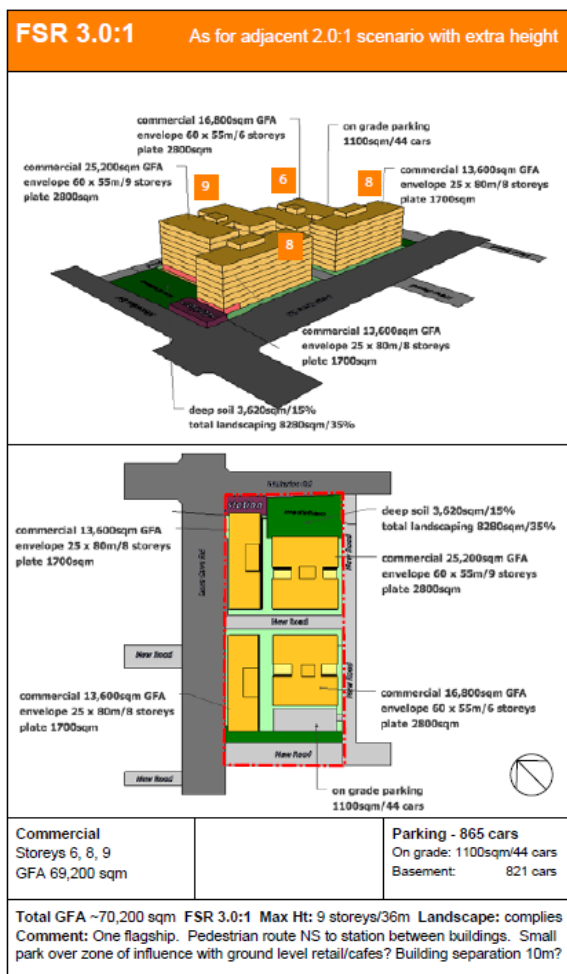
ITEM 3 (continued)

some justification for this claim for a residential development, but it is not true for a commercial development which would have larger floor plates and hence less height.

Whilst the Macquarie Park DCP supports tall buildings at train stations, the recent Amendment 1 review of the planning controls for Macquarie Park did not identify this site as being suited to a height that exceeded 65m. Rather the strategy for height in Amendment 1 permitted the tallest buildings along Waterloo Road which is the main spine of Macquarie Park. The subject site forms part of this spine.

FSR testing was undertaken to inform the density and height controls in Amendment 1. The testing of 269-271 Lane Cove Road indicates that workable solutions can be achieved for this site with a maximum height of 65m (see diagram below). The buildings in this scenario are six to nine storeys in height. The scheme would deliver the new roads and a large public plaza adjacent to the station on Waterloo Road. It is noted that the building envelopes in this scheme facilitate commercial rather than residential uses. This scheme is provided at Figure 23.

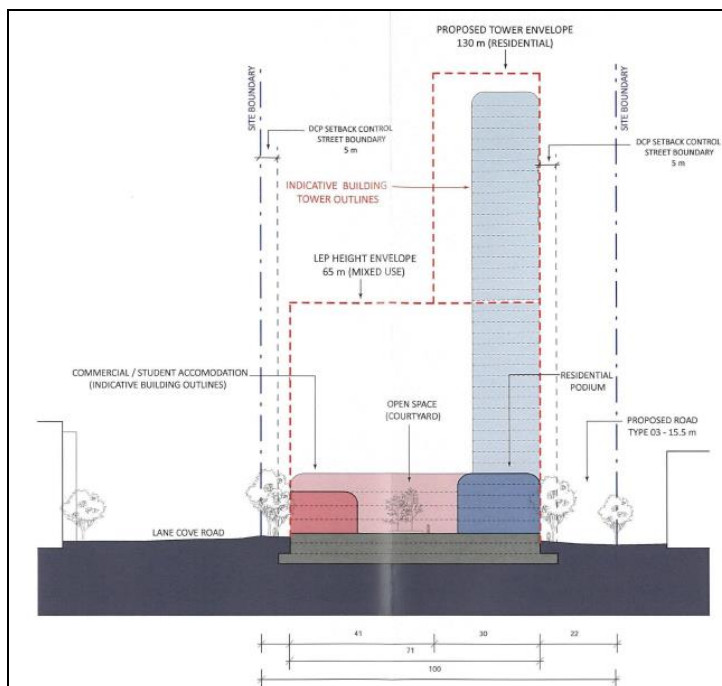
Figure 23



ITEM 3 (continued)

In terms of built form, the proposed tall towers will appear to be over scaled when compared with the podiums that are proposed as part of this development. This differentiation is illustrated in the Indicative Section through Lane Cove Road, provided at Figure 24. The 130m high tower appears disproportionately tall when compared with the lower podiums. A more satisfactory relationship between the two building typologies could be achieved if the maximum building height was 65m.

Figure 24



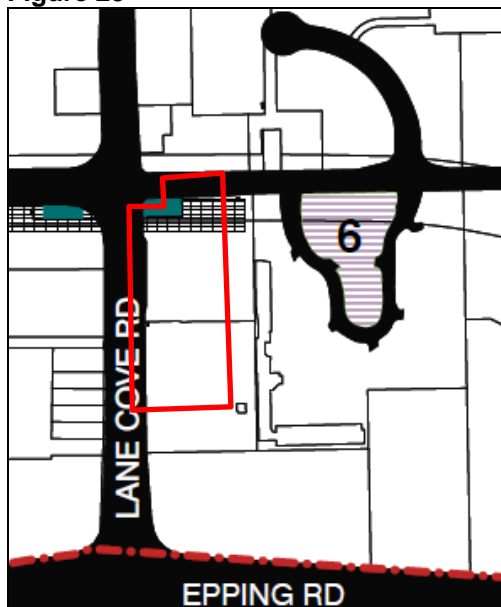
The planning proposal states that maintaining the 65m height limit would create a monolithic wall of buildings. The Amendment 1 site testing for 269-271 Lane Cove Road provided a scenario comprised of four separate buildings of varying heights which is evidence that a perfectly workable and non-monolithic development can be achieved with a maximum building height of 65m. It is noted that the 65m height limit allows for commercial buildings up to 20 storeys in height, whereas the maximum height of the buildings in the test scenario was 9 storeys. This suggests that there is sufficient flexibility in the controls to achieve a variety of built form outcomes. The approach to height and FSR relationship in Amendment 1 was to allow for flexibility and encourage a range of building typologies to reflect the broad range of land uses permitted across the corridor.

With regards, to overshadowing, the two towers have been sited to the south west of the site which ensures that appropriate levels of solar access can be achieved into the courtyards in winter. The proposal states that if the development was built to a consistent 65m height limit that the development would be too dense and public spaces within it would be overshadowed by the buildings. The Amendment 1 FSR and height controls are a “loose fit” which means that they are sufficiently flexible to provide for lower buildings to the north of any courtyards as per the proposal, so this claim is not justified.

ITEM 3 (continued)

The green space (identified as 6 on Figure 25) on Thomas Holt Drive is identified in the Macquarie Park DCP and Amendment 1 as open space. Any redevelopment of the site at Thomas Holt Drive would require the park to be dedicated to Council as public open space. The two proposed towers would overshadow the park from 11.00am onwards in winter, which will impact upon the amenity of this publically accessible private open space. There is a scarcity of parks in Macquarie Park, especially within the area to the east of Lane Cove Road. Although a small portion of the park at Thomas Holt Drive is currently overshadowed by existing buildings, the majority of it is in sunshine and is well used by office workers during their lunch time. The additional overshadowing caused by the two towers is considered unacceptable. It is noted that if the proposed development was kept to a maximum height of 65m, then the impacts would be significantly reduced.

Figure 25



Existing buildings within the vicinity of the subject site and potential nearby future development are at a much lower scale than the proposed towers. This height differentiation would make the towers appear as landmark buildings both within the immediate locale and the surrounding district. Despite the comprehensive review of the planning controls that was undertaken as part of Amendment 1, this site has not been identified as requiring or being suited to a landmark building.

The planning proposal acknowledges that the tallest building at 130m (40 storeys) is taller than both the Macquarie University Concept Plan and the North Ryde UAP. The proposal's argument that a notable locational marker is appropriate in the centre of the Macquarie Park is not supported by any comprehensive urban design study or strategy. As such, it appears as an ambit claim to maximise development yield resulting from the excellent views that would be had from the tall towers.

Given the above, the heights and FSRs proposed cannot be supported as it is inconsistent with the structured, informed and planned approach taken to deliver the future building forms in the Macquarie Park Corridor.

ITEM 3 (continued)Wider impact on Macquarie Park Corridor

The inclusion of residential floor space within Macquarie Park has the potential to jeopardise the wider strategic plan for the area. In a review of the Macquarie Park Corridor undertaken by SGS Economics and Planning titled ‘*Strategic Implications for Macquarie Park*’, it has been identified that the inclusion of residential with the corridor may:

- Negatively impact the commercial sense of address within the corridor,
- ‘crowd out’ future commercial development,
- Impede the branding and relative position of the corridor in the Global Economic Corridor
- May establish a precedent for future rezoning of land for residential purposes which may lead to jeopardising number of jobs generated by the corridor
- May drive up land value expectations – reducing affordability for commercial uses, and it may adversely impact the branding and relative position of MPC in GEC at a State and National level.

The review concludes that:

‘...distinction between underlying and effective demand creates a ‘disconnect’ between the ‘price value’ and the ‘use value’ of the land, which has implications for commercial floor space supply. Shorter-term effective demand (via population growth) may drive requests for the rezoning of commercial zones or the permitting of non-commercial uses. However, responding simply to effective demand and current development pressures without due consideration of the underlying demand runs the risk of facilitating an undersupply of employment generating floor space in the future...’

‘...The review of relevant policy documents reveals that Macquarie Park was identified as a ‘specialised centre’ with existing economic clusters of high growth and high technology industries that should be protected and nurtured through effective strategic planning. The continued growth of the Macquarie Park Corridor as a major employment centre in Sydney relies on protecting and strengthening its commercial role, and maintaining a critical mass of commercial - achieved through the prioritising of commercial over residential development...’ (page 33)

‘...In summary, this SGS study brings together existing literature, policy documents, and analytical tools to assess the strategic importance of MPC with a sound appreciation of its role and position in the GEC. The study finds that the case for residential development on current commercial core areas...’ ‘...is weak due to current capacity levels in existing residential areas, and due to negative effects associated with allowing residential encroachment.

ITEM 3 (continued)

From a policy perspective, this study emphasises the need for proactive and conscientious planning policy to ensure the retention and protection of employment land (and in the case of MPC - uniquely positioned business park floorspace) that is strategically important to the State. The case study of Chatswood CBD (which is also part of the GEC) aptly highlights this need. Having experienced significant growth in residential development in commercial core areas, Willoughby Council has had to respond by introducing controls to retain and protect its commercial core floorspace.’ (page 34)

It should be noted that the proponents attempt to capitalise on the current strong residential market is likely to result in short term gains for landowners but long term problems for the wider Sydney region that the Metropolitan Strategy seeks to address.

It is noted that the proponents *Demand and Supply Analysis of the North Ryde / Macquarie Park Commercial & Residential Markets* (provided as part of the proponents Planning Proposal) identifies the corridor is currently over supplied with commercial / office space. It states that with approved developments / existing vacancies equates to 23.3 years of potential supply. This does not take into account the importance of the corridor within the greater Sydney region nor give consideration to dangerous precedent set by allowing residential within the corridor. Arguably, the inclusion of residential has potential to jeopardise the entire corridor. The infrastructure and services within corridor have not been considered or designed for residential. Accordingly, this is not supported.

As identified previously, an article in the Financial Review on 7 November 2013 states that it is anticipated that Macquarie Corridor is expected to account for 13 per cent of new office constructions over the next 10 years. Additionally, PricewaterhouseCoopers in an article released in March 2014 titled *Australia uncovered - A new lens for understanding our evolving economy* identifies Macquarie Park as one of the top 10 locations nationally in terms of total contribution (economic output) to Australia’s economy in the financial year 2012/2013. (source PwC *Australia uncovered - A new lens for understanding our evolving economy* March 2014 pge 4). The article also identifies that the in the last 13 years, the economy of Macquarie Park has doubled in size.

ConsultationInternal Consultation

The Planning Proposal was referred to the relevant Council staff for comment on areas relating to traffic, contamination, and urban design. The comments of these sections have been captured within this report.

ITEM 3 (continued)Council Workshop

A Council Workshop was held on the 11 March 2014 at which representatives from Mirvac provided a presentation on the Planning Proposal to Councillors.

Community Consultation

Under the gateway plan-making process, a gateway determination is required before community consultation on the planning proposal takes place. The consultation process will be determined by the Minister and stipulated as part of the gateway determination.

The Department of Planning and Infrastructure's guidelines stipulate at least 28 days community consultation for a major plan, and at least 14 days for a low impact plan.

If the Planning Proposal progresses to Gateway additional required consultation would also include written notice:-

- to local state government representatives
- consultations considered necessary by Planning and Infrastructure with relevant State and Commonwealth authorities.

The written notice would:

- provide a brief description of the objectives and intended outcomes, indicate the land affected,
- state where the planning proposal can be inspected,
- indicate the last date for submissions and
- confirm whether the Minister has chosen to delegate the making of the LEP.

Critical Dates

Under the Department of Planning and Infrastructures "A guide to preparing local environmental plans" a pre gateway review system exists where by a Proponent can request an independent body review decisions in relation to proposed amendment to LEPs.

A Pre Gateway review:

- may be requested by a proponent if the council has notified them that the request to prepare a planning proposal is not supported or
- the council has failed to indicate its support 90 days after the proponent submitted a request.

ITEM 3 (continued)Pre – Gateway Review

The Environmental Planning and Assessment Regulations 2000 requires council's to notify a proponent when the council decides not to prepare a planning proposal. The proponent of the proposed instrument then has 40 days from notification to request a review of the council's decision.

If a Pre – Gateway review is requested the DoPI undertakes an assessment to determine whether the proposal:

1. has strategic merit as it:
 - is consistent with a relevant local strategy endorsed by the Director General or
 - is consistent with the relevant regional strategy or Metro Plan or
 - can otherwise demonstrate strategic merit , giving consideration to the relevant s117 Direction and other strategic considerations
2. has site specific merit and is compatible with the surrounding land uses having regard to:
 - the natural environment,
 - existing uses, approved uses and likely future uses of the land in the vicinity of the proposal
 - The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangement for infrastructure provision.

If the DG determines that the proposed instrument does not qualify for review, Planning and Infrastructure notifies the proponent and council.

If the review request progresses the proposed instrument is referred to the regional panel/PAC. A recommendation is provided to the Minister. The Minister will make the final decision with respect to the proposed instrument.

If the Minister decides to proceed with the Planning Proposal:

- The Council may be requested to submit a Planning Proposal to the Gateway within 40 days, or
- The Minister may consult with the General Manager of the council to discuss the possibility of changing the relevant planning authority to the DG of the Department (or other body)

ITEM 3 (continued)

Financial Impact

Adoption of the options outlined in this report will have no financial impact. Council should note that the lodgement of the planning proposal has been subject to Council's Fees and Charges Schedule to amend Local Environmental Plans.

Policy Implications

The recommendation of this report is that the Planning Proposal should not proceed as it is inconsistent with the strategic direction being implemented by the State Government and the Council for the Macquarie Park Corridor as adopted in the City of Cities: A Plan for Sydney's Future (Metropolitan Strategy), Metropolitan Plan for Sydney 2036, the Draft Metropolitan Strategy for Sydney 2031, Ryde Local Planning Study 2010 and Ryde LEP 2010 and Draft Ryde LEP 2013.

The land the subject of the Planning Proposal is part of the Macquarie Park Corridor and as such is part of the Global Economic Corridor. The importance of the Corridor is described in

The *Community Guide: Draft Metropolitan Strategy for Sydney to 2031* (pg. 6) as follows:

Global Economic Corridor

- (b) *The Global Economic Corridor will drive the economy for Sydney and NSW. This corridor extends from the national gateways of Port Botany and Sydney Airport through to Global Sydney, and north to St Leonards, Chatswood and Macquarie Park. The strategy will reinforce this area and extend it towards Norwest and Parramatta CBD. This corridor will be protected and developed as the most important cluster of professional and service industry jobs in the country, with a total of 213,000 additional jobs by 2031. It will also contain a number of new Urban Activation Precincts, where the Government will focus attention on renewal and housing delivery over the next few years.*

To support the proposed Planning Proposal would have significant policy implications for the delivery of both the State Government and Council's direction for the Macquarie Park Corridor.

Options

Council has the option to decide to:

- proceed with the planning proposal to the next stage (gateway determination and community consultation) or
- to decide not to proceed as is the recommendation of this report.

ITEM 3 (continued)

If Council supports the planning proposal, two matters arise:

1. Consideration must be given to a wider analysis of the function of the specialized centre as a whole, with the corridor moving to mixed use precinct where the residential land use will be the dominant use. This would need to include a significant in depth review of the future of the centre and the infrastructure required to support a residential community.
2. A further detailed discussion with the proponent about the VPA offer and what matters should be included as part of the offer. No consideration as to the appropriateness of the offer or whether it is one Council should consider has been undertaken.

It should be noted that the reversing of this long maintained policy is likely to have significant ramifications on the function of wider Sydney and NSW given the centres location in the Global Economic Corridor and its recognized importance in the strategic policy documents for Sydney.

4 PUBLIC WIFI - EASTWOOD PLAZA

Report prepared by: Place Manager
File No.: PM12/40010/003 - BP14/392

REPORT SUMMARY

At the Council meeting of 27 November 2012 it was resolved that the Public WiFi Feasibility Study (Eastwood Plaza WiFi) should be progressed to an one year trial, June 2013 to June 2014. Public WiFi was launched on 20 June 2013 and currently operates in Eastwood plaza.

Analysis indicates that during the period July 2013 to February 2014 an average of 121 logins per day occurred and these logins were undertaken by 47 users. The recent January 2014 data reveals that usage is now above 130 logins and used by around 50 users per day. This usage was benchmarked against the Lane Cove Plaza experience.

The report considers the feasibility of continuing to provide free Public WiFi in the Eastwood Plaza. It is recommended that the Public WiFi service offered at Eastwood Plaza continues and becomes a Council asset, with the on-going costs of delivering this service paid from 'General Revenue'.

RECOMMENDATION:

- (a) That Council endorse the continuation of Public WiFi being provided in the Eastwood Plaza at an estimated cost of \$4,000 (excluding GST) and be funded from 'General Revenue';
- (b) That Council support an awareness campaign being delivered to promote the service.

ATTACHMENTS

There are no attachments for this report.

Report Prepared By:

John Brown
Place Manager

Report Approved By:

Meryl Bishop
Manager - Urban Planning

Dominic Johnson
Group Manager - Environment & Planning

ITEM 4 (continued)

Background

At the Council meeting of 27 November 2012 it was resolved that the Public WiFi Feasibility Study (Eastwood Plaza WiFi) should be progressed to an one year trial, June 2013 to June 2014.

'That in lieu of the public WiFi feasibility study Council undertakes a trial of free WiFi at the Eastwood public domain in 2012/2013 up to a cost of \$50,000'.

Public WiFi was launched on 20 June 2013 and currently operates in Eastwood Plaza; in the area surrounding the flag pole near West Parade to the water fountain at the intersection of Rowe Street and Lakeside Road. The area is shown in the photo below.

During 2012-13, hardware and software was purchased and installed. In total \$39,426 was expended, leaving \$10,574 to be carried forward into 2013-14 to fund the trial operation of Public WiFi which includes the cost of software licensing, technical support and the on-going internet service fees.



Photo 1: View from West Parade into Eastwood Plaza (Google)

The launch of the 'Public WiFi' was featured in the Northern District Times (26 June 2013) and was supported by advertisements in the local newspaper as well as pavement signage to highlighted the Plaza was now a 'free WiFi zone'.

ITEM 4 (continued)

The signage displayed at either end of the Plaza has faded since being applied in June 2013. This was anticipated as the specific paint used was only meant to be 'temporary' during the trial. Should free Public WiFi continue to be provided in the Plaza it is recommended that the signage be repainted with a permanent finish.



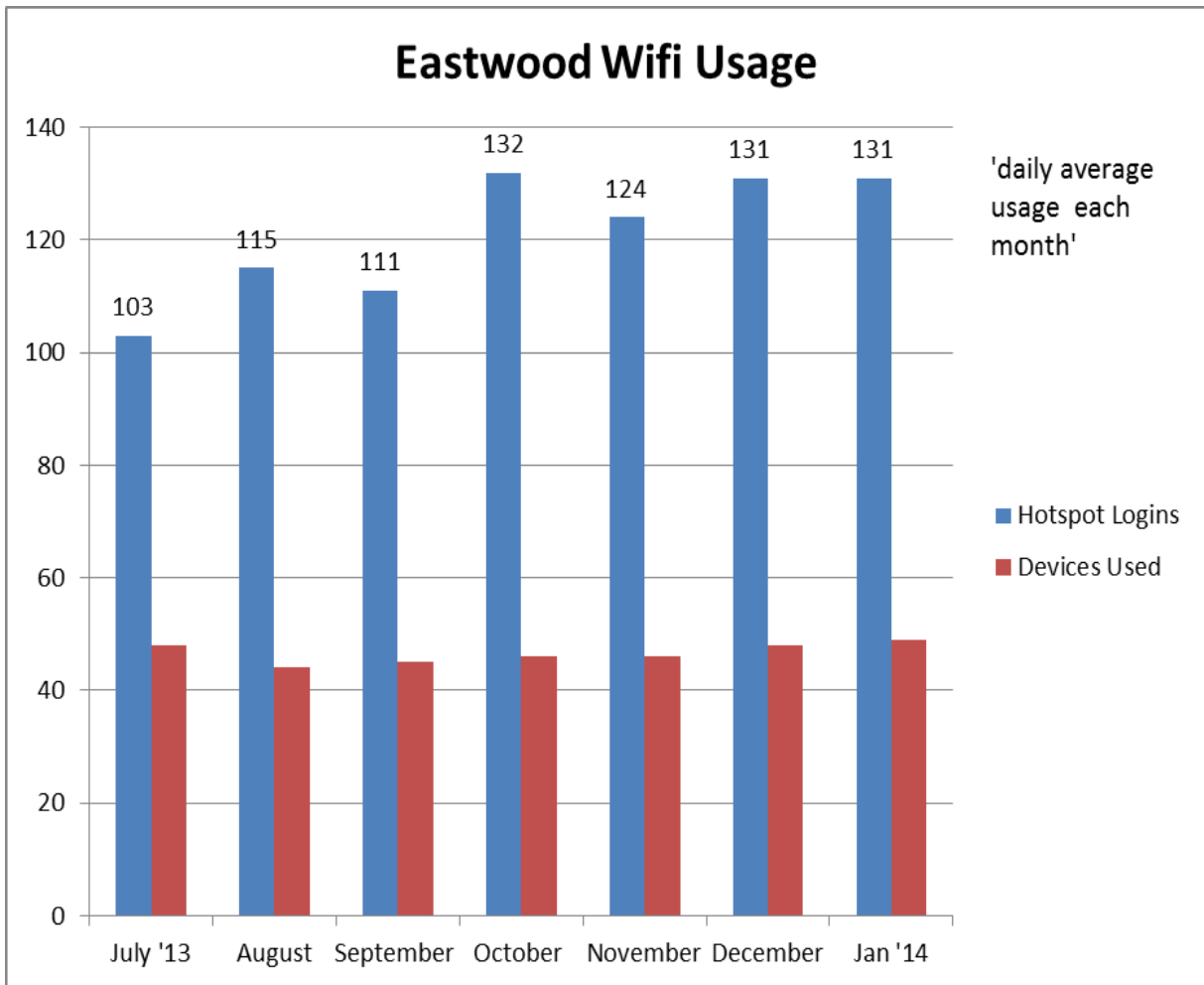
Photo 2: Pavement signage featured at the entries to the Plaza

Usage – take up

The data indicates that during the period July 2013 to February 2014 an average of 121 logins per day occurred and these logins were undertaken by 47 users.

The most recent January 2014 data reveals that usage is now above 130 logins per day and used by around 50 users.

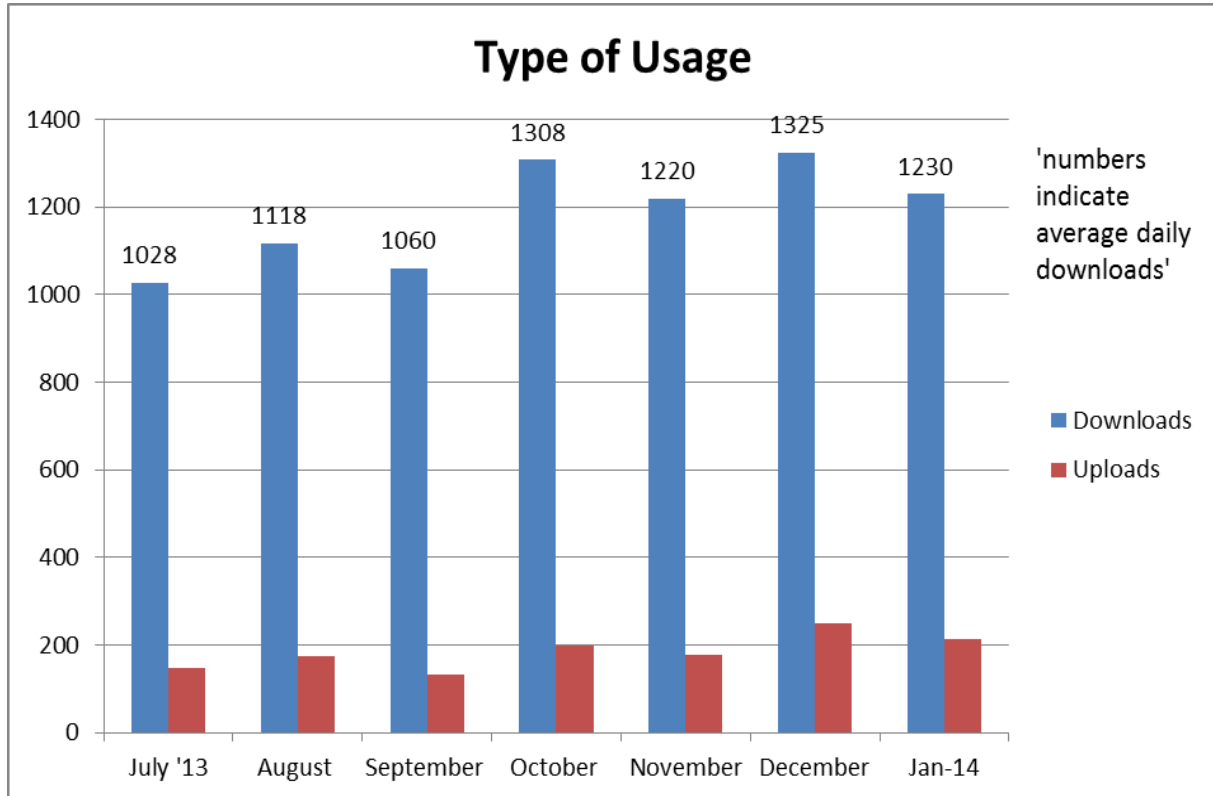
ITEM 4 (continued)



The data for the period 1/7/13 to 31/1/14 reveals that there had been 25,204 logins (users clicked on the login page and connected). During this period, 6,295 unique devices (users) have connected to the public WiFi hot spot. Assuming that the majority of users only carry one mobile device with them, this means that about 6,000 people have used the service over the seven month trial period.

ITEM 4 (continued)

Usage - type



The data highlights that during January 2014, 1,230 Megabytes (MB) of data was downloaded and 213 MB uploaded on a daily basis. This equates to WiFi connection usage, in any 24 hr. period (based on January 2014 figures), of more than 40 hrs each day.

Usage Benchmark

To benchmark usage, City of Ryde Place Manager contacted Lane Cove Council to learn of its experience. Public WiFi is delivered in the Lane Cove Plaza and managed by the not for profit organisation 'Lane Cove Alive' in cooperation with Council. This site is similar in size to Eastwood Plaza and is a reasonable comparison to benchmark.

- Eastwood Plaza – averaging around 120 logins per day/ annual cost to deliver \$4,900 (existing contract).
- Lane Cove Plaza – averaging 75-100 logins per day / annual cost around \$3,200 to deliver the service.

ITEM 4 (continued)**Usage trends and future promotion**

The data trends indicate that usage at Eastwood Plaza has plateaued with around 130 logins from 50 users (devices) per day. While no in-depth evaluation has been undertaken, anecdotally it would seem that the public may not still be fully aware of this service and there is an opportunity to further improve patronage. City of Ryde Place Manager recently spoke to a number of students and shoppers in the Mall who were using smart devices; none were aware that free public WiFi was available.

It is noted that since the launch of the Public WiFi in June 2013, no funds have been devoted to promotion. To increase usage, an awareness campaign should be explored. The campaign would be delivered this financial year using the remaining funds from the project and coordinated by the Communications and Media Team.

Finances

The initial budget of \$50,000 has covered setup costs, including hardware/ software and the monthly service fees. \$10,574 was carried over into 2013–14.

Contractor HITECH SUPPORT which manages the current WiFi service has estimated that the ongoing cost to deliver the public WiFi will be \$4,900 (ex GST) per annum over the next three years.

The contractor noted that Council's current Pacnet Internet Service contract of \$210 per month will soon expire. The contractor recommends Council go back to the market as a number of internet providers are now offering more competitive rates. For example, Internet provider TPG can deliver the same service for \$95 per month – this would save around \$1,000 per year and reduce the on-going delivery of this service to approximately \$4,000 (ex GST). Any contract changes would be undertaken in accordance with Council's procurement policy and in consultation with Information Systems.

Options

The public WiFi in Eastwood Plaza could be suspended at the end of the trial period and reduce the ongoing financial burden to Council. However, given the setup costs have already been expended and the on-going cost of providing this service is approximately \$4,000 per annum; the service does provide significant public benefit and goodwill. In addition, cancelling the service could send mixed messages to the community regarding Council's commitment to revitalising the Town Centre.

Expansion of Public WiFi in the City's Town Centres

A further expansion of this service into other town centres is not recommended at this time due to financial constraints.

ITEM 4 (continued)

Conclusions

- That Public WiFi at Eastwood continue and move from trial project to Council asset;
- That the annual on-going cost, estimated at \$4,000 (ex GST) be funded through 'General Revenue' in a similar way as electricity usage;
- That Public WiFi in Eastwood be promoted through an awareness campaign, funded through the existing budget and developed by Urban Planning and the Communication and Media Teams.

NOTICES OF MOTION**1 BUSHLAND AND ENVIRONMENT ADVISORY GROUP - Councillor Denise Pendleton****File Number: CLM/14/1/4/6 - BP14/445**

MOTION:

That the establishment of the Bushland and Environment Advisory Group be expedited by:

- Nomination of a Councillor to Chair the Bushland and Environment Advisory Group.
- Nomination of other Councillors to join the Bushland and Environment Advisory Group.
- Setting an initial meeting date in early May 2014 inviting up to five representatives from the Volunteer Bush Regenerators' Network to consider a draft Terms of Reference for the Bushland and Environment Advisory Group.
- Advertising seeking additional nominations for membership of the Bushland and Environment Advisory Group in the next Northern District Times.

2 RACISM! IT STOPS WITH ME - Councillor Jerome Laxale**File Number: CLM/14/1/4/6 - BP14/448**

MOTION:

That Ryde Council, as a supporter of the Racism! It stops with me campaign:

- (1) Intrinsically understands the importance section 18C of the Racial Discrimination Act 1975.
- (2) Notes that section 18C provides protection to individuals from offensive behaviour because of race, colour, national or ethnic origin.
- (3) Further notes that all levels of government should combat bigotry at every opportunity.
- (4) Calls on all local members of Parliament (State and Federal) to adequately represent our diverse city by renouncing any move by the Federal Government to adversely change section 18C of the Racial Discrimination Act 1975.

CONFIDENTIAL ITEMS

5 PROPOSED SALE - WALKLEY PATHWAY, WEST RYDE

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Report prepared by: Section Manager - Properties

File Number: BPU/08/5/3/13 - BP14/342

Page No.: 127

6 PROPERTY INVESTMENT PORTFOLIO - MANAGEMENT FRAMEWORK AND OBJECTIVES

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) (iii) information that would, if disclosed, reveal a trade secret.

Report prepared by: Section Manager - Properties

File Number: BPU/08/5/3/13 - BP14/411

Page No.: 133

7 53-71 ROWE STREET, EASTWOOD - FEASIBILITY ANALYSIS

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) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

Report prepared by: Section Manager - Properties

File Number: BPU/08/5/3/13 - BP14/413

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