

31 JULY 2014

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## NOTICE OF MEETING

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You are advised of the following meeting:

**TUESDAY 12 AUGUST 2014.**

**Meeting of Council Meeting No. 12/14**

**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، بدلاً 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 صباحاً إلى 4.30 بعد الظهر من يوم الاثنين إلى يوم الجمعة.

## **Armenian**

Եթէ այս նամակը չէք հասկնար, խնդրեմ եկէք՝ *Բայր Սիվիք Սենթըր, Տելվին* փողոց, Բայր, խօսակցելու Բաղաքապետարանի պաշտօնեաներուն հետ, որոնք թարգմանիչ մը կրնան կարգադրել: Կամ, կրնաք հեռաձայնել Թարգմանության Սպասարկության՝ 131 450, եւ խնդրել որ թարգմանիչ մը Բաղաքապետարանին հետ կապ հաստատի ձեզի համար: Բաղաքապետարի հեռաձայնի թիւն է՝ 9952 8222: Բաղաքապետարանի գրասենեակի ժամերն են՝ կ.ա. ժամը 8.30 - կ.ե. ժամը 4.30, Երկուշաբթիէն Ուրբաթ:

## **Chinese**

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

## **Farsi**

اگر این نامه را نمی فهمید لطفاً به مرکز شهرداری رايد در Devlin Street مراجعه کنید. کارمندان شهرداری ترتیب استفاده از يك مترجم را براي شما خواهند داد. یا میتوانید به سرویس ترجمه کتبی و شفاهی شماره 131 450 تلفن بزنید و بخواهید 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 می باشد.

## **Italian**

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

## **Korean**

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

**Meeting Date: Tuesday 12 August 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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**1 CONFIRMATION OF MINUTES - Council Meeting held on 22 July 2014**

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**Report prepared by:** Meeting Support Coordinator**File No.:** CLM/14/1/4/2 - BP14/133

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**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 11/14, held on 22 July 2014 be confirmed.

**ATTACHMENTS**

- 1** Minutes - Ordinary Council Meeting - 22 July 2014

**ITEM 1 (continued)****ATTACHMENT 1****Council Meeting  
MINUTES OF MEETING NO. 11/14****Meeting Date:** Tuesday 22 July 2014**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde**Time:** 7.30pm**Councillors Present:** The Mayor, Councillor Maggio and Councillors Etmekdjian, Laxale, Li, Pendleton, Perram, Salvestro-Martin, Simon and Yedelian OAM.**Note:** Councillor Salvestro-Martin arrived at the meeting at 8.04pm during Public Participation on Items Listed on the Agenda.**Apologies:** Councillors Chung and Pickering.**Absent:** Councillor Petch (currently suspended).**Staff Present:** Acting General Manager, Acting Group Manager – Community Life, Acting Group Manager – Corporate Services, Acting Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Manager – Governance, Risk and Audit, Manager – Operations, Team Leader – Design and Development, Section Manager – Natural Areas and Urban Forest, Section Manager – Properties, Coordinator – Digital Communications and Section Manager – Governance.**ONE MINUTE SILENCE**

A one minute silence was observed in recognition of the loss of two Council employees, Darren Ward and Victor Oreshkin. The 298 passengers and their families from Malaysian Airlines Flight MH17 were also remembered.

**PRAYER**

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

**DISCLOSURES OF INTEREST**

Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Public Exhibition of Draft Eastwood Master Plan - Submissions for the reason that the proponent was a donor to the Liberal Federal Election Campaign.

Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Public Exhibition of Draft Eastwood Master Plan - Submissions for the reason that she attended a community grants event organised by the proponent.

Councillor Li disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Public Exhibition of Draft Eastwood Master Plan - Submissions for the reason that he attended a community grants function organised by the proponent.

**ITEM 1 (continued)****ATTACHMENT 1****TABLING OF PETITIONS**

Councillor Pendleton requested to table a petition dated 11 April 2014 from 14 local residents regarding the need for a pedestrian crossing and speed humps to be built in Thistle Street, Ryde.

Councillor Perram requested to table a petition from 154 local residents opposing the height increases proposed in the Draft Eastwood Master Plan.

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Pendleton and Perram)

That the petition dated 11 April 2014 from 14 local residents regarding the need for a pedestrian crossing and speed humps to be built in Thistle Street, Ryde and the petition from 154 local residents opposing the height increases proposed in the Draft Eastwood Master Plan be tabled.

**Record of Voting:**

For the Motion: Unanimous

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

Note: Councillor Salvestro-Martin was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Laxale and Yedelian OAM)

That the late request to address Council on Items Listed on the Agenda and any members of the public who wished to address Council on Items Listed on the Agenda be allowed to address the meeting, the time being 7.45pm.

**Record of Voting:**

For the Motion: Unanimous

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

The following persons addressed the Council:

Name	Topic
Vic Tagg (on behalf of Eastwood Chamber)	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions

**ITEM 1 (continued)****ATTACHMENT 1**

<b>Name</b>	<b>Topic</b>
Eric Roozendaal (on behalf of the Yuhu Group – owners of the Eastwood Shopping Centre)	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions
David (Young Shik) Kwon	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions
Allen But	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions
Simone But	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions
Jim Willett	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions
Suzanne Bravery	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions
Jason Koh (on behalf of the Korean Chamber of Commerce in Eastwood, Ryde and Epping Inc.)	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions
Lilian Lau	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions
Ian Sheffield	<b>Item 4</b> – Public Exhibition of Draft Eastwood Master Plan – Submissions

Note: The Mayor called on registered speaker Mark Shepard from David Lock Associates (representing the Yuhu Group) to address the Meeting. Mr Shepard was not present and did not speak.

**PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

No addresses were made to Council.

**ORDER OF BUSINESS**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Perram)

That Council now consider the following Item, the time being 8.19pm:

- **Item 4** – Public Exhibition of Draft Eastwood Master Plan – Submissions.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)****ATTACHMENT 1****4 PUBLIC EXHIBITION OF DRAFT EASTWOOD MASTER PLAN - SUBMISSIONS**

Note: Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that the proponent was a donor to the Liberal Federal Election Campaign.

Note: Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she attended a community grants event organised by the proponent.

Note: Councillor Li disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he attended a community grants function organised by the proponent.

Note: Vic Tagg (on behalf of Eastwood Chamber), Eric Roozendaal (on behalf of the Yuhu Group – owners of the Eastwood Shopping Centre), David (Young Shik) Kwon, Allen But, Simone But, Jim Willett, Suzanne Bravery, Jason Koh (on behalf of the Korean Chamber of Commerce in Eastwood, Ryde and Epping Inc.), Lilian Lau and Ian Sheffield addressed the meeting in relation to this Item.

Note: A document from David (Young Shik) Kwon was tabled in relation to this Item and a copy is ON FILE.

Note: A document from David Lock Associates (on behalf of the Yuhu Group) was tabled in relation to this Item and a copy is ON FILE.

**RESOLUTION:** (Moved by Councillors Perram and Yedelian OAM)

- (a) That Council adopt the public domain recommendations of the draft Eastwood master plan as a guide for consideration when next undertaking public domain works in Eastwood shopping centre;
- (b) That owing to strong community opposition and unresolved traffic and parking issues, no action be taken to increase allowable building heights or introduce floor space ratios in Eastwood shopping centre;
- (c) That investigations be undertaken to identify opportunities to improve the management of the existing car spaces in the centre to increase the availability of public parking;
- (d) That an amount of \$15,000 be allocated from the Property Investment Reserve for the purpose of preparing a redevelopment concept for the Glen Street and Rowe Street East car parks and that the amount be consolidated into the next Quarterly Review;



**ITEM 1 (continued)****ATTACHMENT 1**

- (e) That a further report be presented to Council regarding progressing the outstanding works recommended in the Eastwood Transport Management and Access Plan 2008 (TMAP) and all associated costs as quickly as practicable;
- (f) That Council's Environmental and Enforcement team continue to address public cleanliness issues within the Eastwood Town Centre.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY**

Councillor Laxale advised that he wished to raise a Matter of Urgency regarding the closing date for submissions concerning the Herring Road Urban Activation Precinct Consultation.

Note: Councillor Yedelian OAM left the meeting at 8.51pm and was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Laxale and Pendleton)

That Council consider a Matter of Urgency regarding the closing date for submissions concerning the Herring Road Urban Activation Precinct Consultation, the time being 8.52pm.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Yedelian OAM returned to the meeting at 8.53pm.

**MATTER OF URGENCY – HERRING ROAD URBAN ACTIVATION PRECINCT CONSULTATION**

**RESOLUTION:** (Moved by Councillors Laxale and Simon)

That the Acting General Manager write to the Planning Minister and the Department of Planning requesting an extension of at least three weeks to the submission period for the Herring Road Urban Activation Precinct.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)****ATTACHMENT 1****MAYORAL MINUTES****26/14 INAUGURAL SYDNEY HARBOUR AND COASTAL WALK - The Mayor, Councillor Roy Maggio**

Note: Councillor Li left the meeting at 8.57pm and was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by The Mayor, Councillor Maggio and Councillor Yedelian OAM)

- (a) That Council support this initiative by inviting interested Councillors to join the inaugural walk when it enters the local area on Wednesday, 27 August 2014 and that Council promote this event through the Mayor's message, website and other normal channels.
- (b) That the Acting General Manager provide the walk organisers with a list of sites for them to promote and which may be of interest to the walk participants.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Li returned to the meeting at 8.59pm.

**COUNCIL REPORTS****1 CONFIRMATION OF MINUTES - Council Meeting held on 24 June 2014**

**RESOLUTION:** (Moved by Councillors Pendleton and Simon)

That the Minutes of the Council Meeting 10/14, held on 24 June 2014 be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 6/14 held on 15 July 2014**

**RESOLUTION:** (Moved by Councillors Etmekdjian and Laxale)

That Council note that all items of the Planning and Environment Committee Meeting 6/14 held on 15 July 2014 were dealt with by the Committee within its delegated powers.

**ITEM 1 (continued)****ATTACHMENT 1****Record of Voting:**

For the Motion: Unanimous

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 8/14 held on 15 July 2014**

**RESOLUTION:** (Moved by Councillors Perram and Simon)

That Council determine Item 2 of the Works and Community Committee report 8/14 held on 15 July 2014, noting that Items 1 and 3 were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**2 UPDATE ON SMALLS ROAD PLAYING FIELDS**

Note: Councillor Salvestro-Martin left the meeting at 9.04pm and was not present for voting on this Item.

**RESOLUTION:** (Moved by Councillors Perram and Simon)

With respect to the Smalls Road playing fields:

- (a) That Council prepare 1 senior soccer and 1 junior soccer field for winter season and 1 senior / junior cricket field for summer season.
- (b) That Council approach the Northern Districts Cricket Association and the Inner West Harbour Cricket Association to fund installation of cricket pitches.
- (c) That Council allocate the amount of \$30,425 from Working Capital in the 2014/2015 financial year for maintenance of the Smalls Road Reserve and that the amount be consolidated into the next Quarterly Review.
- (d) That Council allocate the amount of \$31,000 from working capital in the 2014/2015 financial year to establish the Smalls Road Reserve for active recreation use and that the amount be consolidated into the next Quarterly Review.
- (e) That the fees and charges for use of Smalls Road reserve be consistent with those applied to level 2 Sports Fields as outlined in Council's 2014/15 Fees and Charges schedule.
- (f) That Council allocate the amount of \$4,000 as income from hire of the Smalls Road Reserve and that the amount be consolidated into the next Quarterly Review.

**ITEM 1 (continued)****ATTACHMENT 1**

- (g) That Council include an amount of \$30,425 per annum from Working Capital for the purpose of maintenance of the Smalls Road Reserve for the following two years (2015/16 and 2016/17), subject to the annual budget process.
- (h) That Council write to the Government Property NSW seeking a seven year extension to the current three year licence agreement.
- (i) That Council write to the Local State Member seeking support for Council's request for a seven year extension.

**Record of Voting:**

For the Motion: Unanimous

**4 PUBLIC EXHIBITION OF DRAFT EASTWOOD MASTER PLAN - SUBMISSIONS**

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

**5 S94 DEVELOPMENT CONTRIBUTIONS PLAN 2007 - INTERIM UPDATE**

Note: Councillor Salvestro-Martin and was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Perram and Yedelian OAM)

- (a) That Council endorses the improvements to the existing S.94 Development Contributions Plan 2007.
- (b) That Council adopts the S.94 Plan improvements in the form of a S.94 Development Contribution Plan 2007 – Interim Update (2014).
- (c) That Council delegates authority to the Acting General Manager to advertise and publish the S.94 Development Contribution Plan 2007 – Interim Update (2014) in order to inform all residents and potential developers in Ryde.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)****ATTACHMENT 1****6 INVESTMENT REPORT - June 2014**

Note: Councillor Salvestro-Martin and was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Etmekdjian and Pendleton)

That Council endorse the report of the Chief Financial Officer dated 3 July 2014 on Investment Report – June 2014.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Salvestro-Martin returned to the meeting at 9.08pm.

**7 2014 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - Coffs Harbour - 19 to 21 October 2014**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Council endorse the attendance of The Mayor, Councillor Maggio and Councillors Chung and Yedelian OAM at the 2014 Local Government NSW Annual Conference as voting delegates, noting that Councillor Pickering will also attend the Conference in his capacity as a board member of Local Government NSW.
- (b) That Council note that the Acting General Manager will select staff to attend the Conference as appropriate.
- (c) That Council endorse the Motions for inclusion on the 2014 Local Government NSW Annual Conference business paper as set out in Attachment 2 of the Report.

**Record of Voting:**

For the Motion: Unanimous

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION****1 31-33 WATERLOO ROAD, MACQUARIE PARK - RESPONSE FROM DEPARTMENT OF PLANNING & ENVIRONMENT**

**RESOLUTION:** (Moved by Councillors Simon and Laxale)

That the correspondence be received and noted.

**ITEM 1 (continued)****ATTACHMENT 1****Record of Voting:**

For the Motion: Unanimous

**2 DEPARTMENT OF PLANNING AND ENVIRONMENT - TENNIS WORLD SITE ZONING**

**RESOLUTION:** (Moved by Councillors Etmekdjian and Laxale)

That the correspondence be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**3 PARRAMATTA RIVER FORESHORE**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Etmekdjian)

That the correspondence be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**CLOSED SESSION****ITEM 8 – REQUEST FOR TENDER - COR-RFT-04/14 - PROVISION OF BUSH REGENERATION SERVICES - SUPPLEMENTARY 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: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**ITEM 9 - WALKLEY PATHWAY****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 1 (continued)****ATTACHMENT 1****ITEM 10 - 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.

**RESOLUTION:** (Moved by Councillors Simon and Yedelian OAM)

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 9.15pm. The public and media left the chamber.

**8 REQUEST FOR TENDER - COR-RFT-04/14 - PROVISION OF BUSH REGENERATION SERVICES - SUPPLEMENTARY REPORT**

**RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Perram)

- (a) That the information provided in this report be received and noted.
- (b) That Council accepts the tenders for Bush Regeneration Services to the City of Ryde from the companies outlined in **ATTACHMENT 3 - CONFIDENTIAL** for a three (3) year period with an option to extend for a further one (1) year.
- (c) That the Acting General Manager be delegated the authority to execute all contract documents for the Bush Regeneration Services to the City of Ryde.
- (d) That Council advises all the respondents of Council's decision.

**Record of Voting:**

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

Against the Motion: Councillor Salvestro-Martin

**ITEM 1 (continued)****ATTACHMENT 1****9 WALKLEY PATHWAY**

**RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Laxale)

That Council continue to explore its options with respect to Walkley Pathway and present a further report to Council.

**Record of Voting:**

For the Motion: Unanimous

**10 ADVICE ON COURT ACTIONS**

**RECOMMENDATION:** (Moved by Councillors Simon and Etmekdjian)

That the report of the General Counsel be received.

**Record of Voting:**

For the Motion: Unanimous

**OPEN SESSION**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Etmekdjian)

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 9.48pm.

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Etmekdjian)

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



**ITEM 1 (continued)****ATTACHMENT 1****NATIONAL ANTHEM**

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

The meeting closed at 9.50pm.

CONFIRMED THIS 12TH DAY OF AUGUST 2014

Chairperson

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## **2      REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 7/14 held on 5 August 2014**

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**Report prepared by:** Meeting Support Coordinator  
**File No.:** CLM/14/1/4/2 - BP14/900

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### **REPORT SUMMARY**

The Minutes of the Planning and Environment Committee Meeting 7/14 held on 5 August 2014 are to be circulated on Thursday, 7 August 2014 after the meeting has been conducted. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

A report detailing Items which were dealt with by the Committee within its delegated powers, together with any Committee recommendations will be circulated at the same time as the Minutes on Thursday, 7 August 2014.

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**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 9/14  
held on 5 August 2014**

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**Report prepared by:** Meeting Support Coordinator  
**File No.:** CLM/14/1/4/2 - BP14/901

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**REPORT SUMMARY**

The Minutes of the Works and Community Committee Meeting 9/14 held on 5 August 2014 are to be circulated on Thursday, 7 August 2014 after the meeting has been conducted. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

A report detailing Items which were dealt with by the Committee within its delegated powers, together with any Committee recommendations will be circulated at the same time as the Minutes on Thursday, 7 August 2014.

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## 4 CITY OF RYDE DEVELOPMENT CONTROL PLAN (DCP) - Review of DCP 2014

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**Report prepared by:** Strategic Planner

**File No.:** DCP2014/4 - BP14/846

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### REPORT SUMMARY

This report deals with two matters relating to Ryde Development Control Plan (DCP):

- A comprehensive review of the plan and
- Bringing into effect amendments that will ensure the DCP is consistent with Council's direction regarding the Civic Centre site.

Council first introduced a single Development Control Plan covering the whole of the Ryde Local Government Area in 2006, known as DCP 2006, in response to changes in planning legislation made in 2005. These changes in particular required standardised Local Environmental Plans (LEP) to be prepared and any supporting DCPs to satisfy a new requirement that only one DCP apply to each property across the LGA.

DCP 2006 was a consolidation of some 55 DCPs that applied across the Ryde LGA, comprising 2 large volumes and 33 parts. DCP 2014 which will come into effect on the notification of LEP 2014 evolved out of DCP 2006, and remains considerably large at 2 volumes in size, comprising 35 parts.

Council is required under planning legislation to keep its local environmental plans and development control plans under regular and periodic review. With the completion of the LEP review program in the finalisation of LEP 2014, there is now an opportunity to carry out a comprehensive review of DCP 2014 in particular aiming to:

- Condense the plan into a more manageable document
- Make the plan easier to understand and implement both for developers and Council
- Ensure consistency with relevant legislation

Four parts of Council's DCP are currently under a review, being Part 3.3 Dwelling Houses and Dual Occupancy, Part 3.4 Multi Dwelling Housing, Part 4.5 Macquarie Park Corridor, and Part 8.2 Stormwater Management. These are proposed to be presented to Council in the first of two stages of review.

It is proposed that Council's Urban Planning Unit staff carry out the review of DCP 2014 over an 18 month program. This approach is designed to:

- acknowledge the current review program and the imminent gazettal of LEP 2014
- prioritise matters relating to the more frequently used DCP controls
- minimise community consultation into two main phases.

**ITEM 4 (continued)**

Following exhibition of the Civic Precinct Planning Proposal from 20 November 2013 to 29 January 2014 Council considered and supported the rezoning of the Ryde Civic Centre site from B4 Mixed Use to SP2 Special Uses and to reduce the height from RL 130 to RL 91 by resolution on 13 May 2014. Council's resolutions relating to the LEP amendments have been submitted to the Department with a request that the plan be made. The time frame for gazettal of the amendment is not known, however, it is now appropriate to adopt the *Ryde Town Centre DCP* in anticipation of its eventual gazettal. Accordingly this report seeks Council's support for the adoption of DCP provisions that support the Civic Site planning proposal and ensure consistency with the amendment to LEP 2014. Council's support is a legislative requirement in order to bring the amended DCP controls into effect.

This report recommends that Council:

- Authorise the comprehensive review of DCP2014 and preparation of an amending Ryde DCP in two stages
- Endorse and bring into effect amendments to the DCP associated with the Ryde Civic Centre site planning proposal to ensure consistency with LEP2014.

**RECOMMENDATION:**

- (a) That Council authorise the preparation of an amending Development Control Plan that aims to comprehensively review DCP2014 in accordance with the review framework and program detailed in the report of the Strategic Planner dated 12 August 2014.
- (b) That Council adopt the amendments to *Ryde Development Control Plan Section 4.4 Ryde Town Centre* as provided in **ATTACHMENT 1**.
- (c) That Council place a public notice in the local newspaper in accordance with the *Environmental Planning and Assessment Regulation 2000* to bring into effect the amendments to *Ryde Development Control Plan Section 4.4 Ryde Town Centre* upon the gazettal of amendments to *Ryde Local Environmental Plan 2014* in relation to the Ryde Civic Centre site.
- (d) That Council provides the Director-General with a copy of the amendments to *Ryde Development Control Plan Section 4.4 Ryde Town Centre* as adopted, within 28 days of the making of the plan in accordance with the *Environmental Planning and Assessment Regulation 2000*.

**ITEM 4 (continued)****ATTACHMENTS**

- 1 Ryde Development Control Plan Section 4.4 Ryde Town Centre, as amended for consistency with the Ryde Civic Centre planning proposal adopted by Council 13 May 2014

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## ITEM 4 (continued)

### Report

Under section 73 of the Environmental Planning and Assessment Act 1979 (the Act), Councils are required to “*keep their local environmental plans and development control plans under regular and periodic review for the purpose of ensuring that the objects of the Act are, having regard to such changing circumstances as may be relevant, achieved to the maximum extent possible.*”

The purpose of this report, focussing on DCP 2014, is twofold:

- to propose a comprehensive review of Council’s development control plan (DCP 2014), in particular with a view to finalising matters currently under review, and to condensing and refining the DCP into a more useable document
- to seek endorsement of minor amendments to DCP 2014 carried forward from draft controls designed to amend DCP2010 and previously exhibited with the planning proposal for the Ryde Civic Centre site and LEP2014.

### History

Council’s Development Control Plan (DCP) 2014, which comes into effect on notification of LEP2014, has its foundations in Ryde Development Control Plan 2006 (DCP 2006) which was Council’s first single, consolidated DCP applicable to the whole of the Ryde Local Government Area.

DCP 2006 came into effect on 26 July 2006 representing a consolidation of approximately 55 DCPs that applied in Ryde at that time. DCP 2006 comprised 33 parts (including Introduction and Dictionary).

DCP 2006 was prepared in response to the *Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005*, which made a number of amendments, intended to standardize and simplify Local Environmental Plans and Development Controls across the State.

Under the reforms to the EP&A Act, Clause 74C (2) allows only one DCP per planning authority to apply to a property. The intention of this clause was to reduce the number of development control plans that apply to a site to make the planning system more efficient and easier to understand. A single DCP is also required to be in place at the time of gazettal of an LEP prepared under the *Standard Instrument (Local Environmental Plans) Order 2006*.

Also as a result of the 2006 reforms to the EP&A Act, the focus of Council’s Urban Planning Unit over the last 7 years has primarily been on the 3 part LEP review program which comprised:

Stage 1: LEP 2010 to bring the Ryde Planning Scheme Ordinance into the Standard LEP Instrument format.

**ITEM 4 (continued)**

Stage 2: Local Planning Study (LPS) – comprehensive local planning studies prepared in response to directions, actions and strategies (applicable to City of Ryde) under the NSW State Government's Sydney Metropolitan and Draft Inner North Subregional strategies (The LPS was finalised and adopted by Council in December 2010).

Stage 3: LEP 2014 prepared to implement the recommendations of the LPS. Gazettal of this LEP is imminent.

During this 7 year period, key work in terms of DCP preparation and review has been carried out to:

- Ensure a single DCP was in place at the time of notification of LEP 2010 and LEP 2014 which included provisions consistent with each associated LEP. In this regard:
  - DCP 2010 came into effect upon notification of LEP 2010 on 30 June 2010, revoking DCP 2006.
  - DCP 2014 was adopted 28 May 2013 to come into effect upon notification of LEP 2014 (anticipated soon). DCP2014 will revoke DCP 2010.
- Implement a program of review of existing parts of DCP 2010 in response to the recommendations of the LPS including:
  - Part 3.2 Child Care Centres (effective 23 July 2008)
  - Part 2.1 Notification of Development Applications (effective 10 August 2011)
  - Part 9.3 Parking (effective 14 December 2011).
- Prepare new or revised parts of DCP 2010 in response to emerging planning issues or to apply site specific planning controls, such as:
  - Part 3.6 Boarding Houses (effective 30 October 2013) responding to issues arising from State Environmental Planning Policy (Affordable Rental Housing) 2009 and Council's study into illegal boarding houses. This review also included minor changes to Part 9.3 Parking
  - Part 9.2 Waste Minimisation and Management (effective 14 March 2012) reviewed in response to the NSW Government's updated Model DCP for Waste Minimisation and Management
  - Parts 6.6 (Blaxland Road [283-289] Ryde - effective 13 July 2012) and 6.7 (Second Avenue [9-19] Eastwood – effective 6 January 2014), providing detailed development controls for the sites following rezoning and LEP amendments.



**ITEM 4 (continued)**

- Preparation of draft DCP controls for the following specific sites in association with planning proposals:
  - Ryde Civic Centre site: Council has considered and given support for changes to LEP2010. The precinct provisions in section 8.1 *Precinct 1 – Civic* under Part 4.4 *Ryde Town Centre* of the DCP have been undertaken to reflect the zoning and height amendments in the LEP. This matter is discussed below.
  - 461-495 Victoria Road, Gladesville: Planning proposal and Draft DCP submitted by Bunnings Group Limited. On 8 October 2013, Council resolved to defer consideration of the planning proposal and draft DCP pending completion of a traffic study. This will be the subject of a separate report to Council early 2015.

**Ryde Civic Centre Site**

On 13 May 2014 Council considered a report on the outcomes of community consultation on the planning proposal to amend Ryde LEP in relation to the Ryde Centre Civic Precinct (ITEM 3 PLANNING PROPOSAL – Ryde Civic Centre Precinct) seeking Council's direction on the planning proposal. Council resolved, to support the planning proposal and proceed with the rezoning submission to the Department of Planning and Environment.

As reported 13 May 2014, the planning proposal was also supported by amendments to Development Control Plan 2010 - Part 4.4 section 8, to ensure that the development controls for the precinct complied with the zoning, land use and building heights proposed by the planning proposal, including:

- Deleting controls relating to retail, commercial and residential land uses
- Amending references to tower building forms
- Renaming sections/headings for consistency with the above amendments.

The amendments to the DCP were exhibited with the planning proposal (20 November 2013 to 29 January 2014). Of the submissions received (724 in total). All except one were in support of the planning proposal, and no issues were raised with respect to the associated amendments to the DCP.

Preliminary discussions with the Department of Planning and Environment have indicated that the Civic site rezoning/LEP amendments will be made to Ryde Local Environmental Plan 2014 due to the certain and imminent nature of that LEP. DCP 2014 will come into effect upon the gazettal of LEP2014 and as a consequence this report proposes to ensure that the planning proposal, if approved by the Department of Planning and Environment, is adequately reflected in DCP2014 controls applicable to the Civic site.

**ITEM 4 (continued)**

Draft Part 4.4 section 8 of DCP 2014 ensures consistency with the planning proposal modifications and has been provided as **ATTACHMENT 1**. As such, the recommendation of this report seeks Council's endorsement of the proposed amendments to the Ryde Development Control Plan 2014. It should be noted that the amendments to the DCP cannot be brought into effect without a resolution of Council relating to the DCP.

It should also be noted that the Civic Centre DCP provisions remain unchanged from those placed on exhibition as part of the planning proposal - with the exception of updated cross referencing to Ryde Local Environmental Plan 2014. It is considered that these revisions are minor and do not require the DCP to be re-exhibited. Clause 21 (1) (b) of the EPA Regulations gives Council the ability to approve Development Control plans with such alterations as the Council thinks fit.

**Existing Format of DCP 2014**

DCP 2014 comprises two volumes (Volumes A & B) with a total of approximately 1500 pages, including text, colour diagrams, maps, photos etc.

The two volumes contain 10 Sections –Introduction, Administration, Development type, Urban Centres, Special Areas, Specific Sites, Environment, Engineering, other Provisions, and Dictionary.

The 10 sections are broken into 35 Parts. Examples include *Part 4.1 Eastwood Town Centre*, *Part 3.2 Child Care Centres*, *Part 8.1 Construction Activities*.

Issues identified with respect to DCP 2014 include its size, complexity, repetition, relevance and references to current legislation being out of date. Many issues occur due to the majority of the 35 Parts being largely “standalone” DCPs that provided development controls on the broad spectrum of issues such as built form, waste, parking and signage.

**Justification for a Review of DCP 2014**

The review of the DCP over the last 7 years has included reviews of individual parts on an as-needs basis. A comprehensive appraisal of the DCP structure and its overall contents has not occurred.

An opportunity now exists to carry out a comprehensive review of DCP 2014 aiming to:

- Condense the plan into a more manageable document
- Make the plan easier to understand and implement
- Ensure consistency with current legislation.

## ITEM 4 (continued)

This review also complies with requirements under Section 73 of the Environmental Planning and Assessment Act for Council to regularly and periodically review its planning controls.

Preliminary discussion with staff across Council including Urban Planning, Assessment, Community and Culture, and Environment, Health and Building indicates support for a review and the need to rationalise the elements of DCP 2014 in terms of:

- The relevance of the Parts
- Repetition that occurs within Parts
- The possible amalgamation of Parts, and potential for restructuring the DCP
- Identification of Parts needing substantial updating, and opportunities for enhancing clarity.

### Proposed Scope of DCP 2014 Review

The review of DCP 2014 aims to:

- Consolidate and reduce the length of the DCP
- Remove repetition
- Update information
- Delete unnecessary material – e.g. where site specific controls are no longer required as the site has been developed, where a policy is a better option than a DCP or where controls are otherwise covered by the LEP or other EPI/legislation.

The following table shows the current structure of DCP 2014 and the proposed scope of the review of the 10 sections and individual parts:

Current Structure DCP 2014	Proposed changes to DCP 2014 and Comments
<b>Preliminary</b>	(Title page, table of contents and list of amendments)
<b>1. Introduction</b> 1.0 Introduction	This section contains particulars about the DCP – land to which it applies, when adopted and came into effect etc. ▪ Review and update as necessary
<b>2. Administration</b> 2.1 Notification of Development Applications	▪ Retain Part 2.1 Notification of Development Applications.
<b>3. Development Type</b> 3.1 Brothels	▪ Review <b>Part 2.1 Brothels</b> for legislative compliance

**ITEM 4 (continued)**

Current Structure DCP 2014	Proposed changes to DCP 2014 and Comments
3.2 Child Care Centres 3.3 Dwelling Houses and Dual Occupancy 3.4 Multi Dwelling Housing 3.5 Boarding Houses	<ul style="list-style-type: none"> <li>Review <b>Part 3.2 Child Care Centres</b> to reduce length and reflect industry practices and current legislation.</li> <li>Parts 3.1 Brothels, 3.2 Child Care Centres, and 3.5 Boarding Houses to be put into a separate chapter called “Development Types”</li> </ul> <p>Rename this chapter to “<b>3. Residential Development</b>” Amalgamate the following Parts into a single Residential Development section, but retain as distinct subsections:</p> <ul style="list-style-type: none"> <li>3.3 Dwelling Houses and Dual Occupancy</li> <li>3.4 Multi Dwelling Housing</li> <li>5.1 Coronation Avenue and Trelawney Street, Eastwood Character Area</li> <li>5.2 Eastwood House Estate Heritage Conservation Area</li> <li>5.3 Tyrell Street, Gladesville, Character Area</li> </ul> <p>Review above parts to:</p> <ul style="list-style-type: none"> <li>Ensure fencing and streetscape matters are adequately covered.</li> <li>Provide generic controls for residential flat development in this chapter. Specific controls (such as setbacks) for residential flats in urban centres are included in the Urban Centres.</li> </ul>
<b>4. Urban Centres</b>  4.1 Eastwood Town Centre 4.2 Shepherd's Bay, Meadowbank 4.3 West Ryde Urban Village 4.4 Ryde Town Centre 4.5 Macquarie Park Corridor 4.6 Gladesville Town Centre and Victoria Road Corridor	<p>Review to include generic controls and objectives relevant to the centres typology.            Split into subsections based on centre types:            The combined centres section to include:</p> <ul style="list-style-type: none"> <li>Eastwood Town Centre</li> <li>West Ryde Urban Village</li> <li>Ryde Town Centre</li> <li>Gladesville Town Centre and Victoria Road Corridor</li> <li>Blenheim Road (current Part 5.4)</li> <li>Neighbourhood Centres</li> </ul>

**ITEM 4 (continued)**

Current Structure DCP 2014	Proposed changes to DCP 2014 and Comments
	Macquarie Park controls and Shepherd's Bay, Meadowbank will remain as separate sections because the urban form of these centres differs from others in the LGA.
<b>5. Special Areas</b>  5.1 Coronation Avenue and Trelawney Street, Eastwood Character Area 5.2 Eastwood House Estate Heritage Conservation Area 5.3 Tyrell Street, Gladesville, Character Area 5.4 Blenheim Road Small Centre	Delete whole section and incorporate Parts as relevant into new chapter " <b>3. Residential Development</b> " and " <b>4. Urban Centres</b> ".
<b>6. Specific Sites</b>  6.1 Blaxland Road 6.2 Pennant Avenue	Retain this part for site specific DCPs as appropriate, in particular as associated with planning proposals.
<b>7. Environment</b>  7.1 Energy Smart, Water Wise 7.2 Waste Minimisation and Management	Incorporate these parts into a new Section called "City Wide Provisions"
<b>8. Engineering</b>  8.1 Construction Activities 8.2 Stormwater Management 8.3 Driveways 8.4 Title Encumbrances 8.5 Public Civil Works 8.6 Floodplain Management	<ul style="list-style-type: none"> <li>▪ <b>Part 8.1 Engineering Standards</b> is proposed to be reviewed and condensed with the majority of information being placed in technical manuals (subject to advice from Legal Counsel regarding the separation of technical provisions from the DCP). Contents of a revised Part 8.1 should include:               <ul style="list-style-type: none"> <li>– 8.1 Construction Activities</li> <li>– 8.3 Driveways</li> <li>– 8.4 Title Encumbrances</li> <li>– 8.5 Public Civil Work</li> </ul> </li> </ul>

**ITEM 4 (continued)**

Current Structure DCP 2014	Proposed changes to DCP 2014 and Comments
	<ul style="list-style-type: none"> <li>▪ <b>Part 8.2 Stormwater Management</b>, is currently under review, is proposed to comprise: <ul style="list-style-type: none"> <li>– 8.2 Stormwater Management</li> <li>– 8.6 Floodplain Management</li> </ul> </li> </ul> <p>Incorporate these parts into a new Section called “City Wide Provisions”.</p>
<b>9. Other Provisions</b>  9.1 Signage 9.2 Access for People with Disabilities 9.3 Parking 9.4 Installation of Satellite Dishes and MDS-Microwave Antennae 9.5 Tree Preservation	<p>Consider deletion of the following parts:</p> <ul style="list-style-type: none"> <li>▪ <b>9.2 Access for People with Disabilities</b> – because it repeats other legislation and standards that constantly change as a result of best practice policies and research. As a result this part is currently outdated.</li> <li>▪ <b>9.4 Installation of Satellite Dishes and MDS-Microwave Antennae</b> – proposed to be made a Policy because communications dishes and antennae are exempt unless on a heritage item. Council’s LEP heritage controls are sufficient to manage such matters.</li> </ul> <p>Retain the following Parts and review for any updates needed and opportunities to condense:</p> <ul style="list-style-type: none"> <li>▪ 9.1 Signage</li> <li>▪ 9.3 Parking</li> <li>▪ 9.6 Tree Preservation</li> </ul>
<b>10. Dictionary</b>	<ul style="list-style-type: none"> <li>▪ Retain Dictionary as it is an essential component of the DCP</li> <li>▪ Carry out general review to check for any updates in definitions, ensure coverage of terms used in the DCP, and that there is no repetition with Ryde LEP Dictionary.</li> </ul>

**ITEM 4 (continued)****Proposed DCP Structure**

It is proposed that the new DCP will have the following structure (those parts which will not be comprehensively reviewed are identified in brackets):

- 1. Introduction**
- 2. (Notification)**
- 3. Residential Development**
  - 3.1 Dwelling Houses and Dual Occupancy
  - 3.2 Multi Dwelling Housing
  - 3.3 Character Areas
  - 3.4 Eastwood Heritage Conservation Area
- 4. Centres**
  - 4.1 Specialised Centre – Macquarie Park Corridor
  - 4.2 Town and Neighbourhood Centres
    - 4.2.1 Ryde Town Centre
    - 4.2.2 Eastwood Town Centre
    - 4.2.3 West Ryde Urban Village
    - 4.2.4 Gladesville Town Centre and Victoria Road Corridor
    - 4.2.5 Blenheim Road North Ryde
    - 4.2.6 Neighbourhood Centres
  - 4.3 Shepherd's Bay, Meadowbank
- 5. Development Type**
  - 5.1 Brothels
  - 5.2 Child Care Centres
  - 5.3 (Boarding Houses)
- 6. Specific Sites/Areas**
  - 6.1 Second Avenue, 9 – 19
  - 6.2 Blaxland Road, 283 – 289 Ryde
- 7. City Wide Provisions**
  - 7.1 Environment - Energy Smart, Water Wise
  - 7.2 (Waste Minimisation and Management)
  - 7.3 Stormwater
  - 7.4 Engineering – Construction Activities, Driveways, Title Encumbrances, Public Civil Works
  - 7.5 Signage
  - 7.6 (Parking)
  - 7.7 (Tree Preservation)



**ITEM 4 (continued)****Review Program**

It is proposed that staff of Council's Urban Planning Unit carry out the review of DCP 2014 over an 18 month program. The order and time frame for the review of the parts of the DCP are outlined as follows:

Stage 1 Review: Sept 2014 – June 2015

- Residential development: Finalise a review of Part 3.3 Dwelling Houses and Dual Occupancy and Part 3.4 Multi Dwelling Housing, and consolidate into a new Residential Development Chapter
- Stormwater Management: Finalise review of Stormwater Management
- Macquarie Park DCP: Changes to reflect Amendment 1 of LEP2014
- Engineering Standards:

Stage 2 Review: March 2015 – December 2015

- Town and Neighbourhood Centres: Review existing parts to create a set of generic objectives and controls for town and neighbourhood centres, plus a subset of controls specific to town centres (Eastwood, Ryde, Gladesville and West Ryde), and neighbourhood centres (Blenheim Road North Ryde).
- Shepherds Bay, Meadowbank: Review in response to issues raised out of the development application process.
- Development types: Review the parts on Child Care Centres and Brothels
- Other Provisions: Review the parts on Signage and Access

Not included in the Review

The Parts of DCP 2014 that will not undergo review, as the provisions are still current or were recently revised and adopted by Council, are:

- Part 2.1 Notification of Development Applications (effective 10 August 2011)
- Part 3.4 Boarding Houses (effective 30 October 2013)
- Part 9.2 Waste Minimisation and Management (effective 14 March 2013)
- Part 9.3 Parking (effective 14 December 2011)
- Part 9.6 Tree Preservation (effective 1 October 2012).

**Review Process**

The process for the comprehensive review of DCP 2014 proposed in this report is governed by the EP&A Act and Regulations. The following key points are relevant:

- Council may repeal a development control plan by a subsequent development control plan
- A development control plan is required to be publicly exhibited in draft form for a minimum of 28 days.



**ITEM 4 (continued)**

- Council is required to consider all comments made in response to exhibition of the draft DCP before making a decision on whether to adopt
- Council's authorisation is required for the preparation and exhibition of a draft amending DCP.

The revision of DCP 2014 as proposed will be undertaken in two distinct phases, known as:

- Draft DCP 2014 Stage 1 (September 2014 – June 2015)
- Draft DCP 2014 Stage 2 (March 2015 – December 2015)

**Consultation**

A further report will be presented to Council regarding the details of consultation including the following stakeholders:

- All relevant units of Council
- Councillors
- City of Ryde Advisory Committees
- Community.

Community consultation will be carried out in accordance with the approved consultation program and legislative requirements including the following:

- Exhibition notices in local media,
- public exhibition for a minimum of 28 days with exhibition material placed in libraries, Customer Service Centre, Ryde Planning and Business Centre, and made available on Council's website
- City of Ryde Advisory Committees consulted where relevant
- Mail-out to key stakeholders

**Context and Timeframes**

There are no critical timeframes at this stage for the 2 stage comprehensive review.

In accordance with the *Environmental Planning and Assessment Regulation 2000*, critical timeframes apply to the recommendations attached to this report in relation to the amendments to Ryde Civic Centre DCP controls, as follows:

- Council must give public notice of its decision regarding the development control plan in a local newspaper within 28 days after the decision is made;
- A development control plan comes into effect on the date that public notice of its approval is given in a local newspaper, or on a later date specified in the notice;
- Council must, within 28 days of making a development control plan, provide the Director-General with a copy of the plan.

**ITEM 4 (continued)****Financial Implications**

The review of DCP 2014 is listed as a Base Budget activity to be undertaken by the Urban Planning Unit in 2014/2015.

**Options**

There are two options for Council's consideration in relation to the comprehensive DCP review:

- Option 1: That Council continue to consider a review individual Parts of DCP 2014 on an as-needs basis
- Option 2: That Council support a comprehensive review of DCP 2014 as a whole as described in this report

Option 1: Not proceed with a comprehensive review of DCP 2014

To not proceed would mean the retention of the existing format and large size of the DCP. As explained in the report, the DCP 2014 currently includes repetition, some parts that are no longer relevant, and content and references to legislation which are out of date.

The review underway of four existing parts (Part 3.3 Dwelling House and Dual Occupancy, Part 3.4 Multi Dwelling Housing, Part 4.5 Macquarie Park Corridor, and Part 8.2 Stormwater Management DCP) would continue.

Option 2: Support a Review

This option proposes to carry out amendments to Ryde DCP 2014 in order to:

- Condense the large size of the DCP to improve its useability and manageability
- Reduce unnecessary repetition
- Update the DCP in response to current legislation and planning policy

The Urban Planning Unit would prepare a streamlined DCP in two stages that is proposed to be in place within 2 years.

Option 2 is the preferred option. The recommendation attached to this report is based on this option and reflects the approach and priorities identified in this report. The proposed timeframe and program acknowledges the time and resources allocated on the four DCP parts currently under review proposing priority for their finalisation.

## ITEM 4 (continued)

## ATTACHMENT 1

# 4.4

Ryde Town Centre

8.0 Precincts

## 8.0 PRECINCTS

The Ryde Town Centre is made up of eleven character precincts (refer Figure 4.4.08 Precincts Control Drawing). These are determined based on existing development and future character. The establishment of eleven character precincts is part of an approach that will retain and enhance the fine grain of the area - its lot structure, urban framework and identity - to create a town centre that is diverse, interesting, attractive and caters for residents, workers and visitors.

**The objective of this Part is to create distinctive precincts within the Town Centre each with an identity drawn from its history, natural and built features, community needs and expectations.**

1. **Civic Precinct** will comprise a range of government and community uses and will incorporate buildings and landscapes that demonstrate civic qualities, design excellence, governance and leadership, and triple-bottom-line sustainability.
2. **Town Centre Core Precinct** will service the needs and expectations of local communities and include new public spaces and community and recreational facilities, residential and commercial opportunities. It will demonstrate design excellence and environmental sustainability.
3. **Main Street Precinct** will be attractive, vibrant and safe with a diverse range of neighbourhood shops, living and business accommodation and a high quality public domain that encourages social interaction.
4. **Residential Precinct** will be a compact living environment well serviced by public transport, retail, leisure and work opportunities.
5. **Heritage Precinct** will value enhance and interpret heritage resources and cultural landscapes.
- 6, 7, 8 & 12 **Commercial Edge Precincts** will negotiate a transition between the Town Centre and residential areas nearby. The Commercial Edge Precincts are gateways to the Town Centre.
9. **Ryde Park Precinct** will be valued as a significant heritage, recreation, leisure and community resource and an important green space.
10. **Low Density Residential Precinct** that adjoins Ryde Park and Ryde Public School.
11. **Ryde Public School Precinct** will continue to be a valued asset that enhances the diversity of the Town Centre and strengthens bonds with the community.

ITEM 4 (continued)

ATTACHMENT 1

Ryde Town Centre

8.0 Precincts

4.4

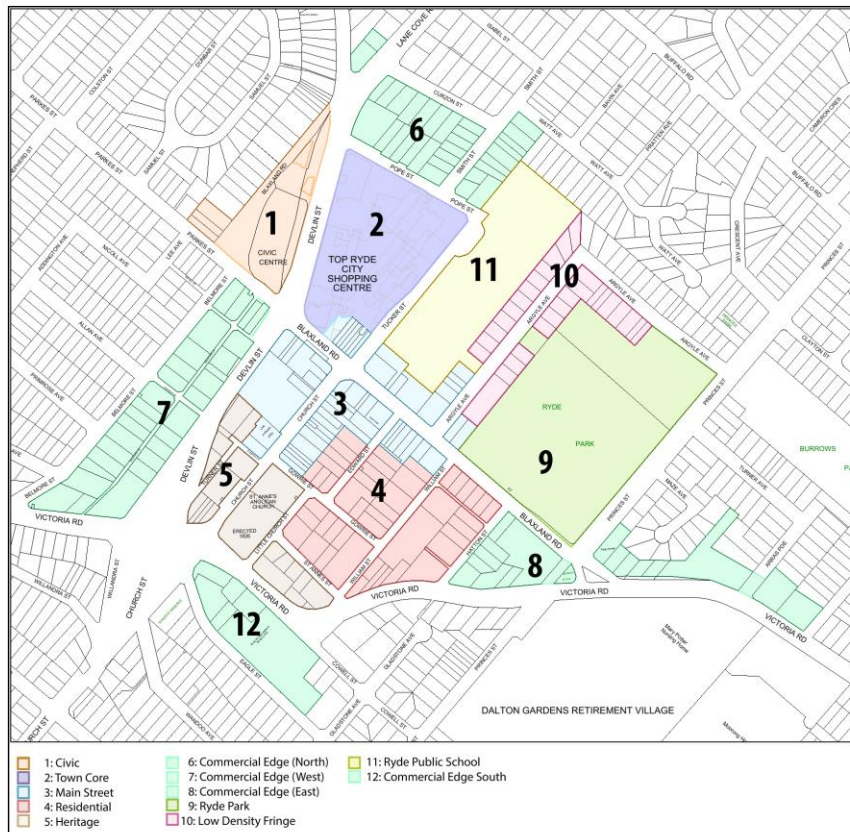


Figure 4.4.08 Precinct Control Drawing



## ITEM 4 (continued)

## ATTACHMENT 1

# 4.4

Ryde Town Centre

8.0 Precincts

### 8.1 Precinct 1- Civic

The Civic Precinct is the existing civic hub for the City of Ryde. It is an island surrounded by roads and disconnected from the retail core and town centre by Devlin Street.

The Precinct is located on a ridgeline and accommodates a landmark building that is highly visible from within the Ryde Town Centre and regionally. The existing seven-storey City of Ryde Civic Centre was constructed in 1964, and later in the 1970's, the community hall was constructed. The Precinct is linked to two pedestrian overpasses across Devlin Street and the vehicle access portals currently serving Top Ryde City, located within the subsurface of Devlin Street. The Precinct also contains car parks and landscape areas associated with the Civic buildings.



Figure 4.4.09 Ryde Civic Centre Area 2002

#### 8.1.2 Character

The Precinct is divided into two key future development sites: Site A and Site B – see Figure 4.4.09.

Site A is the larger and eastern most portion of the Precinct. It currently accommodates the existing Civic buildings, car parking and landscaped areas.

Site B is the smaller western portion of the Precinct. Currently Site B is utilised as an at grade car parking area for Council vehicles and staff parking..

The two sites will be separated by a realigned Blaxland Road, which is to be provided to better service the Precinct and to continue to provide access to existing residential, commercial and community properties to the west of the Precinct.

It is anticipated that the future redevelopment of the Precinct will involve the establishment of new landmark and sustainable building(s) that may comprise a mix of cultural, civic and community uses that demonstrate civic quality and design excellence, as well as triple bottom-line sustainability.

ITEM 4 (continued)

ATTACHMENT 1

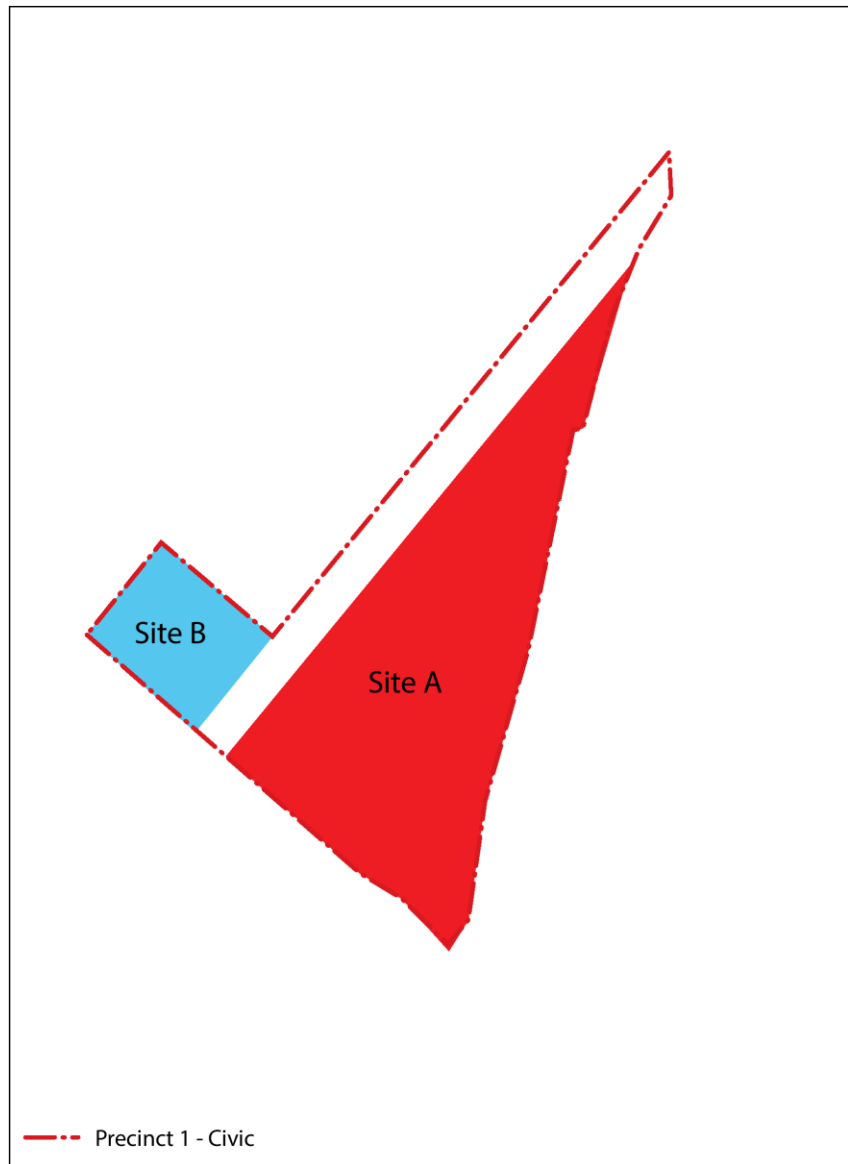


Figure 4.4.10 Precinct Map

## ITEM 4 (continued)

## ATTACHMENT 1

# 4.4

Ryde Town Centre

8.0 Precincts

### 8.1.3 General Precinct Provisions

#### Architectural and Built Form Character

##### Objectives

1. To enhance the landmark qualities of the Precinct and character of the Ryde Town Centre through the provision of development that is visually prominent in terms of architectural design.
2. To encourage built form that reinforces the corners of Devlin Street with Blaxland Road and Parkes Street as key gateways to the Ryde Town Centre.
3. To provide for new civic and community uses within the Precinct with a good level of pedestrian connectivity to the existing civic and community uses in Precinct 2.
4. To ensure the Precinct is well connected to other Precincts in the Ryde Town Centre in terms of pedestrian access.
5. To encourage the provision of active uses fronting the public domain.
6. To ensure that future development accommodates a mix of civic, community and cultural uses within the Precinct.
7. To ensure vehicular and pedestrian access to all existing properties to the west of the realigned Blaxland Road is maintained and improved.
8. To ensure that the design of future development considers the interface with adjacent development, and provides for a transition in built form height and scale, particularly to lower density development to the west and south.
9. To deliver development based on ecologically sustainable development (ESD) principles.

##### Controls

- a. The development of the site is to comply with the controls for the Site A and Site B.

### 8.1.4 Landscape and Public Domain Character

##### Objectives

1. To provide a quality public domain within and immediately surrounding the Precinct that:
  - a. establishes landscaped frontages on Devlin Street, Parkes Street and the re-aligned Blaxland Road;
  - b. provides a landscaped plaza on the site;
  - c. improves the pedestrian amenity and connectivity between the existing pedestrian bridges across Devlin Street at both ground and upper levels; and
  - d. provides a publicly accessible through site link between Blaxland Road and the pedestrian bridge across Devlin Street at the northern end of the site
2. To create a frontage along Devlin Street that provides for improved pedestrian amenity and a softening of the interface between future development and the high traffic environment of Devlin Street.
3. To ensure that an environment is created along the re-aligned Blaxland Road that contributes to pedestrian amenity and assists in providing for an appropriate transition in the height and scale of built form between future development within Site A and existing low density residential development to the west.

## ITEM 4 (continued)

## ATTACHMENT 1

Ryde Town Centre

8.0 Precincts

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4. To ensure an environment is created along Parkes Street that contributes to an improved pedestrian environment and positively enhances the streetscape.

### Controls

- a. The public domain areas and pedestrian links are to comply with the controls for the *Site A and Site B and the provisions of the City of Ryde Public Domain Technical Manual*.



Figure 4.4.11 Examples of high quality landscape and public domain

### 8.1.5 Precinct Access and Circulation

#### Objectives

1. To provide for road network improvements that are required to support the future redevelopment of the Precinct.
2. To integrate site vehicular access provision with the existing vehicular access arrangements that are in place for the Top Ryde Shopping Centre.
3. To ensure vehicular access to existing properties is maintained.
4. To provide for a shared pedestrian and vehicular environment at the termination of the realigned Blaxland Road with Devlin Street.

#### Controls

- a. Site access arrangements and road network improvements are to be provided in accordance with Figure 4.4.12.
- b. The detailed design of the realigned Blaxland Road as shown in Figure 4.4.12 and Figure 4.4.13 is to:
  - i. Have a road reserve that is a minimum of 17 metres wide;
  - ii. Incorporate short stay on-street parking;
  - iii. Maintain direct vehicle access to and from existing properties to the west;
  - iv. Provide a shared pedestrian and vehicular environment where appropriate;
  - v. Provide clearly delineated vehicle and pedestrian spaces at the northern end of the realigned Blaxland Road, to minimise opportunities for conflict; and
  - vi. Incorporate a vehicle turning circle and drop off area at the northern end of the site.



**ITEM 4 (continued)**

**ATTACHMENT 1**

**4.4**

Ryde Town Centre

8.0 Precincts

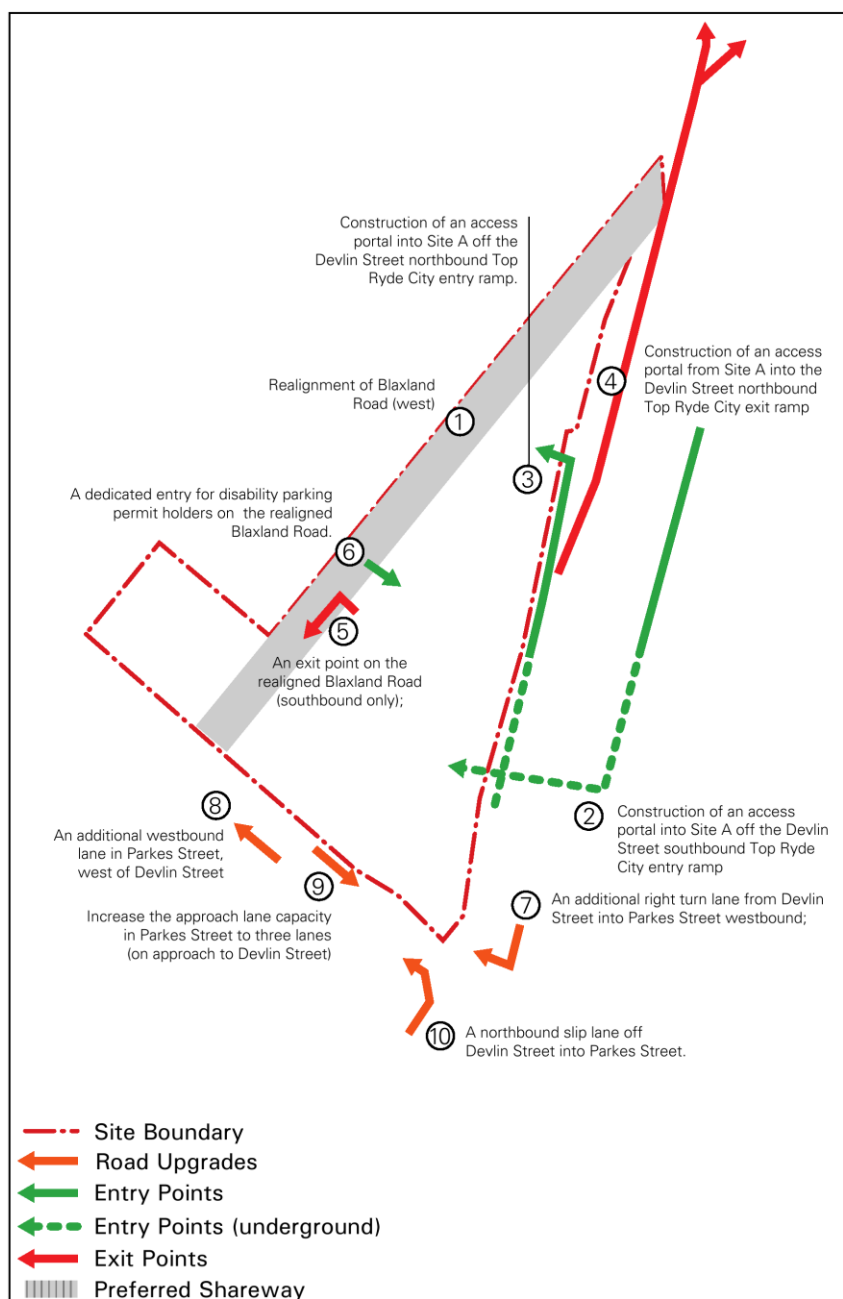


Figure 4.4.12 Vehicular access and road network improvements

## ITEM 4 (continued)

## ATTACHMENT 1

Ryde Town Centre

8.0 Precincts

4.4

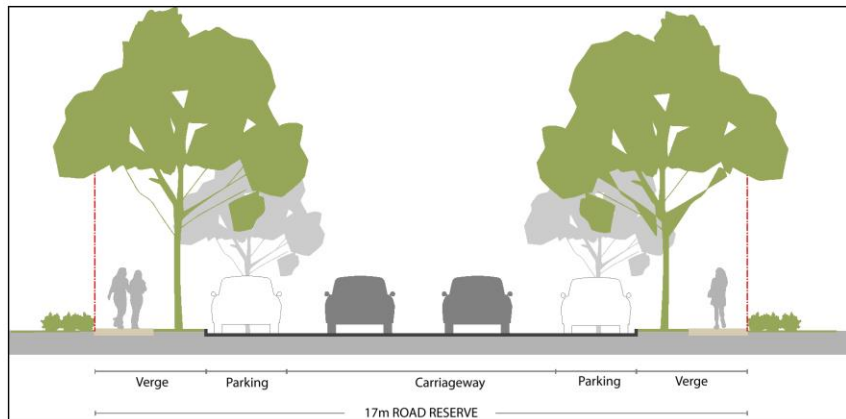


Figure 4.4.13 Illustrative cross section of realigned Blaxland Road carriageway

### 8.1.6 Site A

Development of the site is to comply with the following controls and with the preceding architectural, built form, landscaping, public domain, access and circulation objectives and controls for the Precinct.

The location of Site A is illustrated in Figure 4.4.10.

#### Objectives

1. To encourage development of a form that reinforces the prominence of the site on the ridgeline of the Top Ryde Town Centre, and is well proportioned.
2. To encourage a creative and articulated skyline.
3. To facilitate community interaction through the provision of civic facilities, plazas, courtyards and the like.
4. To integrate development with the surrounding road network, while minimising impacts to local and regional traffic.
5. To respond to and minimise the effects of the high levels of wind and noise experienced on the site.
6. To ensure that the future development fronting the realigned Blaxland Road is designed to provide an interface with the adjacent lower residential development.

#### Controls

##### Land Uses

- a. Site A is to comprise civic, cultural and community uses
- b. Any new civic uses should be designed and located to facilitate easy pedestrian access to the existing civic and community uses within Precinct 2 on the opposite side of Devlin Street.
- c. Ground floor uses should activate street frontages and public spaces where there are higher levels of pedestrian activity.

ITEM 4 (continued)

ATTACHMENT 1

## 4.4

Ryde Town Centre

8.0 Precincts

### Public Domain

- d. The public domain is to be a high quality design, embellished with quality and durable materials and be provided in accordance with the standards set out in the DCP and Ryde Town Centre Public Domain Plan.
- e. The Devlin Street frontage is to comprise a combination of hard and soft landscape elements that enhance the pedestrian amenity of this through route. Opportunities for substantial tree planting should be explored in the context of limited capacity to accommodate deep soil planting due to the portal vehicular access arrangement and future basement car parking.
- f. Street trees (8 m metre canopy diameter at maturity) should be planted along the realigned Blaxland Road and at the northern end of the site. Deep soil planting zones or pit structures should be provided to accommodate the large trees.
- g. Tree species should be selected to suit the streetscape including street width, building heights, setbacks and views.
- h. The design of new buildings and public domain is to minimise blind corners and recesses. Entrances to new civic buildings and spaces should be clear, well lit and well defined.
- i. Setbacks are to be provided to Devlin Street, Parkes Street and Blaxland Road in accordance with Figure 4.4.15 to provide for improved amenity.

### Pedestrian Amenity

- j. Development within Site A is to reinforce Devlin Street, Parkes Street and Blaxland Road as the primary pedestrian network for the Precinct. Refer to Figure 4.4.14.
- k. New and improved pedestrian connections are to be provided to Devlin Street, Parkes Street and Blaxland Road.
- l. Future development is to provide for a good level of connectivity to the existing pedestrian bridges across Devlin Street at both ground and upper levels.
- m. The pedestrian environment on Devlin Street is to be enhanced through the provision of continuous weather protection between the existing northern and southern pedestrian bridges on Devlin Street (refer to Figure 4.4.14). This may be in the form of awnings attached to built form, free standing awnings, colonnades or the like and any combination of these.

ITEM 4 (continued)

ATTACHMENT 1

Ryde Town Centre

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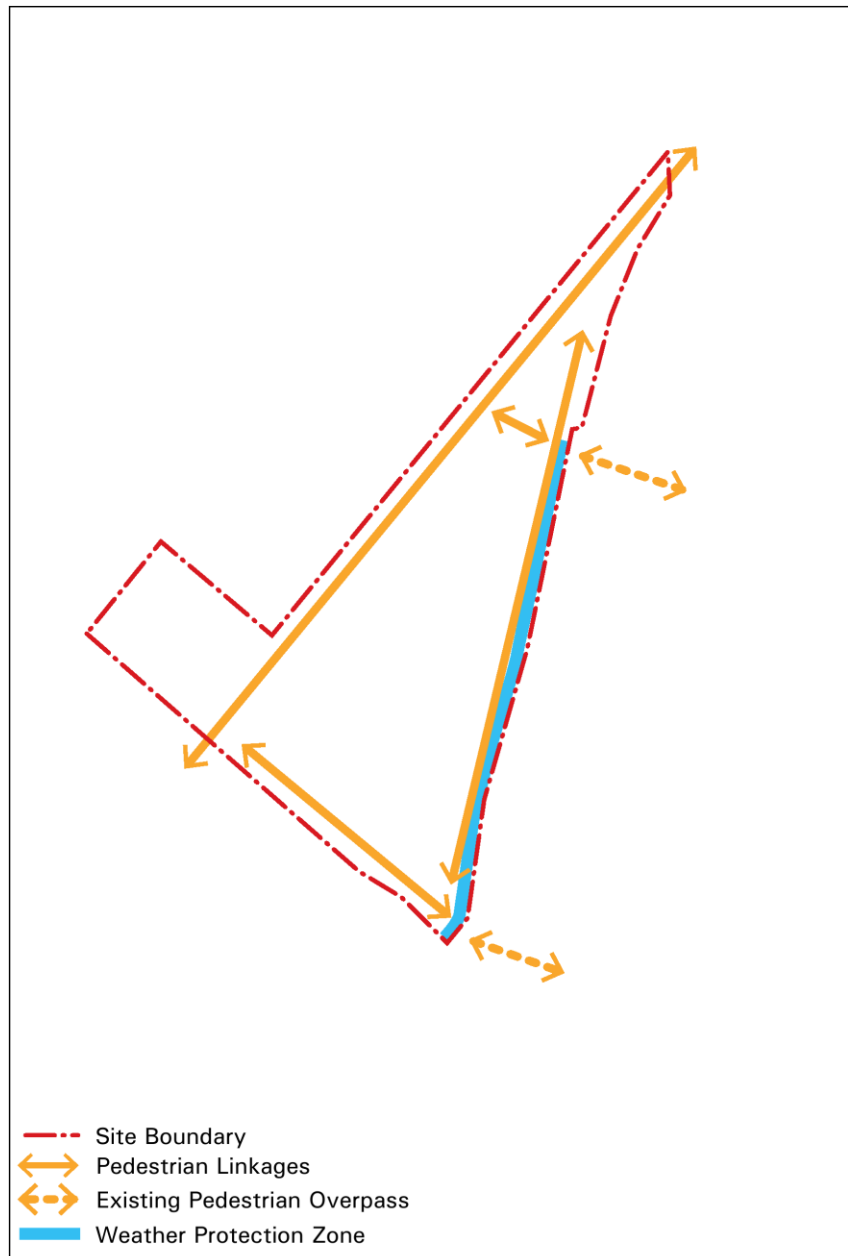


Figure 4.4.14 Pedestrian Connections

ITEM 4 (continued)

ATTACHMENT 1

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Ryde Town Centre

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**Built Form**

- n. Ground level building setbacks are to be in accordance with Figure 4.4.15. The setbacks are to be measured from existing property site boundaries or from the boundaries of newly realigned Parkes Street and Blaxland Road.

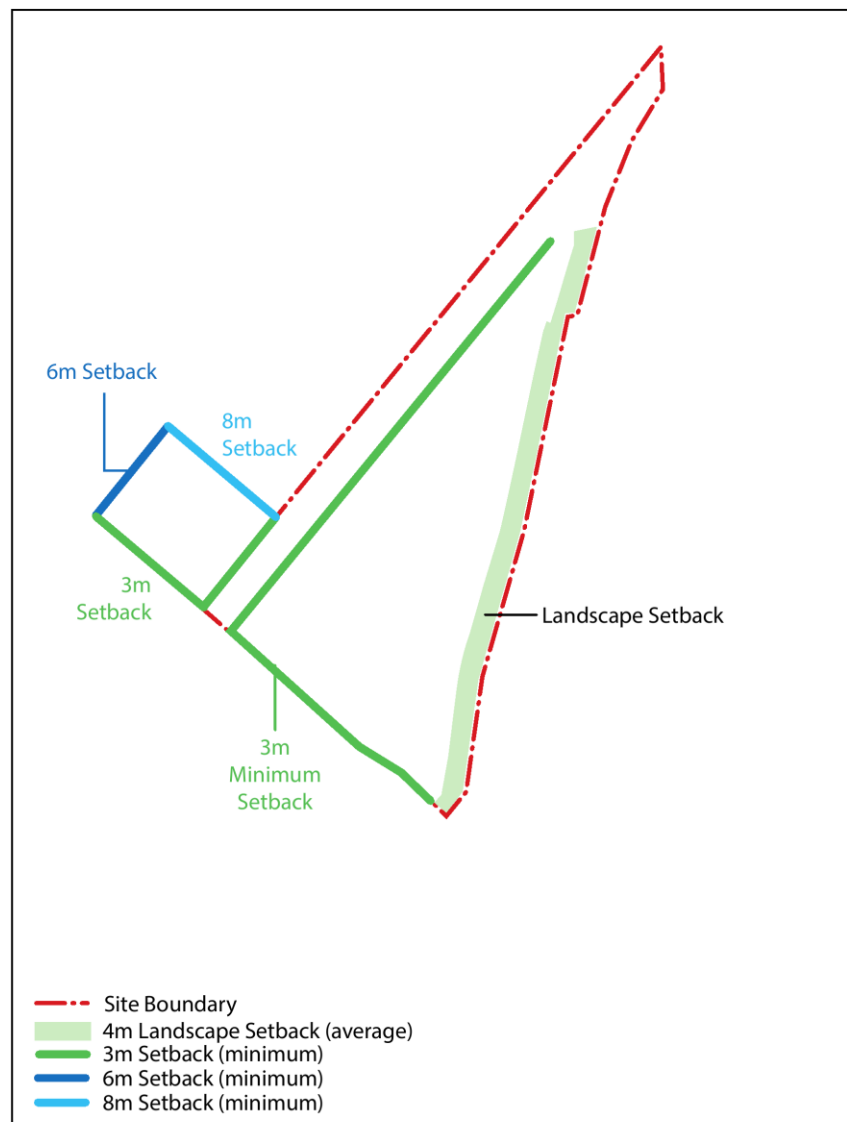


Figure 4.4.15 Setbacks

## ITEM 4 (continued)

## ATTACHMENT 1

Ryde Town Centre

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- o. Buildings fronting the realigned Blaxland Road are to have upper levels above 4 storeys setback a minimum of 3 m.
- p. Buildings within Site A must:
  - i. be highly articulated and designed to allow for reasonable view sharing and outlook within and across the site; and
  - ii. add to the interest of the skyline of the Precinct and Ryde Town Centre, through a modulated and articulated form and interesting roof elements.
- q. Building bulk and massing is to be distributed on the site so as to ensure:
  - i. high amenity for public domain spaces, including good solar access and protection from high wind and noise levels; and
  - ii. to minimise loss of amenity to existing adjacent buildings and public streets and spaces.
- r. Building massing, scale and design is to minimise adverse wind impacts (such as down Adopteds) on the public domain in and around the development. Hence, the orientation, height and built form of development is to be designed to promote public safety and comfort at ground and publicly accessible podium levels.
- s. Lift overruns and plant areas are to be recessed and/or incorporated into interesting roof elements of buildings.
- t. The built form should be designed to minimise shadow impacts on surrounding properties.
- u. The existing Obelisk on the site is to be relocated to a location approved by Council.

### Parking

- v. Parking areas are to be integrated with the form and arrangement of buildings on the site, screened or concealed from view from the public domain and adjoining streets. Sleevings of any above ground parking areas or high quality, decorative screening is required.

### Sustainability

- w. Civic development is to achieve a minimum 5.0 Greenstar rating in accordance with the current Green Star - Public Building rating tool (which may be a pilot or adopted rating tool at the time the relevant DA is to be submitted for assessment and determination).

## ITEM 4 (continued)

## ATTACHMENT 1

# 4.4

Ryde Town Centre

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### 8.1.7 Site B

Site B is the smaller and western most portion of the Precinct. The redeveloped Site B will be lower scale building(s) which will provide a transition in height, bulk and scale between development on Site A to the east and lower density residential development to the west. Redevelopment of Site B must have regard to the adjoining heritage listed Hatton's Cottage.

Development of the site is to comply with the following controls and with the preceding architectural, built form, landscaping, public domain, access and circulation objectives and controls for the Precinct.

The location of Site B is illustrated in Figure 4.4.10.

#### Objectives

1. To ensure development respects the significance of Hatton's Cottage (heritage item) at 158 Blaxland Road, Ryde.
2. To encourage development that responds to the:
  - a. Existing low scale development to the west and north; and
  - b. Site's sloping topography.
  - c. Respects surrounding residential development and minimises impacts on residential amenity.

#### Controls

- a. Building setbacks to Blaxland Road (realigned), Parkes Street and the site's northern boundary are to be in accordance with Figure 4.4.15.
- b. Buildings fronting Blaxland Road and Parkes Street should have facades that are articulated and modulated. This may include 'punctuated' walls, variation in setbacks, and building elements such as balconies and sun shading devices.
- c. Development should minimise noise, lighting, odour and glare (reflectivity) impacts on surrounding residential uses
- d. Plant and lift overruns are to be visually unobtrusive and are to be incorporated into the roof form, where possible.
- e. Main building entry(s) should front the realigned Blaxland Road.

### 8.1.8 Concept Plan

It is intended that future development within the Precinct will be the subject of a Concept Plan prepared to illustrate the development of the whole of the site (Site A and Site B). The Concept Plan is to address the following matters where relevant:

- the consistency of the development with the above Objectives and Future Character statement for the Precinct;
- whether the development is an appropriate design response to the opportunities and constraints of the Precinct;
- proposed uses and use mix;
- subdivision pattern;
- sensitivity to heritage items and streetscape constraints;
- the location of the proposed building envelopes and their relationship with the rest of the

**ITEM 4 (continued)**

**ATTACHMENT 1**

Ryde Town Centre

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Precinct in terms of building separation, setbacks, amenity and urban form;

- bulk, massing and modulation of buildings;
- building heights (including street frontage heights);
- the gross floor area of each building;
- environmental impacts such as sustainable design, overshadowing, wind and reflectivity;
- the achievement of the principles of ecologically sustainable development;
- pedestrian, cycle, vehicular and service access, circulation and requirements, incorporating the realigned Blaxland Road;
- impact on, and proposed improvements to, the public domain;
- maximum car parking numbers for the Precinct;
- indicative landscaping scheme;
- Greenstar commitments; and
- measures to incorporate Crime Prevention Through Environmental Design criteria.



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## 5 HERRING ROAD URBAN ACTIVATION PRECINCT PROPOSAL

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**Report prepared by:** Planning Proposal Coordinator; Place Manager  
**File No.:** ENV/08/3/8/14/6/4 - BP14/894

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### REPORT SUMMARY

This report is in response to the Public Exhibition of the Planning Proposal for the Herring Road Urban Activation Precinct (UAP). A submission has been prepared by Council staff based on the documentation placed on exhibition by the Department of Planning and Environment. This report provides an overview of the history of the precinct and attached is the submission prepared by Council.

The Public Exhibition Period closed on 10 August 2014 with Council given an extension till 15 August 2014 to lodge its submission (Submission to be provided under separate cover).

### RECOMMENDATION:

- (a) That Council endorse the submission as attached;
- (b) That Council forward the submission to the Department of Planning and Environment and the NSW Members for Lane Cove and Ryde.
- (c) That Council's submission be posted on the City of Ryde website and promoted through Council's usual channels.

### ATTACHMENTS

- 1 Draft Submission - Herring Road UAP – TO BE CIRCULATED UNDER SEPARATE COVER AT A LATER DATE
- 2 Attachments to submission - TO BE CIRCULATED UNDER SEPARATE COVER AT A LATER DATE

Report Prepared By:

**Adrian Melo**  
**Planning Proposal Coordinator**

**John Brown**  
**Place Manager**

Report Approved By:

**Meryl Bishop**  
**Manager - Urban Planning**

**Dominic Johnson**  
**Group Manager - Environment & Planning**

**ITEM 5 (continued)****History**

The NSW Government Urban Activation Precinct (UAP) Program was announced in June 2012. The program aims to assist the NSW Government deliver its housing targets, while supporting Councils to address the increased demand for local infrastructure.

The State Government has identified eight Urban Activation Precincts (UAPs) across Sydney; two within City of Ryde at North Ryde Station and Herring Road.

Council nominated the Herring Road Precinct to be considered as a UAP at its meeting of 14 August 2012. This nomination was predicated on the co-ordinated delivery of Infrastructure to assist Council in responding to significant growth in the corridor. In particular, the necessity for a new grade separated bus interchange on Herring Road between Macquarie University and the Macquarie Shopping Centre is considered to be a key component in any master plan guiding future growth. Herring Road has already experienced significant development, including a number of Part 3A approvals by the State Government with built form well above current controls.

On 26 June 2014 the Minister for Planning announced that the Herring Road UAP Proposal was to be placed on public exhibition till 10 August 2014. Council has secured an extension by the Department to provide its submission by 15 August, following the Council meeting of 12 August 2014.

The proposed rezoning and associated planning controls for the Herring Road UAP are based on the principles of a Transport Orientated Development (TOD) and focuses on integrating land use and transport. A TOD is a planning concept that promotes, medium to high density mixed use development within a comfortable ten minute walk of established or planned rail and busway stations (a radius of about 800 metres). TODs promote the creation of a network of well-designed, walkable neighbourhoods that provide access to the jobs, education facilities, healthcare facilities and cultural and recreation destinations.

The Herring Road UAP Proposal will require a significant increase in density and heights in the precinct, which are well above those proposed by Council through its Amendment 1 planning controls for the Macquarie Park Corridor.

**Discussion**

Council officers have reviewed the Planning Proposal and compiled a submission addressing the critical issues associated with the Precinct's redevelopment.

**ATTACHMENTS 1 AND 2 (TO BE CIRCULATED UNDER SEPARATE COVER AT A LATER DATE)** constitute a submission prepared by staff across all Groups within Council.

**ITEM 5 (continued)**

The submission raises several concerns regarding the Herring Road UAP Proposal, including:

- The Herring Road UAP Planning controls are not consistent with those proposed in Amendment 1 - two sets of controls will operate within Macquarie Park with different intents;
- Concern for the current residents of the Ivanhoe Public Housing Estate – clarity as to the quantum of social housing to be retained on site, and the opportunity for current residents to remain in-situ;
- Excessive scale and density – the heights and FSRs proposed are significantly higher than those that currently operate or proposed in Amendment 1;
- Net Loss of open space – no additional open space is provided to support the predicted increase in population;
- Lack of certainty and details of the infrastructure to be delivered – while Amendment 1 has a mechanism to fund the delivery of infrastructure, the Herring Road UAP has no such mechanism this may place a significant burden on Council to deliver and manage the required facilities.
- The excising of the UAP from Amendment 1 will result in a significant funding shortfall for the delivery of infrastructure in excess of \$7 million.
- Lack of planning for a Transport Interchange on Herring Road, which is considered by Council to be a prerequisite for further densification – the current Bus Interchange has reached capacity; a short and long term strategy to upgrade the Transport Interchange is required;
- The Herring Road UAP Proposal considers the precinct in isolation – the UAP needs to be considered holistically, as part of the broader Macquarie Park Corridor.

Based on these concerns, Council will not support the Proposal in its current form. Council will extend an offer to Department of Planning and Environment staff to meet to discuss and resolve concerns regarding the current Proposal.

**ITEM 5 (continued)****Financial Implications**

The Financial Implications for Council are yet to be fully understood. At this stage, the State Government has committed \$5m to the Herring Road UAP through the Urban Activation Precincts Program. This will leave a substantial funding shortfall as Council seeks to provide the physical and social infrastructure for 11,000 new residents. It is anticipated the current and future infrastructure will cost many millions of dollars. The exhibited UAP Master Plan fails to adequately address the timing, priority and mechanism for the delivery of this infrastructure (transport interchange, intersection upgrades, public and community facilities, schools, public domain treatments, and open space); these needs will be left for Council to deliver. It is clear that Section 94 alone will be inadequate to provide for this level of infrastructure and its ongoing maintenance.

The Department of Planning and Environment has excised the Herring Road UAP from the Macquarie Park planning controls (Amendment 1). These controls provided a funding mechanism to deliver future infrastructure; the current Proposal has not defined how this infrastructure will be delivered. This will place a significant burden on future S94 contribution funds.

**Options**

Council can either:

- (a) Endorse the submission in its current form; or
- (b) Amend the submission prior to its submission to the Department of Planning and Environment

## **6 REIMBURSEMENT OF SECTION 94 CONTRIBUTIONS TO GENERAL REVENUE**

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**Report prepared by:** Chief Financial Officer  
**File No.:** FIM/07/6/2/4/4 - BP14/726

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### **REPORT SUMMARY**

This report recommends to Council, a reimbursement from Section 94 Contributions to General Revenue for projects that have, since 2008/2009, been funded out of General Revenue or Asset Replacement Reserve, which could have been funded out of Section 94 contributions, had those funds been on hand.

Council had \$22.12 million in Section 94 contributions on hand as at 30 June 2013, which is now projected to increase to \$27.92 million by 30 June 2014.

An analysis of all projects undertaken by Council since the inception of the Section 94 plan has been done, which identified that \$53.79 million expenditure was incurred, with \$37.68 million of that total that could have been funded from Section 94.

Council did receive \$8.30 million in grants towards these projects and used \$19.67 million from Section 94 contributions. This results in the balance of \$9.71 million that could have been funded out of Section 94 contributions, had the funds been available.

This report recommends to reimburse General Revenue a total of \$5.490 million through a transfer to the Asset Replacement Reserve of \$5.033 million and \$0.455 million being transferred to Council's Ryde River Walk Project that is currently planned in the 2014/2015 Operation Plan. This additional funding for the Ryde River Walk is required to enable Council to consider accepting the tender for the completion of the full scope of works. This is detailed further in a report on this this Council agenda, being Item 9 'COR-RFT-07/14 – Ryde River Walk'.

### **RECOMMENDATION:**

That Council endorse the transfer of \$5.490 million from the Section 94 contributions reserve as detailed in the report, with \$5.033 million being transferred to the Asset Replacement Reserve and \$0.455 million being transferred to Council's current Ryde River Walk Project in the 2014/2015 Operational Plan.

**ITEM 6 (continued)****ATTACHMENTS****1 Projects for reimbursement out of Section 94 Contributions**

Report Prepared By:

**John Todd**  
**Chief Financial Officer**

Report Approved By:

**Roy Newsome**  
**Acting General Manager**

**ITEM 6 (continued)****Discussion**

Council adopt a Section 94 Plan in 2007, which listed projects that were needed should development occur in the City of Ryde.

In the Capital Works program each year, works have been carried out on some of those projects, but were funded from General Revenue.

In total there was \$53.79 million of works since 2008 and from that total amount of works, \$37.68 million could have been funded from Section 94.

However, \$8.30 million was funded from either grants or other contributions, and another \$19.67 million from Section 94 has been used to fund these works.

This results in a balance of \$9.71 million that Council has paid from General Revenue that could have been funded from Section 94 contributions. Council can, now that there are funds in the Section 94 reserve, approve the reimbursement of General Revenue from Section 94.

This review was commenced during the 2013/2014 financial year and the above figures were working on the budget figures for 2013/2014 and actuals for the years prior back to 2008/2009.

Since then, the Executive Team have met and discussed this matter and recommended that the reimbursement from Section 94 be contained to the three (3) main projects as detailed below;

- CF001 - Community facilities - Multi-purpose community centres – ELS Hall Park
- CF002 - Community facilities - Ryde Library
- CW005 - Cycleways - Parramatta foreshore Improvements and Ryde Parramatta River Walk

A detailed expenditure report for these projects completed under these lines within the Section 94 Plan is **ATTACHMENT 1**.

## ITEM 6 (continued)

This shows the following:

Project	Totals Net Expenditure	Maximum Section 94 that can be used	Reimbursement Sought
Multi-purpose community centres	3,097,713	9,680,000	3,097,713
Ryde library	3,025,682	1,922,250	1,922,250
Parramatta foreshore improvements and Ryde Parramatta River Walk	470,250	1,310,897	470,250
	6,593,645	12,913,146	5,490,213

For these three projects it means that Council has spent a net amount of \$6.59 million on them, after grants and contributions, or Section 94 already used, whereas Council could have used up to another \$12.91 million.

It is therefore recommended that Council endorse a reimbursement of \$5.490 million from the Section 94 reserve to General Revenue. This reimbursement is proposed to be on the following basis;

1. \$5.033 million be transferred to the Asset Replacement Reserve

This transfer to the Asset replacement Reserve will assist Council in contributing to the ongoing renewal of Council's infrastructure.

2. \$0.455 million be transferred to Council's Ryde River Walk Project to supplement the current budget of \$1.279 million for this project in Council's 2014/2015 Operational Plan. This additional funding includes provision for a contingency amount of \$83,000. This detail has been included in Item 9 on this Agenda that considers the tenders received for the completion of the Ryde River Walk.

This additional funding is required to enable Council's consideration of the tenders for the delivery of the full scope of works.

## Financial Implications

Adoption of the recommendation will reduce the level of Section 94 reserve funds available. However, this transfer corrects the funding of projects that were previously undertaken by Council and detailed in this report that has resulted in a total transfer of \$5.490 million to General Revenue. As detailed in the report, it is recommended that Council transfer \$5.033 million to the Asset Replacement Reserve and \$0.455 million to supplement the funding available for the Ryde River Walk Project.



## ITEM 6 (continued)

## ATTACHMENT 1

City Of Ryde  
Expenditure and Funding for Projects from General Revenue, which could have been funded from Section 94 Contributions

Account Type	2008/09 Full Year Actuals	2009/10 Full Year Actuals	2010/11 Full Year Actuals	2011/12 Full Year Actuals	2012/13 Full Year Actuals	2013/14 Full Year Actuals	Totals	Maximum Section 94 that can be used	Reimbursement Sought
<b>Grand Total</b>	<b>(1,123,541)</b>	<b>422,559</b>	<b>7,089,598</b>	<b>104,990</b>		<b>100,038</b>	<b>6,593,645</b>	<b>12,913,146</b>	<b>5,488,000</b>
<b>Community Facilities</b>									
<b>Multi-purpose commun</b>	<b>(1,123,541)</b>	<b>422,559</b>	<b>7,089,598</b>	<b>104,990</b>		<b>100,038</b>	<b>6,593,645</b>	<b>12,913,146</b>	<b>5,488,000</b>
5620017. Ryde Community & Sport Centre - ELS Hall Park	(1,558,779)	422,559	4,089,598	104,990		39,344	3,097,713	9,680,000	3,097,713
1 Expense	191,221	2,172,559	4,089,598	104,990		39,344	6,597,713	9,680,000	3,097,713
3 Capital Income	(1,750,000)	(1,750,000)					(3,500,000)		
<b>Ryde library</b>	<b>25,682</b>	<b>(0)</b>	<b>3,000,000</b>				<b>3,025,682</b>	<b>1,922,250</b>	<b>1,922,250</b>
5520029. City of Ryde (COR) Centre - Design & Fitout		(0)	3,000,000				3,000,000	1,922,250	1,922,250
1 Expense		105,765	3,571,985				3,677,750	2,600,000	
8 Section 94 spent		(105,765)	(571,985)				(677,750)	(677,750)	
5620009. Ryde Town Centre Library - Fitout Design	25,682						25,682		
1 Expense	25,682						25,682		
<b>Cycleways</b>									
<b>Parramatta Foreshore</b>	<b>409,556</b>	<b>0</b>				<b>60,694</b>	<b>470,250</b>	<b>1,310,897</b>	<b>468,037</b>
4724117. Parramatta Foreshore Improvements	409,556	0				60,694	470,250	1,310,897	468,037
1 Expense	2,213						2,213		
5422014. Ryde Parramatta River Walk (POT p.43/57)	2,213						2,213		
1 Expense	407,343	0				60,694	468,037	1,310,897	468,037
1 Expense	480,071	9,213		115,911	382,838	75,694	1,078,962	1,800,000	
3 Capital Income	(72,727)	(2,840)	15,235		(31,254)	(15,000)	(121,822)		
8 Section 94 spent		(6,373)	(15,235)	(115,911)	(351,584)		(489,103)	(489,103)	

## **7 ACTING GENERAL MANAGER ARRANGEMENTS - Confirmation of Advice from Office of Local Government**

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**Report prepared by:** Manager - Human Resources  
**File No.:** HRS/07/5/28 - BP14/907

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### **REPORT SUMMARY**

Further to the Council report of 13 May 2014 regarding the acting arrangements for the position of General Manager at City of Ryde, the following information is provided to inform Council of recent discussions with the Office of Local Government (OLG) regarding this matter.

The Acting General Manager, Mr Roy Newsome, has been acting in this role since 26 August 2013, a period which is now just short of 12 months. Council resolved on 21 August 2013 that Mr Newsome be appointed to the role on a temporary basis following the resignation of the former Acting General Manager, Ms Danielle Dickson.

Section 351 of the Local Government Act NSW 1993 (the Act) states, amongst other things, that if the position of General Manager of the Council is vacant, the Council may appoint a person to the position temporarily for a period of not more than 12 months.

It was also resolved on 25 June 2013 that Council abandon the recruitment process for the position of General Manager until the Independent Commission Against Corruption (ICAC) had issued its findings relating to the Public Inquiry, following which the recruitment process would be recommenced.

The recruitment process for the position of General Manager is now underway and it is envisaged that a candidate will be appointed to the role in November/December 2014.

Council resolved on 13 May 2014 that written advice should be sought from the Office of Local Government confirming its position on the extension of the temporary appointment. A copy of the written advice to Council from the OLG regarding this matter is attached to this report in **ATTACHMENT 1**.

The following report provides Council with options in respect of the arrangements for a temporary appointment to the position of Acting General Manager.

It is recommended that Council provide the Manager Human Resources with the direction to implement Council's preferred option.

**ITEM 7 (continued)****RECOMMENDATION:**

- (a) That Council note the information contained in this report pertaining to the requirements of the Local Government Act 1993 with respect to temporary appointments, in particular, in relation to the position of General Manager, as per Section 351 of the Local Government Act 1993.
- (b) That Council consider the options presented in this report and subsequently determine Council's preferred option in respect of the position of Acting General Manager.

**ATTACHMENTS**

- 1 Advice on temporary appointment conditions for General Manager position - Office of Local Government, Ross Woodward
- 2 Memorandum regarding Acting General Manager Arrangements 29 July 2014 - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

Report Prepared By:

**Melissa Attia**  
**Manager - Human Resources**

Report Approved By:

**Angela Jones-Blayney**  
**Acting Group Manager - Corporate Services**

## ITEM 7 (continued)

### Discussion

In a report to Council on 13 May 2014, the current acting arrangements for the position of General Manager were discussed with respect to a possible extension to Mr Newsome's appointment as Acting General Manager beyond the 12 month limit prescribed by the Act.

Council resolved at that meeting to seek written confirmation from the Office of Local Government as to its position on the matter.

In considering Council's position, the OLG enquired as to why the recruitment of the General Manager had taken so long and the response was that Council had resolved on 25 June 2013 to abandon the recruitment process until after the announcement of the imminent ICAC investigation, which has now been finalised. The OLG was also informed that with the commencement of the recruitment process for the position of General Manager, it is anticipated that a permanent appointment to the role will be made by November/December 2014. In response to this information, the OLG emphasised that this situation was therefore of Council's own making and therefore not entirely outside of Council's control.

Mr Newsome has been acting in the role of General Manager since 26 August 2013, meaning that his temporary appointment expires on 25 August 2014.

### Options

In light of the requirements of the Act and the position of the OLG to date, the following options are presented for Council's consideration;

#### Option 1:

- That Council note the issues outlined in this report with respect to allowing the current acting arrangements to continue until a permanent appointment to the position of General Manager is made.

Council may elect to note the information above and accept the verbal advice of the OLG as to its position on the matter. In doing so, Council could resolve to allow Mr Newsome to continue acting as the General Manager until such time as a permanent appointment to that position is made. The benefit of this option would be that any further instability to the organisation is minimised as we work to restore the confidence of our community and staff in Council's ability to effectively service the needs of our customers. Whilst this option would ensure some sense of continuity and stability it does pose problems for Council as outlined in **ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL**.

**ITEM 7 (continued)****Option 2:**

- That Council temporarily appoint an alternative Group Manager to the position of Acting General Manager from 25 August 2014 until a permanent appointment to the position is made or for a maximum period of 12 months, whichever occurs first.

A negative consequence of this option is that the organisation and the community would be subjected to further instability through the change in Acting General Manager for a relatively short period of time.

Should Council agree to proceed with this option it is recommended that the new acting arrangements commence from Monday, 25 August 2014 to coincide with the start of a pay period. In directing the Manager Human Resources to implement this option, Council would also be required to nominate which Group Manager is to be appointed (subject to their acceptance of the nomination) to the position of Acting General Manager during this interim period.

The options available to Council have been outlined above and this is now a matter for Council to determine its preferred course of action in this regard.

**Financial Implications**

Adoption of any one of the options outlined above will have no financial impact.

ITEM 7 (continued)

ATTACHMENT 1

Strengthening local government



Office of  
Local Government

5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541

Our Reference: A380006  
Your Reference:  
Contact: Jamie Westenberg  
Phone: 02 4428 4217

Mr Roy Newsome  
Acting General Manager  
City of Ryde Council  
Locked Bag 2069  
NORTH RYDE NSW 1670

Dear Mr Newsome

Thank you for your email of 22 May 2014 regarding the temporary appointment of a General Manager to the City of Ryde Council.

As previously advised, under sections 348 and 349 of the *Local Government Act 1993*, a person cannot be appointed to an identified position within a council's organisation structure (including the position of General Manager) for a period of 12 months without the position being advertised in the manner specified in section 348 and a merit based appointment being made.

On this basis, you would be unable to continue in your acting role as General Manager beyond 26 August 2014.

I understand that the recruitment process for a General Manager is underway but that a suitable candidate may not be appointed before 26 August 2014. In order to comply with the requirements under the Act, the Council may wish to consider appointing another temporary acting General Manager to fulfil the role in the period between 26 August and the appointment of a new General Manager following the completion of the recruitment process.

I hope this information is helpful.

Yours sincerely

 12/6/14

Ross Woodward  
Chief Executive  
Office of Local Government



## **PRECIS OF CORRESPONDENCE**

### **1 PROPOSAL TO REZONING - 31-33 WATERLOO ROAD MACQUARIE PARK**

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**Report prepared by:** Executive Assistant to Group Manager  
**File No.:** GRP/09/6/5 - BP14/850

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#### **CORRESPONDENCE:**

Submitting correspondence from the Parliamentary Secretary to the Premier – Mr David Elliott MP, dated 30 June 2014, regarding further correspondence received from the Parliamentary Secretary regarding the proposal to rezone 31-33 Waterloo Road, Macquarie Park.

#### **RECOMMENDATION:**

That the correspondence be received and noted.

#### **ATTACHMENTS**

- 1 Waterloo Road 31 to 33, Macquarie Park - Repose from Mr David Elliott MP regarding re-rezone of a proposal.

Report Prepared By:

**Sandra Warbrick**  
**Executive Assistant to Group Manager**

Report Approved By:

**Dominic Johnson**  
**Group Manager - Environment & Planning**



**PRECIS OF CORRESPONDENCE 1 (continued)**

**ATTACHMENT 1**



**Mr David Elliott MP**  
**Member for Baulkham Hills**  
Parliamentary Secretary to the Premier

Reference: 2014-174239

Mr Roy Newsome  
Acting General Manager  
City of Ryde  
Locked Bag 2059  
NORTH RYDE NSW 1570

25 JUN 2014

Dear Mr Newsome

Thank you for your correspondence regarding a proposal to re-zone 31-33 Waterloo Road, Macquarie Park. I have been asked to reply on behalf of the Premier.

I have carefully considered the issues you have raised and appreciate the reasons that have prompted you to write.

I note you have also written to the Hon Pru Goward MP, Minister for Planning. As the issues you have raised fall within Minister Goward's area of portfolio responsibility it is appropriate that she considers your correspondence.

If you have any further enquiries about this matter please contact the Minister's office directly. For your information the phone number for Minister Goward's office is (02) 9228 5413.

Thank you for bringing this matter to the Premier's attention.

Yours sincerely



**David Elliott MP**  
Parliamentary Secretary to the Premier

CC: The Hon Pru Goward MP





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## **2 PLANNING PROPOSAL - CIVIC CENTRE PRECINCT**

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**Report prepared by:** Executive Assistant to Group Manager  
**File No.:** GRP/09/6/5 - BP14/921

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### **CORRESPONDENCE:**

Submitting correspondence from Victor Dominello MP - State Member for Ryde, dated 14 July 2014, regarding correspondence sent from Victor Dominello MP to the Minister of Planning the Honourable Pru Goward MP following concerns raised by Council in relation to the planning proposal for the Ryde Civic Centre Precinct.

### **RECOMMENDATION:**

That the correspondence be received and noted.

### **ATTACHMENTS**

- 1** Letter in relation to Council concerns regarding the planning proposal for the Council Civic Centre Precinct - The Hon. Victor Dominello MP
- 2** Letter - Civic Centre Precinct - Planning Proposal - Victor Dominello MP Member for Ryde

Report Prepared By:

**Sandra Warbrick**  
**Executive Assistant to Group Manager**

Report Approved By:

**Dominic Johnson**  
**Group Manager - Environment & Planning**

PRECIS OF CORRESPONDENCE 2 (continued)

ATTACHMENT 1



**Victor Dominello MP**  
State Member for Ryde



Monday, 14 July 2014

Mr R Newsome  
Acting General Manager  
Ryde City Council  
Locked Bag 2069  
NORTH RYDE NSW 1670



Dear Mr Newsome,

*Roy*

Thank you for taking the time to contact me in relation to your concerns regarding the planning proposal for the Council Civic Centre Precinct.

I have written to the Minister for Planning the Hon. Pru Goward MP asking that she responds to your concerns. Attached is a copy of this correspondence for your records.

I have asked the Minister to liaise directly with you in relation to your concerns.

As you may appreciate, ministerial offices often have large volumes of correspondence to process, so it may take some time to obtain a written response. If you do not hear back from the Minister within eight weeks please do not hesitate to contact my office again, preferably by email or letter, and we will follow up on our initial correspondence.

In the meantime, please do not hesitate to call on me if I can help with this or any other matter.

Again, thank you for bringing this matter to my attention.

Yours sincerely

**The Hon. Victor Dominello MP**  
Member for Ryde

ATTACHMENT



For the latest updates on Ryde and my portfolio, like my Facebook page;  
<https://www.facebook.com/VictorDominelloMP>



Office: Ground floor, 5 - 9 Devlin St, Ryde NSW 2112 Mail: PO Box 736 Ryde NSW 1680 Phone: 9808 3288  
Email: [ryde@parliament.nsw.gov.au](mailto:ryde@parliament.nsw.gov.au) Website: [www.victordominello.com](http://www.victordominello.com) Facebook: [www.facebook.com/VictorDominelloMP](https://www.facebook.com/VictorDominelloMP)

**PRECIS OF CORRESPONDENCE 2 (continued)**

**ATTACHMENT 1**



**Victor Dominello MP**  
State Member for Ryde



Monday, 14 July 2014

The Hon. Pru Goward MP  
Minister for Planning  
Level 34 Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000

By email: [office@goward.minister.nsw.gov.au](mailto:office@goward.minister.nsw.gov.au)

Dear Minister

**Re: Planning Proposal – Council Civic Centre Precinct**

I write on behalf of Mr Roy Newsome, Acting General Manager of Ryde City Council, Locked Bag 2069, North Ryde NSW 1670 in relation to concerns regarding the planning proposal for the Council Civic Centre Precinct.

I attach a copy of Mr Newsome's correspondence which sets out the situation in further detail.

I ask that your Department please respond to his concerns. I would appreciate it if you would please liaise directly with Mr Newsome in relation to this matter and provide copies of any correspondence to my office for our records.

Thank you for your assistance with this matter. I look forward to your response.

Yours sincerely

**The Hon. Victor Dominello MP**  
Member for Ryde

cc. Mr Roy Newsome, Acting General Manager, Ryde City Council, Locked Bag 2069, North Ryde NSW 1670

**ATTACHMENT**



For the latest updates on Ryde and my portfolio, like my Facebook page;  
<https://www.facebook.com/VictorDominelloMP>



Office: Ground floor, 5 - 9 Devlin St, Ryde NSW 2112 Mail: PO Box 736 Ryde NSW 1680 Phone: 9808 3288  
Email: [ryde@parliament.nsw.gov.au](mailto:ryde@parliament.nsw.gov.au) Website: [www.victordominello.com](http://www.victordominello.com) Facebook: [www.facebook.com/VictorDominelloMP](https://www.facebook.com/VictorDominelloMP)

**PRECIS OF CORRESPONDENCE 2 (continued)**

**ATTACHMENT 2**



Lifestyle and opportunity @ your doorstep

The Hon. Victor Dominello, MP  
Suite 202 Ground Floor  
5-9 Devlin Street  
Ryde NSW 2112

3 July 2014

Our ref: D14/57175

Dear Hon. Victor Dominello,

**Planning Proposal – Council Civic Centre Precinct**

I write to request your support for the planning proposal to amend the existing planning controls as they apply to Council's Civic Centre. At its meeting held 13 May 2013, Council resolved to support the planning proposal on the basis of community support for the proposal.

The planning proposal was submitted to the Department of Planning and Environment on 10 June 2014. This planning proposal seeks to amend the zoning and planning controls that apply to the subject site in response to views expressed by the community that the current controls and zoning will result in an overdevelopment of the subject site. The planning proposal is yet to be determined.

When the planning proposal was publicly exhibited between 20 November 2013 to 29 January 2014, Council received a total of 724 submissions regarding the planning proposal with 723 in support and 1 submission against.

The Mayor, Roy Maggio, and all interested Councillors are currently seeking a meeting with the Hon. Pru Goward in her capacity as the Minister for Planning regarding the planning proposal. Council and the community are seeking to progress the planning proposal in a timely manner and ensure that the proposal reflects the desires of the community. Council would greatly appreciate any assistance that you may provide to assist Council achieve this outcome.

Should you have any enquiries regarding this matter, I have arranged for Dominic Johnson, Group Manager Environment and Planning to assist. Dominic can be contacted on 9952 8190 or via email at [djohnson@ryde.nsw.gov.au](mailto:djohnson@ryde.nsw.gov.au).

Yours sincerely,



Roy Newsome  
Acting General Manager

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**3 GRANT OF \$200,000 AWARDED TO CITY OF RYDE FOR CCTV AND LIGHTING PROJECT IN EASTWOOD**

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**Report prepared by:** Executive Assistant to Group Manager  
**File No.:** GRP/09/4/10 - BP14/939

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**CORRESPONDENCE:**

Submitting correspondence from the Hon Michael Keenan MP, Minister for Justice, dated 17 July 2014, regarding awarding City of Ryde a grant of \$200,000 under section 298 of the *Proceeds of Crime Act 2002* (POCA) for the CCTV and Lighting in Eastwood project.

**RECOMMENDATION:**

That the correspondence be received and noted.

**ATTACHMENTS**

- 1 Correspondence from Minister for Justice about awarding of grant for CCTV and Lighting in Eastwood project

Report Prepared By:

**Valerie Albert**  
**Executive Assistant to Group Manager**

Report Approved By:

**Baharak Sahebekhtiari**  
**Acting Group Manager - Community Life**



**PRECIS OF CORRESPONDENCE 3 (continued)**

**ATTACHMENT 1**



**THE HON MICHAEL KEENAN MP**  
**Minister for Justice**

Our Ref: 14/7678-04

Ms Baharak Sahebekhtiari  
Acting Group Manager Community Life  
City of Ryde  
Locked Bag 2069  
NORTH RYDE NSW 1670



Dear Ms Sahebekhtiari

I am very pleased to inform you that I have awarded City of Ryde a grant of \$200,000 under section 298 of the *Proceeds of Crime Act 2002* (POCA) for the *CCTV and Lighting in Eastwood* project.

The Government is committed to ensuring that the proceeds of crime are used to prevent crime. This includes providing funding to organisations to install security-related infrastructure and deliver effective solutions to local crime hot spots and anti-social behaviour under the Safer Streets Programme.

An officer from the Attorney-General's Department will contact you shortly to discuss the next stage of the process and to negotiate the Funding Agreement for your project.

I congratulate City of Ryde on receiving this important grant and look forward to hearing about the success of this project.

The action officer for this matter in the Attorney-General's Department is Renae Aspinall who can be contacted on 02 6141 2781.

Yours sincerely



**Michael Keenan**

17 JUL 2014

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**CONFIDENTIAL ITEMS****8 REQUEST FOR TENDER - COR-RFT-26/13 - PROVISION OF ELECTRICAL SERVICES TO CITY OF RYDE BUILDINGS**

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**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Report prepared by:** Mechanical & Essential Services Coordinator  
**File No.:** PCM2014/5 - BP14/818  
**Page No.:** 69

**9 REQUEST FOR TENDER - COR-RFT-07/14 - RYDE RIVER WALK**

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**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Report prepared by:** Project Manager  
**File No.:** PCM2014/23 - BP14/896  
**Page No.:** 94

**10 VOLUNTARY PLANNING AGREEMENT - SAN ANTONIO DA PADOVA NURSING HOME, 305 BLAXLAND ROAD, RYDE**

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**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Report prepared by:** Development Contributions Coordinator  
**File No.:** LDA2012/247/003 - BP14/848  
**Page No.:** 111