

Meeting Date: Tuesday 14 July 2015
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.

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1 CONFIRMATION OF MINUTES - Council Meeting held on 23 June 2015

Report prepared by: Section Manager - Governance

File No.: CLM/15/1/4/2 - BP15/850

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 11/15, held on 23 June 2015 be confirmed.

ATTACHMENTS

- 1 MINUTES - Ordinary Council Meeting - 23 June 2015**

ITEM 1 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 11/15**

Meeting Date: Tuesday 23 June 2015

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

Time: 7.30pm

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

Note: Councillor Salvestro-Martin arrived at the meeting at 8.29pm, during consideration of Notice of Motion 4. He was not present for the consideration and voting on Item 7 and Notices of Motion 1 and 3.

Note: Councillor Yedelian OAM left the meeting at 10.27pm and did not return. He was not present for the consideration and voting on Notices of Motion 2 and 5 and Confidential Items 14 and 15.

Apologies: Nil.

Leave of Absence: Councillor Perram.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Chief Financial Officer, Manager – Communications and Media, Coordinator Digital Communications, Solicitor, Acting Manager – Urban Planning, Project Manager – Project Delivery, Section Manager – Traffic, Transport and Development, Section Manager – Program Delivery, Section Manager – Property and Development, Client Manager – Building and Advisory Services, Senior Catchments Engineer, Section Manager – Governance and Governance, Risk and Audit Coordinator.

PRAYER

Bishop Alex Tong of the Church of Jesus Christ of Latter-Day Saints, Ryde was present and offered prayer prior to the commencement of the meeting.

LEAVE OF ABSENCE

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

Councillor Etmekdjian requested a Leave of Absence for the period 24 June 2015 to 13 July 2015 (inclusive).

ITEM 1 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council approve Councillor Etmekdjian's Leave of Absence for the period 24 June 2015 to 13 July 2015 (inclusive).

Record of Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

Councillor Pendleton disclosed a Less than Significant Non-Pecuniary Interest in Item 4 – Report of the Ryde Civic Hub Committee Meeting 1/15 held on 9 June 2015, for the reason that the proposed height increase and increased FSR to an inappropriate site for high rise residential which affects all residents, including most Councillors.

Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in Item 2(3) – 21 Winbourne Street, West Ryde (APL2015/0002), for the reason that he knows of the applicant through community involvement.

TABLING OF PETITIONS

A Petition from residents regarding landscaping behind 22 Ball Avenue, Eastwood was tabled by Councillor Li.

PRESENTATION OF GOLD AWARD FOR THE CITY OF RYDE'S 2013-2014 ANNUAL REPORT

The General Manager presented the Mayor, Councillor Pickering with the Gold Award for the City of Ryde's 2013-2014 Annual Report. This Award was won at the 65th Australasian Reporting Awards held in Melbourne last Thursday evening.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Tim Flett (representing Pirasta Pty Ltd)	Item 7 – Ryde Development Control Plan Part 4.5 – Macquarie Park Corridor
Anne Doring (representing Eastwood Ryde Netball Association)	Notice of Motion 1 – Installation of Netball Rings
Philip Towler	Notice of Motion 3 – Morrison Road Safety Initiative
Darryl Fung	Notice of Motion 3 – Morrison Road Safety Initiative
Ian Burton (representing Putney Public School P&C Association)	Notice of Motion 3 – Morrison Road Safety Initiative and Notice of Motion 4 – City of Ryde Road Safety Plan – Safety in School Zones

ITEM 1 (continued)

ATTACHMENT 1

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

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

MOTION: (Moved by Councillors Laxale and Simon)

That the speakers who submitted a Request to Address Council on Item 2(3) – 21 Winbourne Street, West Ryde (APL2015/0002) from the report of the Planning and Environment Committee Meeting 9/15 held on 16 June 2015, be allowed to address the meeting, the time being 8.08pm.

Record of Voting:

For the Motion: Councillors Chung, Laxale, Pendleton and Simon

Against the Motion: The Mayor, Councillor Pickering and Councillors Etmekdjian, Li, Maggio, Stott and Yedelian OAM

ORDER OF BUSINESS

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

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

That Council now consider the following Items, the time being 8.09pm:

- Item 7 – Ryde Development Control Plan Part 4.5 – Macquarie Park Corridor.
- Notice of Motion 1 – Installation of Netball Rings
- Notice of Motion 3 – Morrison Road Safety Initiative.
- Notice of Motion 4 – City of Ryde Road Safety Plan – Safety in School Zones.
- Item 2(3) - 21 Winbourne Street, West Ryde (APL2015/0002).

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

7 RYDE DEVELOPMENT CONTROL PLAN PART 4.5 - MACQUARIE PARK CORRIDOR

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

Note: Tim Flett (representing Pirasta Pty Ltd) addressed the meeting in relation to this Item.

ITEM 1 (continued)

ATTACHMENT 1

RESOLUTION: (Moved by Councillors Chung and Yedelian)

- (a) That Council adopt the Draft Development Control Plan Part 4.5 Macquarie Park as amended in response to submissions and attached to this report.
- (b) That the General Manager is delegated to make minor changes (that do not alter intent) to the Draft Development Control Plan Part 4.5 Macquarie Park; prior to its coming into effect.
- (c) That Council give public notice in a local newspaper of its decision with respect to the Draft Amending Development Control Plan (DCP) Part 4.5 Macquarie Park Corridor within 28 days of the decision, and provide the Director-General with a copy of the plan in accordance with the Environmental Planning and Assessment Regulation 2000.
- (d) That Council notify all community members who made a submission regarding the planning proposal of its decision and thank them for taking the time to become involved in local planning.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 INSTALLATION OF NETBALL RINGS - Deputy Mayor, Councillor Roy Maggio

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

Note: Anne Doring (representing Eastwood Ryde Netball Association) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Stott)

- (a) That Council officers investigate and identify parks within the LGA that would be suitable for installation of netball rings, and report to Council. The report should also include a budget for the installation of netball rings that could be considered in the next Council quarterly budget review.
- (b) That Council officers investigate installation of an additional netball court at Norma Woods netball courts Meadowbank.
- (c) That Council officers report back on the condition of the Brush Farm Park paved netball courts and what works would be required to bring these courts to the same standard as the Norma Woods courts at Meadowbank.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

3 MORRISON ROAD SAFETY INITIATIVE - Deputy Mayor, Councillor Roy Maggio

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

Note: Philip Towler, Darryl Fung and Ian Burton addressed the meeting in relation to this Item.

Note: Documentation from Darryl Fung was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Maggio and Stott)

That arising from concerns raised during the current community consultation on the Morrison Road Safety Initiative, Council prior to finalising the package of traffic calming works, conduct a road safety review (between the hours of 8.00am to 9.30am and 2.30pm to 4.00pm) of the intersection of Morrison Road, Parry Street and Acacia Avenue (in close proximity to Putney Public School) to determine whether any additional traffic calming devices should be introduced at this intersection to improve safety for pedestrians, cyclists and vehicles.

Record of Voting:

For the Motion: Unanimous

4 CITY OF RYDE ROAD SAFETY PLAN - SAFETY IN SCHOOL ZONES - Deputy Mayor, Councillor Roy Maggio

Note: Councillor Salvestro-Martin arrived at the meeting at 8.29pm during the consideration of this Item.

Note: Ian Burton (representing Putney Public School P&C Association) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Stott)

That Council, as part of the upcoming City of Ryde Road Safety Plan investigate:

- (a) The existing treatment of 'kiss and ride' zones adjoining all Ryde schools with a view to improving student safety; and

ITEM 1 (continued)

ATTACHMENT 1

- (b) Increasing the area captured by the 40km/hr speed limit around City of Ryde schools.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING
9/15 held on 16 June 2015**

- 3 21 WINBOURNE STREET, WEST RYDE. LOT 4 DP 39266.
Application under Section 82A of the EP&A Act 1979, to review
Council's determination of LDA2013/0420 for alterations and
additions and change of use of existing dwelling to a childcare
centre for 39 children. (APL2015/0002.)**

Note: A letter from the applicant, Garo Moskovian dated 26 May 2015 attaching letters in support of the development was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Simon and Laxale)

- (a) That Council resolves to confirm its determination by the refusal of consent to Local Development Application No. 2013/420 at 21 Winbourne Street, West Ryde, being LOT 4 DP 39266, by refusing APL2015/0002 for the following reasons as modified:
 - i. The proposal will exacerbate existing traffic congestion along Winbourne Street in morning and afternoon peak periods.
 - ii. A high volume of children traverse Winbourne Street during weekday morning and afternoon peak periods. The number of vehicles that will be associated with the development is not appropriate for the locality and will put the safety of children at risk.
 - iii. The amenity of surrounding residential properties will be detrimentally impacted as exiting and entering their driveways will be more difficult.
 - iv. The proposal is unacceptable in terms of streetscape impacts as it involves removal of existing/possible landscaped areas within the front setback area of the existing dwelling and replaces these with hard surface area associated with the car parking spaces and driveways.

ITEM 1 (continued)

ATTACHMENT 1

- v. In the circumstances of the case, approval of the development is not in the public interest.
- (b) That the persons who made submissions be advised of Council's decision.

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

That LDA2013/420 (APL2015/2) for alterations and additions and change of use of the existing dwelling to a child care centre for 35 children at 21 Winbourne Street, West Ryde **be approved as a deferred commencement** consent subject to the following deferred commencement conditions and other appropriate standard conditions of approval, as determined by the General Manager:

Deferred Commencement conditions:

1. **Traffic Calming – Traffic Management Plan Approval.** To facilitate safe and efficient vehicle access to and from the establishment, mindful of the pedestrian activity associated with the surrounding schools, the applicant is to engage a suitably qualified and practising traffic engineer to prepare a Traffic Management Plan. The Traffic Management Plan must incorporate traffic calming measures or works to be constructed prior to completion of the development, to facilitate safe and efficient access to the establishment whilst preserving the needs of the surrounding community. The Traffic Management Plan must;
 - (a) Investigate and identify the prevailing traffic and pedestrian issues in the roadway fronting the property, including relevant time periods, traffic volumes, traffic manoeuvres and patterns associated with the schools in the vicinity of the site. This is to be verified by at least site inspections of the morning and afternoon peak periods, conducted in the mid-term school period, on at least 2 separate occasions and is to include traffic and pedestrian count data conducted in both peak periods.
 - (b) Recommend measures to ameliorate these impacts. This can include (but not be limited to) alterations to the roadway geometry, provision of layby areas, pedestrian facilities, etc, seeking to reduce the risks associated with additional traffic movements to and from the establishment relative to the current pedestrian and traffic activity in this location.
 - (c) Conceptual design plans detailing the proposed measures. These plans must be to scale and clearly depict the existing traffic controls and facilities. The proposed measures are to be dimensioned and located clearly to existing traffic controls/ devices to be retained.

ITEM 1 (continued)

ATTACHMENT 1

2. The Traffic Management Plan must be submitted to Council for review and approval. The measures adopted by the approved Traffic Management Plan must be presented to the Local Traffic Committee for approval. All design and construction costs required to implement the Traffic Management Plan is to be at the applicant's cost. The development consent will be activated when a full Council meeting has ratified the Local Traffic Committee's recommendation.

On being put to the Meeting, the voting on the Amendment was seven (7) For and four (4) Against. The Amendment was **CARRIED** and then became the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Salvestro-Martin, Stott and Yedelian OAM

Against the Amendment: Councillors Laxale, Li, Pendleton and Simon

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

That LDA2013/420 (APL2015/2) for alterations and additions and change of use of the existing dwelling to a child care centre for 35 children at 21 Winbourne Street, West Ryde **be approved as a deferred commencement** consent subject to the following deferred commencement conditions and other appropriate standard conditions of approval, as determined by the General Manager:

Deferred Commencement conditions:

1. **Traffic Calming – Traffic Management Plan Approval.** To facilitate safe and efficient vehicle access to and from the establishment, mindful of the pedestrian activity associated with the surrounding schools, the applicant is to engage a suitably qualified and practising traffic engineer to prepare a Traffic Management Plan. The Traffic Management Plan must incorporate traffic calming measures or works to be constructed prior to completion of the development, to facilitate safe and efficient access to the establishment whilst preserving the needs of the surrounding community. The Traffic Management Plan must;
 - (a) Investigate and identify the prevailing traffic and pedestrian issues in the roadway fronting the property, including relevant time periods, traffic volumes, traffic manoeuvres and patterns associated with the schools in the vicinity of the site. This is to be verified by at least site inspections of the morning and afternoon peak periods, conducted in the mid-term school period, on at least 2 separate occasions and is to include traffic and pedestrian count data conducted in both peak periods.

ITEM 1 (continued)

ATTACHMENT 1

- (b) Recommend measures to ameliorate these impacts. This can include (but not be limited to) alterations to the roadway geometry, provision of layby areas, pedestrian facilities, etc, seeking to reduce the risks associated with additional traffic movements to and from the establishment relative to the current pedestrian and traffic activity in this location.
 - (c) Conceptual design plans detailing the proposed measures. These plans must be to scale and clearly depict the existing traffic controls and facilities. The proposed measures are to be dimensioned and located clearly to existing traffic controls/ devices to be retained.
2. The Traffic Management Plan must be submitted to Council for review and approval. The measures adopted by the approved Traffic Management Plan must be presented to the Local Traffic Committee for approval. All design and construction costs required to implement the Traffic Management Plan is to be at the applicant's cost. The development consent will be activated when a full Council meeting has ratified the Local Traffic Committee's recommendation.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Salvestro-Martin, Stott and Yedelian OAM

Against the Motion: Councillors Laxale, Li, Pendleton and Simon

1 CONFIRMATION OF MINUTES - Council Meeting held on 9 June 2015

RESOLUTION: (Moved by Councillors Maggio and Stott)

That the Minutes of the Council Meeting 10/15, held on 9 June 2015 be confirmed.

Record of Voting:

For the Motion: Unanimous

2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 9/15 held on 16 June 2015

RESOLUTION: (Moved by Councillors Chung and Yedelian OAM)

That Council note that Items 1, 2 and 4 of the of the Planning and Environment Committee report 9/15, held on 16 June 2015 were dealt with by the Committee within its delegated powers.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

- 3 21 WINBOURNE STREET, WEST RYDE. LOT 4 DP 39266.
Application under Section 82A of the EP&A Act 1979, to review
Council's determination of LDA2013/0420 for alterations and
additions and change of use of existing dwelling to a childcare
centre for 39 children. (APL2015/0002.)**

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 9/15
held on 16 June 2015**

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

That Council determine Item 3, 4 and 5 of the Works and Community Committee report 9/15, held on 16 June 2015 noting that Items 1 and 2 were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

3 GLEN STREET MURAL PANEL PROJECT

Note: A Memorandum from the Acting Group Manager – Community Life dated 23 June 2015 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Etmekdjian and Chung)

- (a) That Council approve the Mural Panel Project to be installed at Glen Street carpark, Eastwood.
- (b) That further consultation take place prior to any works commencing with key stakeholders in the Eastwood community.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Pendleton, Salvestro-Martin, Stott and Yedelian OAM

Against the Motion: Councillor Simon

ITEM 1 (continued)

ATTACHMENT 1

4 HERRING ROAD URBAN ACTIVATION PRECINCT

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

- (a) That Council endorse the embellishment and upgrade of the parkland along the Shrimptons Creek Corridor – being Elouera Reserve, Wilga Reserve, Quandong Reserve and the parkland adjoining the Creek.
- (b) That Council advise the Department of Planning and Environment of its intention to seek full cost recovery of the above embellishment under the Priority Precincts Program.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Li, Maggio, Pendleton, Salvestro-Martin, Simon, Stott and Yedelian OAM

Against the Motion: Councillor Laxale

5 WEST RYDE URBAN VILLAGE - EXPENDITURE OF FUNDS UNDER DEED OF AGREEMENT WITH COLES

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

- (a) That Council:
 - (i) allocate the amount of \$58,248.30 from contributions for the purpose for the relocation of a utility pole at the corner of Chatham Road and Betts Street, West Ryde; and
 - (ii) allocate the amount of \$939.08 from contributions for the purpose of payment of an outstanding water bill for the West Ryde Village Square; and
 - (iii) consolidate these amounts into the next Quarterly Review.
- (b) The General Manager be authorised to expend funds for any works that may arise associated with the Deed of Agreement.

Record of Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 1

4 REPORT OF THE RYDE CIVIC HUB COMMITTEE MEETING 1/15 held on 9 June 2015

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

That Council determine all Items of the Ryde Civic Hub Committee Meeting 1/15 held on 9 June 2015, in accordance with the Ryde Civic Hub Terms of Reference.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Salvestro-Martin, Stott and Yedelian OAM

Against the Motion: Councillors Laxale, Li, Pendleton and Simon

1 RYDE CIVIC HUB COMMITTEE - CONFIRMATION OF MEMBERSHIP AND TERMS OF REFERENCE

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

(a) That the Committee note the Terms of Reference as adopted by Council on 12 May 2015 and the Committee's membership comprising the following:-

- Councillor Etmekdjian (Chairperson)
- Councillor Salvestro-Martin (Deputy Chairperson)
- The Mayor, Councillor Pickering (in his capacity as Mayor)
- Councillor Maggio
- Councillor Pendleton
- Councillor Perram
- Councillor Stott

(b) That the Committee endorse the amendment to the Terms of Reference as detailed in the report.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Salvestro-Martin, Stott and Yedelian OAM

Against the Motion: Councillors Laxale, Li, Pendleton and Simon

ITEM 1 (continued)

ATTACHMENT 1

2 RYDE CIVIC HUB - OVERVIEW OF INTERNATIONAL DESIGN COMPETITION PROCESS

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

- (a) That Council endorse the site known as Ryde Civic Hub to be the subject of an International Architectural Design Competition.
- (b) That Council endorse the principles (outlined in this report) to inform the preparation of the brief for the International Architectural Design Competition, subject to the following amendments;
 - i. Inclusion of the provision of a bus interchange facility within the site; and
 - ii. Enhancing and improving the current pedestrian linkages and to explore new and additional options to further enhance the accessibility and intergration of pedestrian linkages to the surrounding precincts
- (c) That Council endorse the appointment of a Competition Advisor to coordinate and advise Council on the delivery of the International Architectural Design Competition.
- (d) That Council endorse the appointment of a Probity Advisor to provide the appropriate probity framework for this competition.
- (e) That Council note the actions taken by the General Manager in the appointment of the Executive Officer – Civic Hub and an additional Support Officer.
- (f) That Council endorse the program and timeframes (as outlined in this report) for the International Architectural Design Competition.
- (g) That Council allocate a budget of \$710,000 to the International Architectural Design Competition, funded from the Civic Centre Reserve with the balance of \$61,000 being transferred from the Fit for the Future Reserve to the Civic Centre Reserve.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Salvestro-Martin, Stott and Yedelian OAM

Against the Motion: Councillors Laxale, Li, Pendleton and Simon

Note: A Notice of Rescission signed by Councillors Laxale, Pendleton and Simon was received in relation to this Item at 9.04am on 24 June 2015 and will be considered by Council at its meeting to be held on 14 July 2015.

ITEM 1 (continued)

ATTACHMENT 1

PRECIS OF CORRESPONDENCE

1 RYDE CIVIC PRECINCT PLANNING PROPOSAL - ALTERATION OF GATEWAY DETERMINATION

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

- (a) That the correspondence be received and noted.
- (b) That the matter of the deferral of the Ryde Civic Precinct from Ryde LEP 2014 be addressed at such time as the preferred design and use of the precinct is determined by Council as part of the International Design Competition process.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Salvestro-Martin, Stott and Yedelian OAM

Against the Motion: Councillors Laxale, Li, Pendleton and Simon

5 FIT FOR THE FUTURE - ADVOCACY PROGRAM

Note: A Supplementary Report was tabled and considered in conjunction with this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That Council endorse the proposed Fit For The Future Advocacy Program as outlined in this report.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Li, Maggio, Pendleton, Salvestro-Martin, Stott and Yedelian OAM

Against the Motion: Councillors Laxale and Simon

6 741-747 VICTORIA ROAD - COMMUNITY CONSULTATION OUTCOMES AND NEXT STEPS

Note: Councillor Stott left the meeting at 9.51pm and was not present for consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Chung and Maggio)

- (a) That Council notes the outcomes of the community consultation process undertaken in respect of the proposal to provide a mixed use development on the site.

ITEM 1 (continued)

ATTACHMENT 1

- (b) That Council provides a detailed report to the Office of Local Government on the proposal and receives any comments from the Office on that report.

Record of Voting:

For the Motion: Unanimous

7 RYDE DEVELOPMENT CONTROL PLAN PART 4.5 - MACQUARIE PARK CORRIDOR

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

8 EASTWOOD PLAZA - SMOKE FREE ZONE

Note: Councillor Stott was not present during consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Li and Etmekdjian)

- (a) That Council endorse the implementation of Eastwood Plaza as a 'Smoke Free Zone' on a six month trial basis, to commence 1 July 2015 (or as soon as practicable).
- (b) That Council implement a community awareness program (focused on Eastwood) to support this trial.
- (c) That following the six month trial, Council receives a subsequent report detailing the results of the trial.
- (d) That Council complete construction of the Safety warning signs at Eastwood Reserve.

Record of Voting:

For the Motion: Unanimous

9 REIMBURSEMENT OF SECTION 94 CONTRIBUTIONS TO GENERAL REVENUE

Note: Councillor Stott was not present during consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Pendleton and Laxale)

That Council endorse the transfer of \$6.332 million from the Section 94 contributions reserve as detailed in the report, being transferred to the Asset Replacement Reserve.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

Note: Councillor Stott returned to the meeting at 9.58pm.

10 FOUR YEAR DELIVERY PLAN 2015-2019 INCLUDING ONE YEAR OPERATIONAL PLAN 2015/2016

RESOLUTION: (Moved by Councillors Etmekdjian and Yedelian OAM)

- (a) That Council note the public submissions received during the public exhibition period and the responses to the submissions, as detailed in the report.
- (b) That in accordance with Sections 404 and 405 of the Local Government Act (1993), the Draft Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016 be adopted as the Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016, incorporating the SRV pages shown in blue, discarding the duplicated pages without the SRV, the amendments described in this report, and all changes consequential thereunto.
- (c) That, in accordance with Sections 534, 535 and 538 of the Local Government Act, 1993, Council makes the following rates and charges for every parcel of rateable land within the City of Ryde for the year commencing 1 July 2015 as detailed in the Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016.
 - (i) A Residential Ordinary Rate of zero point one two one nine four eight (0.121948) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as residential in accordance with Section 516 of the Local Government Act, 1993 subject to a minimum amount of four hundred and ninety five dollars and eighty one cents (\$495.81).
 - (ii) A Business Ordinary Rate of zero point seven five two eight six one (0.752861) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as business in accordance with Section 518 of the Local Government Act, 1993, (excepting land sub-categorised as Business - Major Retail Centre - Macquarie Park or sub-categorised as Business - Major Retail Centre - Top Ryde, subject to a minimum amount of four hundred and ninety five dollars and eighty one cents (\$495.81).

ITEM 1 (continued)

ATTACHMENT 1

- (iii) A Business - Major Retail Centre - Macquarie Park Ordinary Rate of one point two zero five seven nine four (1.205794) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre - Macquarie Park in accordance with Section 529(2)(d).
 - (iv) A Business - Major Retail Centre - Top Ryde Ordinary Rate of One point zero seven nine zero two one four (1.0790214) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business - Major Retail Centre – Top Ryde in accordance with Section 529(2)(d).
 - (v) An Environmental Management Rate of zero point zero two one zero six six four (0.0210664) cents in the dollar be levied on the value of all rateable land within the City of Ryde subject to a base amount of fifty eight dollars and fifteen cents (\$58.15), which will levy thirty six point seven percent (36.7%) of the total amount raised within this rate.
 - (vi) An Infrastructure Renewal and Maintenance Special Rate of Zero point zero zero five seven eight five two three (0.00578523) cents in the dollar be levied on the value of all rateable land within the City of Ryde subject to a base amount of twenty seven dollars and fifty three cents (\$27.53), which will levy Fifty percent (50%) of the total amount raised within this rate.
 - (vii) A Macquarie Park Corridor Special Rate of zero point one six one nine nine six (0.161996) cents in the dollar be levied on the land value of all rateable land categorised as business in accordance with Sections 518 or 529(2) (d) and included in the Macquarie Park Corridor, as identified by the map contained in the Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016.
 - (viii) That aggregation of parcels of land, subject to a minimum or base amount, be permitted in accordance with Section 548A of the Local Government Act 1993.
- (d) That, in accordance with Section 496 (1) of the Local Government Act 1993, Council makes the charge for the Domestic Waste Management Service for each rateable residential property to be set at:
- Seven hundred and ten dollars (\$710.00) per service per annum for a premium service (240 litre bin)
 - Four hundred and eleven dollars (\$411.00) per service per annum for a standard service (140 litre bin)
 - Three hundred and forty nine dollars (\$349.00) per service per annum for an Eco-service (80 litre bin) and

ITEM 1 (continued)

ATTACHMENT 1

- the following additional services be provided, on request, to each rateable residential property, for the following annual charges:

(i) Additional 80 litre Garbage Bin	\$250.00
(ii) Additional 140 litre Garbage bin	\$312.00
(iii) Additional 240 litre Garbage bin	\$611.00
(iv) Additional Recycle bin	\$ 49.50
(v) Additional Green bin	\$ 49.50
- (e) That, in accordance with Section 496 (2) of the Local Government Act 1993, Council makes the charge for the Domestic Waste Management Service, on request, to Non-rateable residential properties to be set at:
 - Seven hundred and ten dollars (\$710.00) per service per annum for a premium service (240 litre bin)
 - Four hundred and eleven dollars (\$411.00) per service per annum for a standard service (140 litre bin)
 - Three hundred and forty nine dollars (\$349.00) per service per annum for an Eco-service (80 litre bin) and
 - the following additional services be provided, on request, to each rateable residential property, for the following annual charges:

(i) Additional 80 litre Garbage Bin	\$250.00
(ii) Additional 140 litre Garbage bin	\$312.00
(iii) Additional 240 litre Garbage bin	\$611.00
(iv) Additional Recycle bin	\$ 49.50
(v) Additional Green bin	\$ 49.50
- (f) That, in accordance with Section 501 (1) of the Local Government Act 1993, Council makes the standard charge for the Other Waste Management service provided, on request, to non-rateable non-residential properties be set at four hundred and fifty two dollars (\$452.00) per service per annum, inclusive of GST and the following additional services be provided, on request, to each non-rateable non-residential property, for the following annual charges:

(i) Additional 140 litre Garbage bin	\$343.20
(ii) Additional 240 litre Garbage bin	\$672.10

ITEM 1 (continued)

ATTACHMENT 1

- | | | |
|-------|------------------------|----------|
| (iii) | Additional Recycle bin | \$ 54.45 |
| (iv) | Additional Green bin | \$ 54.45 |
- (g) That in accordance with Section 496A of the Local Government Act 1993, Council makes the Stormwater Management Service Charge be levied at the following rates:
- | | | |
|-------|--------------------------------------|--|
| (i) | Strata titled residential home units | \$12.50 per unit |
| (ii) | Other residential property | \$25.00 per rateable property |
| (iii) | Business rateable properties | \$25.00 per 350 sq metres of land area |
| (iv) | Business rateable Strata Properties | \$12.50 per unit |
- (h) That, in accordance with Section 611 of the Local Government Act 1993, the following annual charges be made:
- (i) the use of Council land for the vehicle overbridge situated in Herring Road be charged in accordance with the legal agreement between the City of Ryde and the owners of Macquarie Shopping Centre (anticipated income is \$80,835 including GST for 2015/2016).
 - (ii) the use of Council land for the Shell Oil company pipeline in the City of Ryde be charged in accordance with the pricing formula agreed with the Company, (anticipated income is \$63,655 including GST for 2015/2016).
 - (iii) the use of Council land for AGL Gas Mains in the City of Ryde be charged at a rate based on an annual review by KPMG of AGL's revenue (anticipated income is \$60,390 including GST for 2015/2016).
- (i) That Council sets the rate of interest payable in respect of rates and charges that remain unpaid after they become due and payable be set at eight point five percent (8.5%) per annum.
- (j) That the Schedule of Fees and Charges, annexed to the Draft Four Year Delivery Plan 2015-2019 including One Year Operational Plan 2015/2016 as amended in terms of this report, be made and fixed as Council's Fees and Charges for 2015/2016, and in addition a 50% pensioner discount for dinghy rack fees.

ITEM 1 (continued)

ATTACHMENT 1

- (k) That Council supports the notion that groups of religious worship should be considered as a community group (funded or unfunded), in respect to hiring of Council halls, and that a report be brought back to Council on this matter as part of Council's community groups subsidy review, due to Council in approximately 6 weeks.

Record of Voting:

For the Motion: Unanimous

11 LONG TERM FINANCIAL PLAN 2015/2025

RESOLUTION: (Moved by Councillors Yedelian OAM and Etmekdjian)

That Council adopt the Long Term Financial Plan 2015/2025 and incorporate it into Council's overall Resourcing Strategy Plan.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Salvestro-Martin, Simon, Stott and Yedelian OAM

Against the Motion: Councillor Pendleton

12 CARRYOVER AND REVOTE OF FUNDS FOR PROJECTS 2014/2015 to 2015/2016

RESOLUTION: (Moved by Councillors Stott and Yedelian OAM)

- (a) That Council endorse the revoting of expenditure for the proposed carryovers, totalling \$8.21 million and include them in the 2015/2016 Budget, detailed as follows:
- i. \$1.81 million for projects for which Council has a contractual obligation
 - ii. \$0.20 million for projects that Council has previously approved
 - iii. \$0.09 million for projects that are funded by a grant or contribution
 - iv. \$5.43 million for projects that funded from reserves
 - v. \$0.06 million for projects due to circumstances beyond Council's control
- (b) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Reserves of \$7.50 million be adopted.

ITEM 1 (continued)

ATTACHMENT 1

- (c) That Council create a new Internally Restricted Reserve, to be called, Community Grant Reserve, and to allocate the amount of \$28,500 from the unallocated Community Cultural Grants.

Record of Voting:

For the Motion: Unanimous

13 INVESTMENT REPORT - May 2015

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

That Council endorse the report of the Chief Financial Officer dated 5 June 2015 on Investment Report – May 2015.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Maggio, Salvestro-Martin, Simon, Stott and Yedelian OAM

Against the Motion: Councillor Pendleton

PRECIS OF CORRESPONDENCE

1 REQUEST FOR PRE-GATEWAY REVIEW - PLANNING PROPOSAL 366-372 LANE COVE ROAD, 124A AND 126 EPPING ROAD AND 1 PAUL STREET, NORTH RYDE

RESOLUTION: (Moved by Councillors Salvestro-Martin and Yedelian OAM)

That the correspondence be received and noted.

Record of Voting:

For the Motion: Unanimous

NOTICES OF MOTION

1 INSTALLATION OF NETBALL RINGS - Deputy Mayor, Councillor Roy Maggio

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

ITEM 1 (continued)

ATTACHMENT 1

2 SIGNAGE AT PLAYGROUNDS - Deputy Mayor, Councillor Roy Maggio

Note: Councillor Yedelian OAM left the meeting at 10.27pm and did not return. He was not present for consideration or voting of this Item.

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

- (a) That Council install signs with the words 'Children's Playground' at each playground located within the City of Ryde.
- (b) That each sign also include the Council logo and the 'no smoking' symbol to reflect the new laws regarding the prohibition of smoking within 10 metres of a playground.
- (c) That Council commence installation of signs at all high usage playgrounds with a staged implementation program over the next 4 years to ensure that eventually all Ryde playgrounds are fitted with these signs.
- (d) That Council amend the draft 2015/19 Delivery Plan to allocate \$75,000 for the cost of fabrication and installation of these signs at each of the City's 105 playgrounds.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Li, Maggio, Salvestro-Martin and Stott

Against the Motion: Councillor Laxale, Pendleton and Simon

3 MORRISON ROAD SAFETY INITIATIVE - Deputy Mayor, Councillor Roy Maggio

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

4 CITY OF RYDE ROAD SAFETY PLAN - SAFETY IN SCHOOL ZONES - Deputy Mayor, Councillor Roy Maggio

Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.

5 EASTWOOD CAR PARK UPDATE - Councillor Jerome Laxale

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

Note: A copy of the Minutes from the Rowe Street East Car Park Project Consultative Committee Meeting, held on 18 May 2015 was tabled in relation to this Item and a copy is ON FILE.

ITEM 1 (continued)

ATTACHMENT 1

MOTION: (Moved by Councillors Laxale and Simon)

- (a) That Council expresses significant concern regarding the delivery of the proposed Rowe Street Car Park Project promised by the Member for Ryde the Hon Victor Dominello MP, particularly that;
- The Member for Ryde has promised and guaranteed delivery of the carpark, without any prior feasibility study or related development approval;
 - Privately owned land and Council's land will need to be compulsorily acquired to deliver the project;
 - There has yet to be formal and official agreement from Transport for NSW to membership of Council's project consultative committee for the project; and
 - The source and amount of funding to deliver the full project has not been confirmed nor identified in writing by the Local Member.
- (b) That the General Manager write to the Local Member and relevant Ministers seeking further details regarding funding, proposed delivery dates and extent of the project, as well as confirmation of involvement from all relevant Government departments responsible for its delivery.

AMENDMENT: (Moved by Councillors Etmekdjian and Stott)

That the General Manager provide an update through the Councillor Information Bulletin on where this matter is up to and what the next steps are, including the date of the next Consultative Committee Meeting.

On being put to the Meeting, the voting on the Amendment was seven (7) For and three (3) Against. The Amendment was **CARRIED** and then became the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Li, Salvestro-Martin and Stott

Against the Amendment: Councillors Laxale, Pendleton and Simon

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

That the General Manager provide an update through the Councillor Information Bulletin on where this matter is up to and what the next steps are, including the date of the next Consultative Committee Meeting.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Maggio, Li, Salvestro-Martin and Stott

Against the Motion: Councillors Laxale, Pendleton and Simon

CLOSED SESSION

ITEM 14 – REQUEST FOR TENDER - COR-RFT-03/15 - PITTWATER ROAD UPGRADE BETWEEN FIELD OF MARS ROUNDABOUT AND RENE STREET, GLADESVILLE

Confidential

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

ITEM 15 - ADVICE ON COURT ACTIONS

Confidential

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

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Etmekdjian and Stott)

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

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Salvestro-Martin, Simon and Stott

Against the Motion: Councillor Maggio

ITEM 1 (continued)

ATTACHMENT 1

Note: The Council closed the meeting at 10.46pm. The public and media left the chamber.

14 REQUEST FOR TENDER - COR-RFT-03/15 - PITTWATER ROAD UPGRADE BETWEEN FIELD OF MARS ROUNDABOUT AND RENE STREET, GLADESVILLE

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

RECOMMENDATION: (Moved by Councillors Stott and Etmekdjian)

- (a) That Council accept the tender from Hargraves Urban Pty Ltd for the Pittwater Road Upgrade between Field of Mars Roundabout and Rene Street, Gladesville in the amount of \$609,384 as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Hargraves Urban Pty Ltd on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

Record of Voting:

For the Motion: Unanimous

15 ADVICE ON COURT ACTIONS

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

RECOMMENDATION: (Moved by Councillors Stott and Etmekdjian)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: The Mayor, Councillor Pickering and Councillors Chung, Etmekdjian, Laxale, Li, Pendleton, Salvestro-Martin, Simon and Stott

Against the Motion: Councillor Maggio

ITEM 1 (continued)

ATTACHMENT 1

OPEN SESSION

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Stott and Etmekdjian)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 10.54pm.

Note: Councillor Yedelian OAM was not present for consideration or voting of this Item.

RESOLUTION: (Moved by Councillors Stott 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

NATIONAL ANTHEM

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

The meeting closed at 10.55pm.

CONFIRMED THIS 14TH DAY OF JULY 2015

Chairperson

2 PLANNING PROPOSAL 2 COLLEGE STREET AND 10 MONASH ROAD - Outcomes of Consultation

Report prepared by: Strategic Planner

File No.: LEP2013/11/003 - BP15/684

REPORT SUMMARY

In 2013, Council received a planning proposal for 10 Monash Road and 2 College Street, Gladesville submitted by Don Fox Planning on behalf of the land owners (Quektrum Pty Ltd). The property 2 College Street adjoins 10 Monash Road which is located at the intersection of Monash Road/College Street/Eltham Street.

Proposed amendments to Ryde Local Environmental Plan 2014 include:

- rezoning of 2 College Street from R2 Low Density Residential to B4 Mixed Use
- permitting maximum building heights of 12m and 13m at 2 College Street (currently 9.5m under the R2 zoning), and 15m at 10 Monash Road (currently 13m maximum)
- amending applicable floor space ratios to permit an increase in the maximum FSR for 2 College Street to 1.7:1 (currently 0.5:1 under the R2 zoning) and a reduction for 10 Monash Road to 1.7:1 (currently 1.8:1) – the same FSR thereby applying over both sites
- including 2 College Street in the Gladesville Town Centre indicated on the LEP Centres Map.

The planning proposal was accompanied by a request to amend Ryde Development Control Plan 2010 Part 4.6, as it applies to the Gladesville and Victoria Road Corridor. Amendments proposed inclusion of the 2 College Street within the Monash Road key site area (10 Monash Road already included in that area) to provide detailed guidance on development across both sites and to support the proposed changes to Ryde LEP 2014.

In September 2013, Council resolved to support the planning proposal to be submitted for a Gateway Determination to enable community consultation, and that a draft DCP be prepared including site specific controls for exhibition with the planning proposal.

The September 2013 Council report noted that a traffic study was to assess the impact of the Bunnings planning proposal 461- 495 Victoria Road, Gladesville (Bunnings traffic study) for the area around College Street. Council resolved to defer consideration and determination of the 2 College Street / 10 Monash Road planning proposal until the Bunnings traffic study was completed.

ITEM 2 (continued)

A Gateway Determination was issued for 2 College Street / 10 Monash Road on 15 January 2014 requiring that the Bunnings traffic study undertaken by Council and Bunnings Group Limited be exhibited with the planning proposal.

Upon completion of the *Bunnings Gladesville Traffic and Parking Study* community consultation was carried out on the planning proposal and associated Draft Amending Development Control Plan (Draft DCP) for 2 College Street and 10 Monash Road, Gladesville for a period of 28 days (22 April to 20 May 2015). A total of seven (7) submission were received, four (4) from public authorities and three (3) from community members.

Public authorities raised no objection to the planning proposal and Draft DCP. The Roads and Maritime Services (RMS) reiterated its comments in response to the recommendations of the Bunnings Gladesville Traffic and Parking Study. Of particular relevance to this planning proposal is that the RMS does not currently support signalisation of the intersection of Monash Road/College Street/Eltham Street.

Three submissions were received from community members (all residents of College Street) citing concerns and objections relating to traffic, pedestrian safety, separation of business and residential uses, height, overshadowing, and amenity.

In response to submissions, no further changes are considered warranted on planning grounds to the planning proposal and proposed Draft Ryde DCP 2014.

It is recommended that Council support the planning proposal as exhibited and adopt the relevant changes to the Ryde LEP 2014 (to be Amendment No.4) and the changes to Ryde DCP 2014 Part 4.6 Gladesville Town Centre and Victoria Road Corridor as per the exhibited version of the Draft Amending DCP.

RECOMMENDATION:

- (a) That Council adopt and exercise the delegation issued by the Minister for Planning and Infrastructure to make the amendments described in the attached report to Ryde Local Environmental Plan 2014 as they apply to 2 College Street (LOT 35A DP 401201) and 10 Monash Road (LOT 35B DP 401201) Gladesville.
- (b) That Council adopt the Draft Amending Development Control Plan (DCP) - 2 College Street and 10 Monash Road in the form which was publicly exhibited to come into effect upon the notification of the associated amendments to Ryde Local Environmental Plan 2014 identified under the attached report.
- (c) That Council give public notice in a local newspaper of its decision with respect to the Draft Amending Development Control Plan (DCP) - 2 College Street and 10 Monash Road within 28 days of the decision, and provide the Director-General with a copy of the plan in accordance with the Environmental Planning and Assessment Regulation 2000.

ITEM 2 (continued)

- (d) That Council notify all community members who made a submission regarding the planning proposal of its decision.

ATTACHMENTS

- 1** Description of Amendment to Ryde LEP 2014 Maps re 2 College Street / 10 Monash Road, Gladesville Planning Proposal
- 2** Draft Amending DCP for 2 College Street and 10 Monash Road Planning Proposal for presentation to Council
- 3** Map of Notification Area for Community Consultation on 2 College Street and 10 Monash Road Planning Proposal and Draft Amending DCP
- 4** Submission from RMS regarding Planning Proposal 2 College Street and 10 Monash Road, Gladesville
- 5** Summary of Community Submissions and Responses for presentation to Council

Report Prepared By:

Melissa Burne
Strategic Planner

Report Approved By:

Lexie Macdonald
Team Leader - Strategic Planning

John Brown
Acting Manager - Urban Planning

Dominic Johnson
Group Manager - Environment and Planning

ITEM 2 (continued)

Introduction

This report provides Council with the outcomes of community consultation on proposed changes to planning controls affecting two adjoining properties (the subject site) at 2 College Street (LOT 35A DP 401201) and 10 Monash Road (LOT 35B DP 401201) Gladesville.

Site and Context

The subject site is located on the north-west corner of the Monash Road/College Street/Eltham Street intersection, one street block east of Victoria Road. The properties have a combined area of 1,359m², with dual street frontages to College Street and Monash Road. The College Street frontage is approximately 65m and Monash Road frontage is approximately 20 metres; the current access into the site is off College Street. The site is burdened by a 1m wide easement for drainage along the north western boundary adjoining 2A College Street.

As identified in Ryde DCP 2014 Part 4.6, 10 Monash Road is contained within, and 2 College Street is adjacent to, the Monash Road precinct. This precinct is identified for renewal including additional retail, commercial and residential development. The vision for the precinct is to allow urban renewal, whilst maintaining its local scale service role and providing a built form that relates to the scale and character of existing buildings.

It should be noted that the subject site is located in the same street block as the Bunnings site at 461-495 Victoria Road, Gladesville recently the subject of extensive consultation on the Bunnings planning proposal that was reported to Council 28 April 2015 (ITEM 4 PLANNING PROPOSAL 461-495 VICTORIA ROAD (BUNNINGS)). The map below shows the subject site (outlined in red) and the location of the Bunnings Group Ltd planning proposal site at 461-495 Victoria Road (identified in red hatching).

ITEM 2 (continued)



Planning Proposal - Description

Planning Proposals are managed under the gateway plan-making process which has five main steps:

1. Planning proposal
2. Gateway
3. Community Consultation
4. Assessment
5. Decision (final plan-making by the Minister)

With respect to the subject planning proposal, Council is currently in the Community Consultation stage, which is complete only when Council (as the relevant planning authority) has considered submissions received from community consultation.

The subject planning proposal seeks to amend the relevant planning controls in Ryde LEP 2014 to:

- Rezone 2 College St from R2 Low Density Residential to B4 Mixed Use (Note: 10 Monash Road is zoned B4 Mixed Use)
- Permit a maximum building height of 12m and 13m at 2 College Street (current maximum is 9.5m)
- Permit a maximum FSR of 1.7:1 at 2 College Street (current maximum is 0.5:1) and 10 Monash Road (current maximum is 1.8:1), and
- Permit a maximum building height of 15m at 10 Monash Road (current maximum is 13m).

ITEM 2 (continued)

The changes requested under the planning proposal specifically affect the Ryde LEP 2014 maps which identify the land use zones, maximum building height and maximum floor space ratio. Related changes also affect the maps identifying minimum lot sizes and the boundary of the area known as the Gladesville Town Centre. The mapping amendments are identified in full in the table **ATTACHED** to this report (refer Attachment 1).

The objective of the planning proposal is to facilitate the redevelopment of a future mixed use development of the two adjoining lots by providing appropriate planning controls across both lots.

A request to amend Ryde Development Control Plan 2010 Part 4.6, applicable to the Gladesville and Victoria Road Corridor, accompanied the planning proposal.

Background

On 24 September 2013 Council considered a report on the assessment of the planning proposal (Item 6 - PLANNING PROPOSAL - 10 Monash Road and 2 College Street, Gladesville) and resolved:

- (a) *That Council note the Planning Proposal for 10 Monash Road and 2 College Street Gladesville*
- (b) *That Council forwards the planning proposal for 10 Monash Road and 2 College Street Gladesville to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.*
- (c) *That, in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the planning proposal be placed on public exhibition and a further report be presented to Council following the completion of the community consultation advising of the outcomes and next steps.*
- (d) *That Council's consideration of the planning proposal, following exhibition, is deferred until the traffic study for the area is completed.*
- (e) *That a site specific addition to the Ryde Development Control Plan 2010 be prepared for 10 Monash Road and 2 College Street Gladesville and that it is publicly exhibited together with the planning proposal.*

ITEM 2 (continued)

Gateway Determination

On 15 January 2014 a Gateway Determination was issued determining that the planning proposal was of low impact, a public hearing was not required and community consultation was to be carried out subject to conditions including that:

- The planning proposal is to be made publicly available for a minimum of 14 days
- *“A Parking and Traffic Model Study and Impact Assessment, undertaken by Council and Bunnings Group Ltd, should be publicly exhibited with the planning proposal.”*
- Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - (a) Transport for NSW – Roads and Maritime Authority
 - (b) Sydney Water
 - (c) Office of Environment and Heritage (Heritage Office).

The Gateway Determination required completion of the plan-making process within 12 months from the week following the Gateway Determination (i.e. by 15 January 2015). The timeframe for completion of the planning proposal has since been extended to 8 October 2015.

Changes to Strategic Planning Context

On 12 September 2014, Ryde LEP 2014 was notified and Ryde DCP 2014 came into effect as the principle planning instrument and controls affecting the subject site. The planning proposal documentation and the draft DCP were subsequently prepared, and exhibited, identifying the proposed changes to Ryde LEP 2014 and Ryde DCP 2014.

In December 2014, a new Sydney metropolitan strategy: “*A Plan for Growing Sydney*” was released, affecting the Ryde Local Government Area as part of Metropolitan Sydney. The planning proposal documentation was also revised to respond to this strategy prior to exhibition.

Bunnings Gladesville Traffic and Parking Study

The Bunnings Gladesville Traffic and Parking Study prepared in response to community concerns related to the Bunnings Gladesville planning proposal was exhibited for the period 17 December 2014 to 30 January 2015.

In early January 2015 the proponent and owners of 2 College Street and 10 Monash Road met with Council officers requesting this planning proposal be placed on exhibition concurrent with the draft Bunnings Gladesville Traffic and Parking Study as a means of achieving the requirements of Condition 2 of the Gateway Determination and to avoid further delay in the plan-making process for this proposal.

ITEM 2 (continued)

However, it was considered that the exhibition of the subject planning proposal should be kept separate from that of the Bunnings planning proposal and traffic study given the level of community interest in the draft Bunnings Gladesville Traffic and Parking Study and the potential to confuse the matters for consideration. It was preferable for the community that exhibition of the 2 College St/10 Monash Road planning proposal be staged once the Bunnings Planning Proposal and Bunnings Gladesville Traffic and Parking Study had been determined by Council.

The planning proposal, draft DCP and supporting documentation for the subject planning proposal was updated in consultation with the proponent to reflect the current planning controls and strategic planning context, and to reflect the Bunnings Gladesville Traffic and Parking Study. Public exhibition of the 2 College St and 10 Monash Road commenced 22 April 2015 with the draft Bunnings Gladesville Traffic and Parking Study included as supporting documentation to satisfy the Gateway Determination.

Council is to note that the Bunnings Planning Proposal was determined on 28 April, 2015.

Draft Amending DCP

In response to Council's resolution (e) of 24 September 2013 a draft amending Development Control Plan was prepared in consultation with the proponent.

The draft DCP, as exhibited, proposes amendments to Part 4.6 Gladesville Town Centre and Victoria Road Corridor to apply general controls plus key site controls as development guidelines for the redevelopment of the subject site and to support the proposed changes to Ryde LEP 2014 affecting the subject land. The amendments include:

- Addition of 2 College Street within the land to which DCP 2014 Part 4.6 applies as part of the Monash Road key site (10 Monash Road is already in that Monash Road key site area)
- Setback and other built form controls designed to minimise the impact of any future development on neighbours and to create high quality built form.

A copy of the Draft DCP, as exhibited, is **ATTACHED** to this report (refer Attachment 2).

Community Consultation

Community consultation on the planning proposal and Draft Amending DCP was carried out from 22 April to 20 May 2015 inclusive in accordance with Council's resolution of 24 September 2013, the Gateway Determination and requirements of the Environmental Planning and Assessment Act 1979 as follows:

- Public exhibition for a total of 28 days (a minimum 14 days was required for the planning proposal, and a minimum of 28 days was required for the draft amending DCP)

ITEM 2 (continued)

- A copy of the exhibition notice, Planning Proposal, draft DCP and all supporting material was available for public viewing at Gladesville and Ryde Libraries, Customer Service Centre, and Ryde Planning and Business Centre. The documents were also made available on Council's website.
- Notification was sent to all land owners and occupiers within the area bounded by Victoria Road, Frank Street, College Street, Orient Street, Monash Road to Buffalo Road/Oates Avenue, Ryde Road and Westminster Road. The area notified is identified on the map **ATTACHED** to this report (refer Attachment 3).

An invitation to meet with Council's Strategic Planner, by appointment, to discuss the material on public exhibition was included in the exhibition notification and mail out.

No appointments were made with, nor any phone calls received by Council's Strategic Planner to discuss the material on exhibition.

Consultation with relevant external bodies

The public authorities required to be consulted were provided with the full set of material on public exhibition in accordance with the Gateway Determination, as well as the proposed changes to Ryde DCP 2014.

Outcomes of Community Consultation

In response to the community consultation, a total of seven (7) submissions have been received:

- Four (4) from public authorities
- Three (3) from community members (all residents of College Street)

The content and response to the submissions are discussed separately below.

Public Authority Submissions

Submissions were received from all public authorities consulted, as follows:

- Roads and Maritime Services (RMS)
- Sydney Water
- Office of Environment and Heritage (two submissions).

Key comments are summarised and discussed below:

1. Transport for NSW – Roads and Maritime Services (RMS):

The RMS is the authority responsible for Victoria Road located within 90 metres of the subject land and for issuing approvals for traffic signals. The RMS is also familiar with the area and issues having been represented on the steering group for the Bunnings Gladesville Traffic and Parking Study.

ITEM 2 (continued)

RMS provided the following comments:

“Roads and Maritime has reviewed the planning proposal and raises no objection.

However, it is noted that the preferred Road Network” for this precinct as outlined in the Gladesville Traffic and Parking Study has been considered as part of the traffic study undertaken for the subject planning proposal. Roads and Maritime reiterates the advice provided to City of Ryde in a letter dated 19 February 2015 in regard to the Gladesville Traffic and Parking Study” [copy of letter attached to the submission].”

The RMS advice of 19 February 2015 referred to in the above quote included comments in response to the recommended traffic mitigation measures identified under the preferred traffic network contained in the Bunnings Gladesville Traffic and Parking Study. The RMS stated its position on measures including intersection treatments, etc. Of relevance to the subject planning proposal is the RMS advice regarding the College Street/Monash Road/Eltham Street intersection. In its submission dated 19 February 2015, RMS advised that it does not support the implementation of signals at this location, as follows:

“3. New Traffic Signals at the intersection of College Street/Eltham Street/Monash Road

The report investigates traffic signals at the above intersection which are intended to manage traffic flow from and into the two side streets following the anticipated increase in traffic, primarily on Monash Road. Roads and Maritime is concerned with the impact that signals in this location could have, especially because of the relatively short distance from the Victoria Road, Monash Road Intersection.

The signals would also seem to encourage rat-running through Orient Street and College Street by improving access onto Monash Road via College Street. Eltham Street is already operating as a one way street (albeit temporarily as a trial) and the effectiveness and necessity of these signals is questioned. Roads and Maritime encourage the early implementation of a roundabout at the intersection of Buffalo Road and Monash Road rather than the implementation of traffic signals at this intersection thereby encouraging drivers to use this route rather than Orient Street and College Street. This is particularly relevant given the poor sight lines available at Buffalo Road. Roads and Maritime therefore does not support to [sic] the implementation of signals at this location.”

A full copy of the advice received from RMS, including the 19 February 2015 letter, is **ATTACHED** (refer Attachment 4).

ITEM 2 (continued)

Comments:

The Bunnings Traffic and Parking Study included a recommendation for new traffic signals at the intersection of College Street/Eltham Street/Monash Road intended to manage additional anticipated traffic flow into College and Eltham Streets. As identified in the above advice provided by the RMS, the RMS does not support signalisation of the intersection due to proximity to the Victoria Road/Monash Road intersection, but suggests an alternative means of managing traffic flow through local streets via early implementation of a roundabout further along Monash Road at the Monash/Buffalo Road intersection. Council's position, as per its resolution of 28 April 2015, is to bring forward the delivery of a roundabout at Monash/Buffalo Road intersection. There was no resolution to support signalisation of the College Street/Eltham Street/Monash Road. Council's position as a result of its resolution of 28 April 2015 effectively supports the RMS position on the subject intersection.

2. Sydney Water:

Sydney Water provided specific comments regarding drinking water and waste water mains servicing the planning proposal site, and associated matters which are of relevance for consideration with respect to any future development application should the planning proposal proceed.

Comment:

Information provided by Sydney Water is noted of relevance for any future development application should the planning proposal proceed.

3. Office of Environment and Heritage - Heritage Office:

Two divisions of the Office of Environment and Heritage (OEH) have provided separate submissions – Regional Operations and the Heritage Office.

The following statement has been received from the Regional Operations (responsible for Aboriginal Heritage, and environment-related matters):

OEH has reviewed this Planning Proposal and has no comments. Advice may be provided by the Heritage Council of NSW (via the Heritage Division of OEH).

The following statement has been received from the Heritage Division of OEH (responsible for European Heritage):

The documentation submitted with the Planning Proposal indicates that there are no items of heritage significance within the subject site; however, there are a number of heritage items listed in the Ryde Local Environmental Plan 2014 in the vicinity of the site. It is noted that approval has been granted for a six storey apartment building including retention of the heritage building at 1-9 Monash Road adjacent to the subject site. The heritage items at 142 and 144 Ryde Road will not be adversely impacted by this proposal.

As delegate of the Heritage Council, I advise there are no heritage comments regarding the proposed changes to zoning, height limits or FSR contained in this planning proposal.

ITEM 2 (continued)

Comment:

The advice with respect to heritage is noted. Controls included in the Amending DCP as exhibited, such as setbacks at upper levels from both street frontages and stepping of heights have been designed with respect to the heritage item opposite the site.

In conclusion, public authorities have identified no objection to the planning proposal or Draft DCP as exhibited. The existing infrastructure is considered adequate to serve the needs of the planning proposal and no changes to the planning proposal or Draft DCP have been sought nor are considered warranted in response.

Community Submissions

Three (3) submissions have been received from community members, all of whom are residents/owners of residential properties in College Street. All three submissions relate to properties within 100m of the site.

Community submissions are summarised and discussed in the Table titled Summary of Submissions and Responses **ATTACHED** to this report (refer Attachment 5).

Key comments raised in the community submissions relate to:

- Traffic and pedestrian safety, proposed closure of College Street
- Separation of business and residential uses
- Height, overshadowing, and amenity.

Of particular relevance in the locality is the community's concern regarding traffic generated by development. Council's Traffic Team has reviewed the planning proposal and provided the following comments in regard to the concept provided with the proposal:

The application proposes a mixed use development comprising of 25 units and 167m² of commercial/retail space. The development by definition is of a high density. This is in line with the Roads and Maritime Service (RMS) 'Guide to Traffic Generating Developments'. As such the development is anticipated to provide the following impacts to the road networks:

Component	Capacity	Rate	Generation
Residential	25 Units	0.19	5
Commercial/retail	167 m2 GFA	2 per 100m2	4
		Total	9

From the table we have identified that the impacts of this development are minimal and will not adversely affect the local traffic network.

It should also be noted that the maximum development yield envisaged by this planning proposal was provided to Council's consultants and taken into consideration in the preparation of the Bunnings Gladesville Traffic and Parking Study.

ITEM 2 (continued)

Further, Council resolved 28 April 2015 in response to the Bunnings planning proposal requiring a trial full closure of College Street:

“to be implemented prior to Bunnings commencing construction (at no cost to Council by Bunnings). The trial shall be reviewed after 12 months of operation of the Bunnings store and the results reported back to Council at that time. The applicant shall cover the full cost of the traffic review, surveys and any supporting technical studies” (Resolution (c) i).

Included in the Draft DCP Monash Road Key Site Built Form Controls “Public Domain”, as exhibited, is the following control:

“A development application for new floor space that exceeds 500m² is to provide a detailed traffic and pedestrian access study that demonstrates safe and convenient access, including consideration of loading/unloading.”

Noting the potential minimal impact on the local traffic network, it is considered that the above DCP requirement, together with the implementation of Council’s resolution of 28 April 2015 on the Bunnings planning proposal, Draft DCP and Gladesville Traffic and Parking Study combine to mitigate any adverse traffic issues as a consequence of this planning proposal.

In response to the concerns raised in community submissions, it is considered that no changes are warranted to the amendments proposed to Council’s planning controls as exhibited.

Land Dedication for Future Changes to Adjacent Intersection

In a submission in response to the Bunnings Gladesville Traffic and Parking Study, the owner of 2 College Street /10 Monash Road site questioned whether any land acquisition would be required from this site for any signalisation of the intersection.

As identified earlier in this report, at this stage there is no support from the RMS for traffic signals at the College Street/Monash Road/Eltham Street intersection. Council’s Traffic Team has considered this planning proposal in the context of the potential for whether or not land should be reserved under the Ryde LEP 2014 in the event of any signalization being needed in future, in particular as based on the 2031 development scenario considered under Bunnings Traffic Study.

Council’s Traffic Development Engineer has provided the following comments on the review of the planning proposal Traffic Report:

Review:

The Report prepared by Varga Traffic Planning (Ref No: P2064.001T, Issue 1, dated 16 April 2015) was independently reviewed by Bitzios Consulting in relation to the traffic impacts and review of the SIDRA data provided by the applicant. See Annexure A attached.

ITEM 2 (continued)

The review concluded the following:

- 1. The VTP models for both intersections were generally consistent with site conditions except that the eastbound bus lane in Victoria Road allows traffic to pass straight through as well as the allowed left turn movement, which is not the case,*
- 2. The paired intersection analysis using SIDRA 6 only showed a marginal increase in delay to approximately 34 seconds for the College Street approach, compared to the VTP analysis; and*
- 3. The delay of 34 seconds to College Street traffic in the PM peak will worsen over time as the traffic grows on Monash Road. Consideration might be needed in future of a KEEP CLEAR zone across this intersection to minimize delays to side street traffic or circular congestion back to Victoria Road.*

This implies that the assessment provided was technically “satisfactory”.

However, of importance is the issue of land reservation to support possible future signalisation. In this regard the Bunnings Study considered the precinct wide traffic model, which provided an insight into the future traffic management needs of the precinct and in particular, determined that traffic signals were needed at this intersection in the future (2031 scenario) to address the following concerns:

- 1. Increased pedestrian movements and hence pedestrian crossing safety at the intersection with more commercial/retail development in the area.*
- 2. Increased traffic and the safety of turns out of College Street as fewer gaps will be available in the future. Signals will overcome the issue of poor gap selection.*
- 3. As a traffic management measure – by limiting green time to College Street will further reduce the attractiveness of the Orient Street/College Street corridor for “rat running”.*

Improved pedestrian accessibility could only be accommodated with traffic signals at this location, given the heavy vehicle movements that would preclude any secondary pedestrian facilities, such as Pedestrian refuges and/or similar being constructed. This can be noted in the Bunnings Gladesville Traffic and Parking Study, Section 9, page 54.

ITEM 2 (continued)

Based on the technical note provided by Bitzios Consulting, the traffic team does not see any concerns with the existing layout of the intersection of Monash Road and College Street. The current widths are some 3.7m footpaths on both sides of Monash Road with a 12.8m roadway allowing for four (4) lanes of 3.2m each. This provides a carriageway of 20.2m which adheres to the requirements of the DCP and signalized intersection dimensions.

In conclusion, Council's Traffic Team has advised that there is adequate room for a traffic signal without the need to acquire land from the subject site and as such no land dedication would be necessary. Signals are not required at this intersection at this time and are not supported by the RMS.

Assessment – Planning Appraisal

On 24 September 2013 it was reported that the subject planning proposal could be supported on planning grounds, and it was recommended that the proposed Building Height, FSR and Zone changes for the site be supported in principle because the proposed amendments:

- permit potential development where the height and FSR is consistent with adjoining properties in the B4 zone on Monash Road.
- avoid making 2 College Street an isolated R2 zoned property. No. 2 College Street is currently isolated from the surrounding low density area by B4 zoning to the south and east, a right of way to the west and College Street to the north.
- provide an appropriate transition between the built form of the retail strip on Monash Road and the adjacent low density residential development.
- provide an appropriate terminus to the Monash Road small centre.
- do not have a major impact on heritage properties in the vicinity.

The above planning merits still apply and have been reinforced in the preparation of the amendments to Ryde DCP 2014 since that report.

As can be seen from the location map provided earlier in this report, inclusion of the property at 2 College Street effectively completes a more regular shaped development area at the northern extent of the Monash Road precinct in the Gladesville Town Centre and Victoria Road Corridor. It should also be noted that both properties comprising the site are in the same ownership supporting potential for redevelopment to the yield proposed under the LEP and Development Control Plan.

It is considered the changes to Ryde LEP 2014 identified in the planning proposal as exhibited and to Ryde DCP 2014 as identified in the amending draft DCP as exhibited have sound planning merit to continue to be supported without further amendment.

ITEM 2 (continued)

In conclusion, based on planning merit assessment and consideration of submissions received through consultation, it is recommended that the planning proposal and Draft DCP as exhibited be adopted and made.

Financial Implications

Adoption of the recommendation will have no financial impact.

Options

At this stage of the plan-making process for the subject planning proposal, Council has three options:

- Support the planning proposal without variation to make the amendments to Ryde LEP 2014 as exhibited
- Support the planning proposal to make the amendments to Ryde LEP 2014 but with variation to the proposal as exhibited
- Not support the planning proposal thereby not making the requested changes to Ryde LEP 2014

Options are discussed below for Council's consideration:

Option 1: That Council supports the planning proposal and draft DCP as exhibited

The planning proposal and Draft DCP are supported on planning grounds and there are no reasons to vary either as a result of consideration of the submissions received.

This option is the preferred option, and forms the basis for the recommendations of this report.

Option 2: That Council decides to vary the planning proposal and/or DCP

Council may vary the planning proposal under section 58(1) of the Environmental Planning and Assessment Act 1979, as a consequence of its consideration of any submission or report during consultation, or for any other reason.

Following community consultation and consideration of submissions, there are no planning grounds on which to vary either the planning proposal or the draft DCP and therefore this option is not preferred.

Option 3: That Council decides not to proceed with the planning proposal and draft DCP

Council can decide not to proceed with the proposal.

ITEM 2 (continued)

In terms of planning considerations, it is reiterated that No. 2 College Street is currently isolated from the surrounding low density area by B4 zoning to the south and east, a right of way to the west and College Street to the north. Should Council decide not to proceed with the planning proposal and associated amendments to DCP 2014, 2 College Street may be isolated and not redeveloped. This option is therefore not recommended.

Critical Dates and Timeframe

Timeframes and critical dates apply to the LEP plan-making process, and the making of a Draft DCP.

As previously reported, Council has been authorised to use its delegations. As required of the plan-making process, and use of delegations, a planning proposal must include a project timeline, and the progress of the planning proposal be discussed with the Department's Regional Office at key stages.

Should Council resolve to adopt and make the amendments to Ryde LEP 2014, the following timeframes are anticipated:

- July - Council will forward a request to Parliamentary Counsel to draft the LEP and provide a Parliamentary Council Opinion that the Plan can be made.
- August - Council will forward all required documentation including the Parliamentary Counsel Opinion and the drafted LEP to the Department of Planning and Infrastructure with a request that the Plan be notified on the NSW Legislation website.

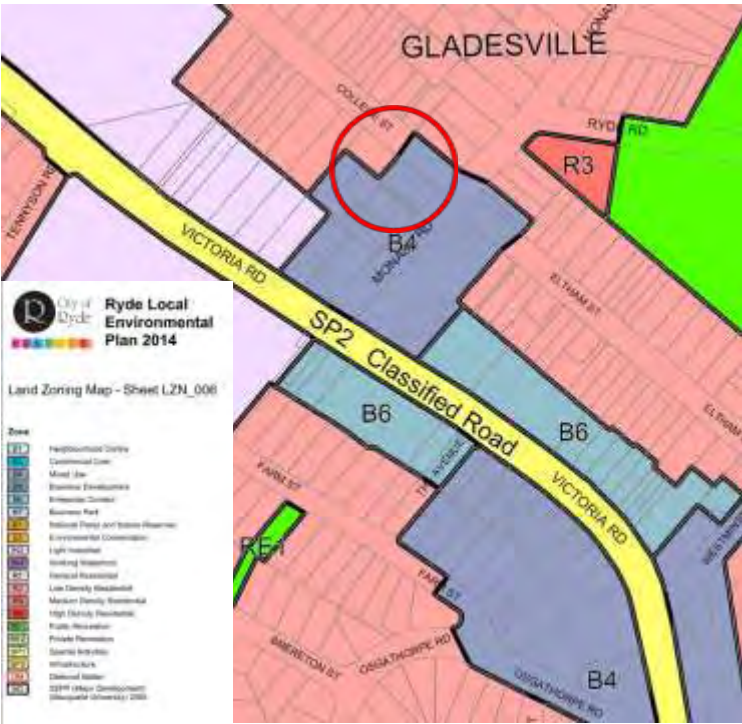
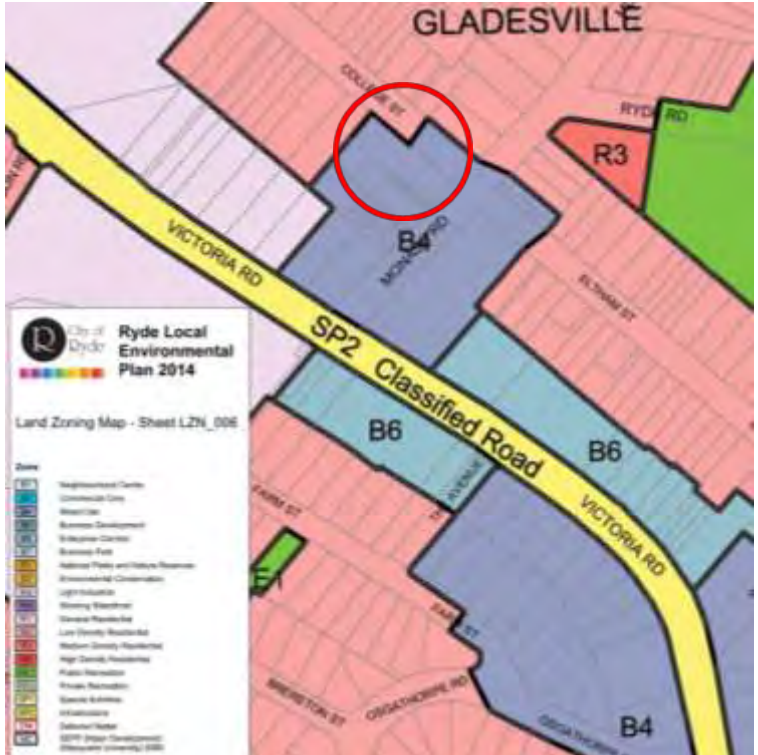
With respect to the DCP that notification of Council's decision is required to be circulated in a local newspaper within 28 days of that decision. Also, in the event of a DCP coming into effect, a copy of the DCP is required to be provided to the Director-General within 28 days of it being made.

The draft DCP is supporting amendments to Ryde LEP 2014 it is recommended that the amendments to Ryde DCP 2014 should be brought into effect upon notification of the amendments to Ryde LEP 2014.

ITEM 2 (continued)

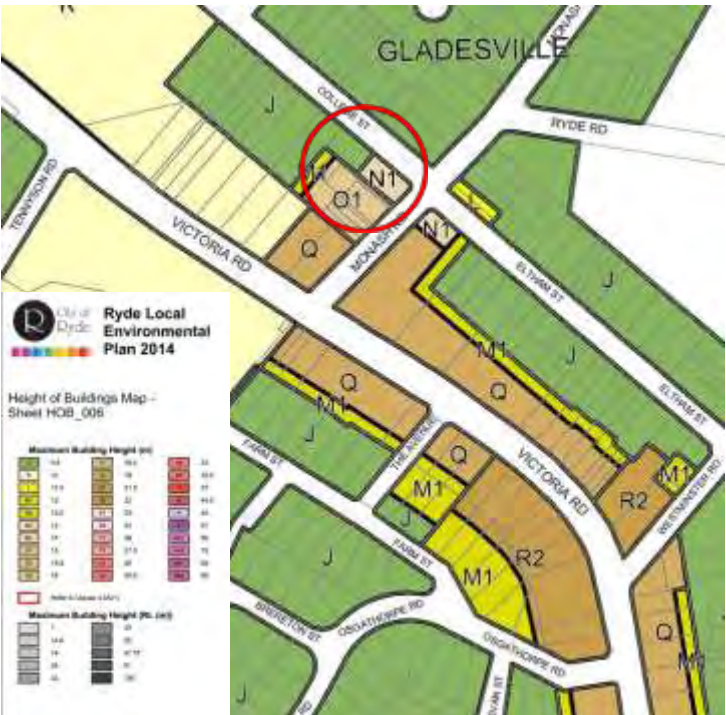
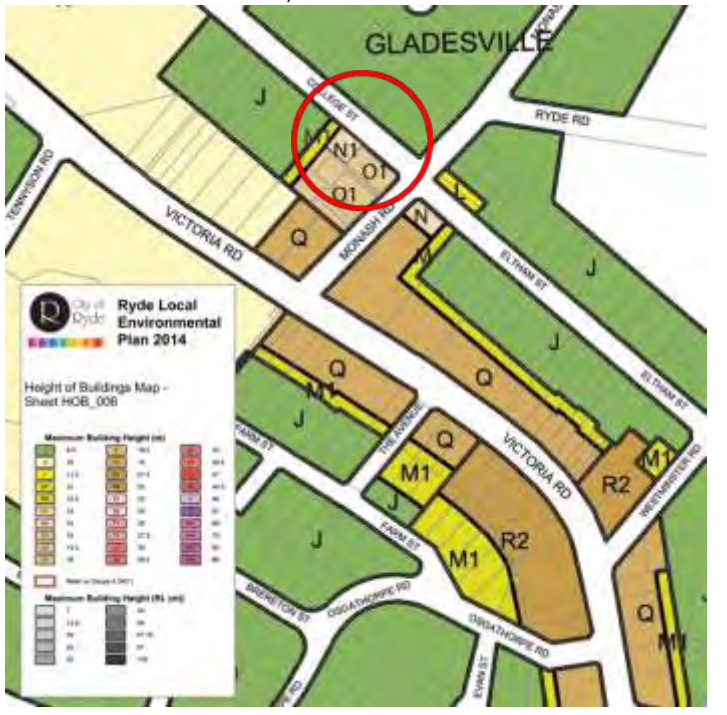
ATTACHMENT 1

Table identifying mapping amendments under Ryde LEP 2014 associated with 2 College Street/10 Monash Road Planning Proposal

Description of Amendment to Ryde LEP 2014 (Property and Proposed Change)	Existing Ryde LEP Map Extract	Proposed Ryde LEP Map Extract
<p>2 College Street: Amend Ryde LEP 2014 Map <i>Land Zoning Map – Sheet LZN_006</i> to rezone from R2 Low Density Residential to B4 Mixed Use (Note: 10 Monash Road is zoned B4 Mixed Use)</p>	<p>Existing Land Use as shown on extract of <i>Land Zoning Map – Sheet LZN_006</i></p> 	<p>Draft (extract) <i>Land Zoning Map – Sheet LZN_006</i></p> 

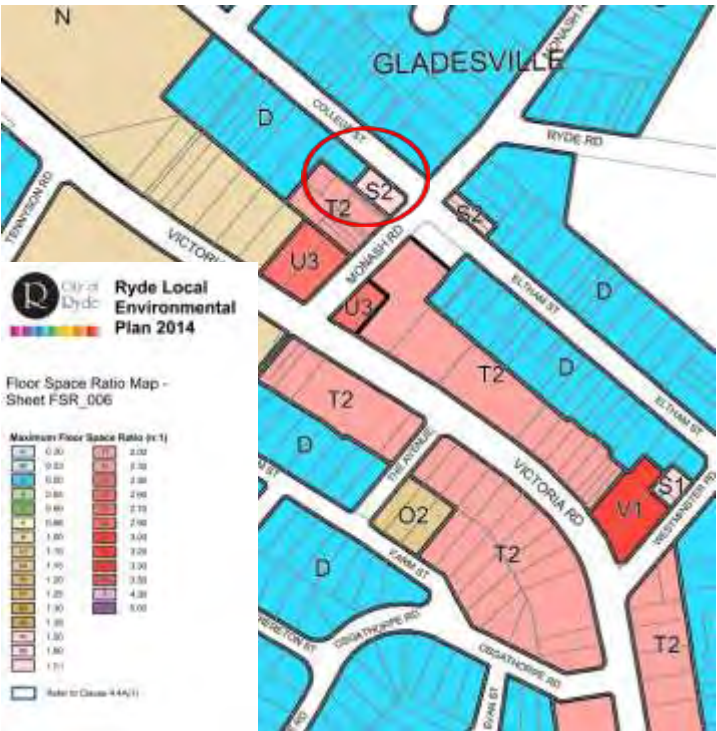
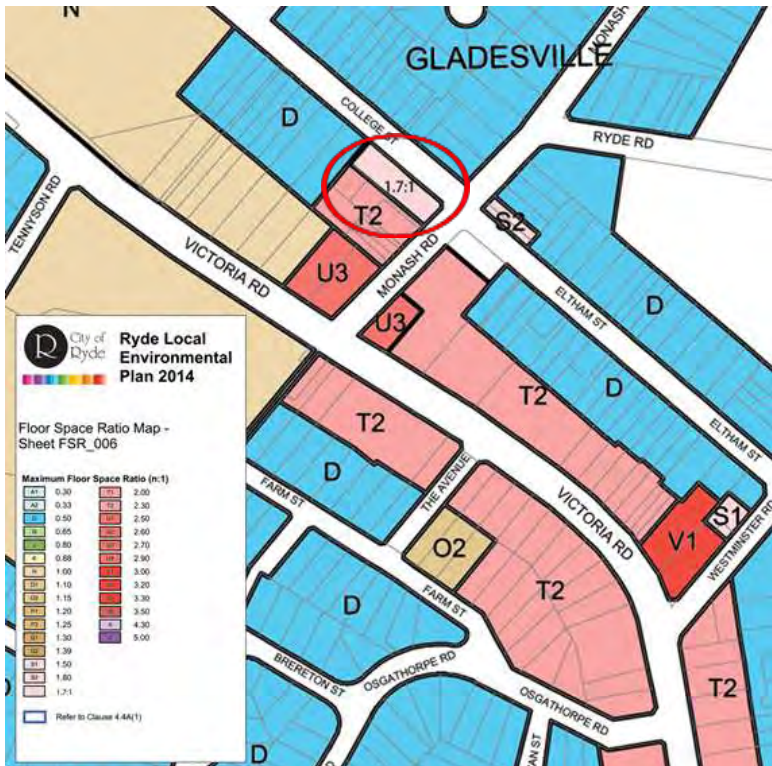
ITEM 2 (continued)

ATTACHMENT 1

Description of Amendment to Ryde LEP 2014 (Property and Proposed Change)	Existing Ryde LEP Map Extract	Proposed Ryde LEP Map Extract
<p>2 College St and 10 Monash Road: Amend Ryde LEP 2014 <i>Height of Buildings Map - Sheet HOB_06</i> to change the maximum building height as follows:</p> <ul style="list-style-type: none"> from a maximum of 9.5m to a maximum of 12m (M1) and 13m (N1) at 2 College Street from a maximum of 13m to a maximum of 15m (O1) at 10 Monash Road 	<p>Existing maximum building height as shown on extract of <i>Height of Buildings Map - Sheet HOB_06</i></p> 	<p>Draft (extract) <i>Height of Buildings Map - Sheet HOB_06</i></p> <p>Note: M1 = max.12m, N1 = max.13m and O1 = max.15m</p> 

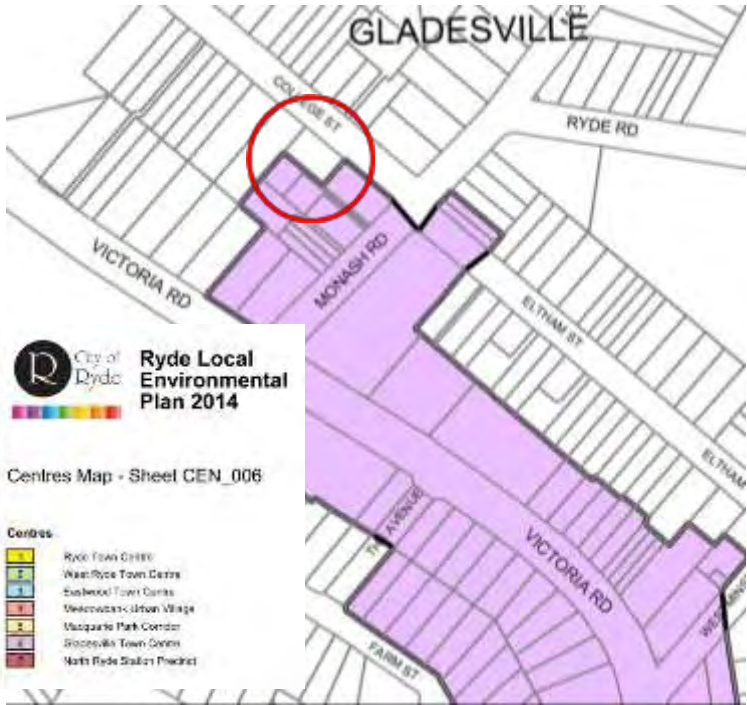
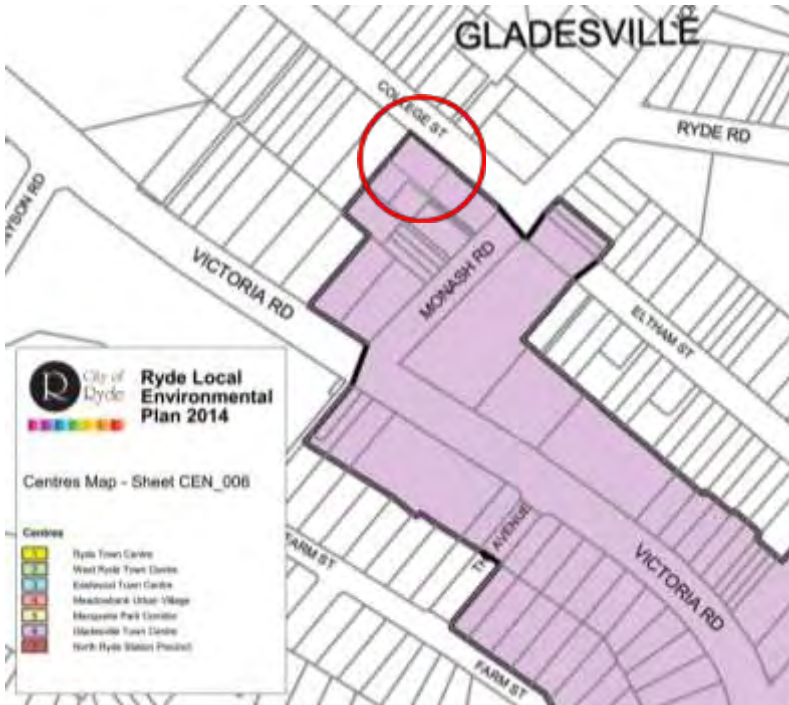
ITEM 2 (continued)

ATTACHMENT 1

Description of Amendment to Ryde LEP 2014 (Property and Proposed Change)	Existing Ryde LEP Map Extract	Proposed Ryde LEP Map Extract
<p>2 College St and 10 Monash Road: Amend Ryde LEP 2014 <i>Floor Space Ratio Map – Sheet FSR_006</i> to change the maximum floor space ratio (FSR) applicable to 2 College Street (currently 0.5:1) and 10 Monash Road (currently 1.8:1) to permit a maximum FSR of 1.7:1 across both 2 College Street and 10 Monash Road</p>	<p>Existing maximum floor space ratio as shown on extract of <i>Floor Space Ratio Map – Sheet FSR_006</i></p> 	<p>Draft (extract) <i>Floor Space Ratio Map – Sheet FSR_006</i></p> 

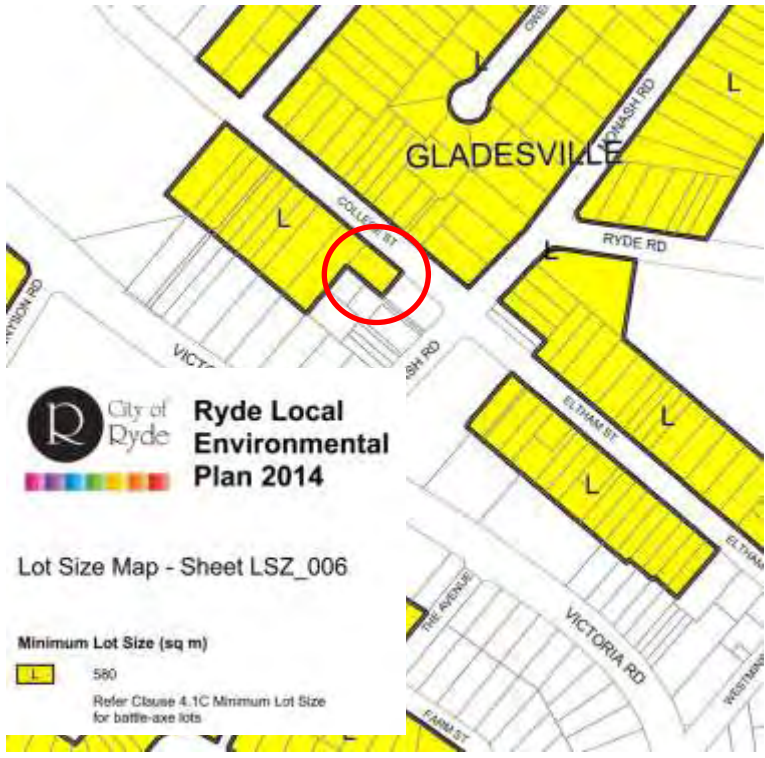

ITEM 2 (continued)

ATTACHMENT 1

Description of Amendment to Ryde LEP 2014 (Property and Proposed Change)	Existing Ryde LEP Map Extract	Proposed Ryde LEP Map Extract
<p>2 College Street: Add 2 College Street to the area identified as Gladesville Town Centre under Ryde LEP 2014</p>	<p>Existing boundary of Gladesville Town Centre as shown on <i>Centres Map Sheet CEN_006</i></p> 	<p>Draft (extract) <i>Centres Map Sheet CEN_006</i></p> 

ITEM 2 (continued)

ATTACHMENT 1

Description of Amendment to Ryde LEP 2014 (Property and Proposed Change)	Existing Ryde LEP Map Extract	Proposed Ryde LEP Map Extract
<p>2 College Street: In association with the proposed rezoning of 2 College Street, remove the minimum Lot Size control from affecting 2 College Street (minimum Lot Size applies to R2 Low Density Residential land and not to the B4 Mixed Use zone)</p>	<p>Minimum Lot Sizes as shown on extract of <i>Lot Size Map – Sheet LSZ_006</i></p> 	<p>Proposed map with change</p> 

ITEM 2 (continued)

ATTACHMENT 2



ITEM 2 (continued)

ATTACHMENT 2

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1.0 INTRODUCTION

1.1 Name of this Plan

The name of this Plan is City of Ryde Development Control Plan 2014 Amendment No. xxxx – 2 College Street/10 Monash Road Planning Proposal.

1.2 Commencement of this Plan

This Plan was adopted by Council on xxxxxxxxxx.
The Plan comes into effect xxxxxxxxxx.

1.3 Land to which this Plan applies

This Plan applies to land at 2 College Street and 10 Monash Road, Gladesville, being Lots 35A and 35B DP 401201 (the subject land).

1.4 Purpose of this Plan

The purpose of this Plan is to amend the existing Development Control Plan 2014 (DCP 2014) Part 4.6 to facilitate the planning proposal for the subject land and the future redevelopment of both 2 College Street (Lot 35A DP401201) and 10 Monash Road (Lot 35B DP401201) combined, in particular by adding 2 College Street to the Monash Road Key Site precinct covered by Part 4.6.

1.5 Objectives of this Plan

The objectives of Amendment No. xxx to DCP 2014 are:

- To guide future redevelopment of the subject land in a form which respects the surrounding context of a mix of low density residential land and commercial land
- To provide detailed guidance on the expected built form on the subject land in particular with regard to: maximum building heights in terms of maximum number of storeys, setbacks from adjoining properties and street frontages.

1.6 Relationship with other environmental planning instruments

Environmental Planning Instruments (including deemed instruments) applicable to the subject land include:

- Ryde Local Environmental Plan 2014
- State Environmental Planning Policy (SEPP) 6
- State Environmental Planning Policy (SEPP) 32
- State Environmental Planning Policy (SEPP) 55
- State Environmental Planning Policy (SEPP) 65
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

ITEM 2 (continued)

ATTACHMENT 2

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- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (State and Regional Development) 2011
- Sydney Regional Environmental Plan (Sydney Harbour Catchment).

2.0 AMENDMENTS TO THE CITY OF RYDE DEVELOPMENT CONTROL PLAN 2014

The City of Ryde Development Control Plan 2014 is to be amended as follows:

1. Amendment to DCP 2014 "Preliminary"

The following schedule of amendments is to be inserted in the "List of Amendments" section under the *Preliminary* part of DCP 2014:

Amend. No.	Date approved	Effective date	Subject of amendment
x	xx-xx-xx	xx-xx-xx	Amendments to Part 4.6 with respect to the 2 College Street and 10 Monash Road Planning Proposal - refer Part 4.6 Schedule of Amendments

2. Amendments to Ryde DCP 2014 Part 4.6 Gladesville Town Centre and Victoria Road Corridor

Part 4.6 Gladesville Town Centre and Victoria Road Corridor, under part 4 Urban Centres, is to be amended to ensure consistency between DCP 2014 and Ryde LEP 2014 to facilitate the planning proposal for 2 College Street/10 Monash Road, Gladesville. In summary amendments proposed to this DCP include:

- Update to schedule of amendments to reference this Plan
- Text amendments to the built form controls under section 4.3.1 for the Monash Road Key Site precinct – specifically Block 02
- Figures/drawings amendments (various throughout) to ensure 2 College Street is included in the Part 4.6 land areas covered by the DCP, and to illustrate the built form controls including block diagrams, maximum building heights and setbacks as applicable to 2 College Street and 10 Monash Road.

Amendments are identified in the tables below listed in order of page reference. Table 1 provides a summary of the changes proposed to Part 4.6. Table 2 provides a list of all changes to the Part 4.6 document to assist an understanding of amendments proposed.

ITEM 2 (continued)

ATTACHMENT 2

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Table 1 Update to Schedule of Amendments					
Item	Page Ref.	Change			
Schedule of Amendments Part 4.6	2	To be updated with concise description of Part 4.6 amendments information:			
		Amend. No.	Date approved	Effective date	Subject of Amendment
		X	XX-XX-XX	XX-XX-XX	[Insert text below:]
Subject of Amendment: Replacement with revised Part 4.6 Gladesville Town Centre and Victoria Road amended in response to Council resolution on planning proposal for 2 College Street/10 Monash Road, Gladesville, effecting key changes including:					
<ul style="list-style-type: none">• Text amendments to the built form controls under 4.3.1 for the Monash Road Key Site precinct - Block 02• Figures/drawings amendments (various throughout) to ensure 2 College Street is included in the Part 4.6 land areas covered by each map, and to illustrate the built form controls including block diagrams, maximum building heights and setbacks as applicable to 2 College Street and 10 Monash Road.					

Table 2 List of Specific Amendments		
Text/Table Figure/Map	Page Ref.	Change
Figure 4.6.01 Land to which this Part applies	5	Amend map to include 2 College Street within the area
Figure 4.6.02 Precincts Vision Plan	8	Amend map to include 2 College Street within the Monash Road Precinct
Figure 4.6.03 Public Domain Vision Plan	9	Amend the map to include 2 College Street within the area
Figure 4.6.05 Active Street Frontages Control Drawing	12	Amend map to include 2 College Street within the area
Figure 4.6.06 Buildings abutting the Street Alignment Control Drawing	12	Amend map to include 2 College Street within the area
Table in Section 3.1.4 Control (a) titled "Setback Requirements"	14	Add a new setback "I" identifying requirements for College St as 2m for Ground level and 2m for upper levels.
Text change to control (c):	14	Add "or the Setbacks Control Drawing" and Amend control j. by adding sentence "Balconies may not project into the

City of Ryde Draft Amending Development Control Plan
Draft for Exhibition

ITEM 2 (continued)

ATTACHMENT 2

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Table 2 List of Specific Amendments		
Text/Table Figure/Map	Page Ref.	Change
		setback."
Figure 4.6.07 Setbacks Control Drawing	15	<ul style="list-style-type: none"> Amend shaded area to include 2 College Street within the area Amend map to include mark-up of setback "I" at 2 College St/part 10 Monash Rd location.
Figure 4.6.08 Ground Floor Setbacks	15-16	Add new diagram indicative of 2m setbacks on College Street
Figure 4.6.10 Gladesville Conservation Area Control Drawing	18	Amend map to include 2 College Street within the area
Figure 4.6.11 Awnings Control Drawing	20	Amend map to include 2 College Street within the area
Figure 4.6.12 Parking Control Drawing	22	Amend map to include 2 College Street within the area
Figure 4.6.13 Pedestrian Connections Control Drawing	24	Amend map to include 2 College Street within the area
Figure 4.6.14 Public Domain Framework Control Drawing	25	Amend map to include 2 College Street within the area
Figure 4.6.15 Landscape Character Control Drawing	26	Amend map to include 2 College Street within the area
Figure 4.6.16 Urban Elements Control Drawing	27	Amend map to include 2 College Street within the area Amend map to include Monash Road as a Secondary Street (correction only)
Figure 4.6.21 Key Sites Plan	38	Amend map to include 2 College Street within the area
Figure 4.6.22 Block 02, 03 and 04 3D Model	39	Replace drawing with updated 3D model as per Appendix C to the Planning Proposal (<i>Part 2 Urban Design Study: Proposed Amendments to Ryde LEP & DCP 2014</i>)
Text changes for 4.3.1 Monash Road Key Site Built Form Controls	39	Add the following control under "Building Uses and Ground Floor Activities" <ul style="list-style-type: none"> Provide commercial or retail uses fronting Monash Road.
Figure 4.6.23 Block 02, 03 and 04 Built Form Plan	40	Replace built form plan with amended drawing showing proposed built form as per Appendix C to the Planning Proposal (<i>Part 2 Urban Design Study: Proposed Amendments to Ryde LEP & DCP 2014</i>) Add 6m wide "Potential Accessway" from 2 College Street frontage/side boundary with 2A College Street, across rear of 8C and 6A Monash Road.
Text changes for 4.3.1 Monash Road Key Site Built Form Controls	41	Add the following controls under "Building Setbacks" <ul style="list-style-type: none"> Provide a 2m setback for ground floor

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Table 2 List of Specific Amendments		
Text/Table Figure/Map	Page Ref.	Change
"Building Setbacks"		fronting College Street. Upper levels above the ground floor residential uses should also be setback 2m. Balconies may not project into the setback. <ul style="list-style-type: none"> • Provide zero setbacks at the corner of Monash Road and College Street for ground floor and upper levels to a maximum of 3 storeys or maintain a 3 storey built form on the corner of Monash Road and College Street."
Text changes for 4.3.1 Monash Road Key Site Built Form Controls "Public Domain"	41	Amend control n. by replacing "vehicular access" with "a potential vehicular accessway" Add new control under "Public Domain" "A development application for new floor space that exceeds 500m ² is to provide a detailed traffic and pedestrian access study that demonstrates safe and convenient access, including consideration of loading/unloading."
"Location Key" drawings x 5 which appear on following pages: pp. 39 & 41, pp. 43, 45 & 47; pp. 49, 51 & 53; pp. 55, 57 & 58; pp. 60, 62 & 65	Various (from 39 to 65)	Amend drawings to include 2 College Street within the area.

Note: The attached document ("ATTACHMENT") shows the revised *Part 4.6 Gladesville Town Centre and Victoria Road Corridor* with all the above amendments made, prepared as a replacement part.

ITEM 2 (continued)

ATTACHMENT 2

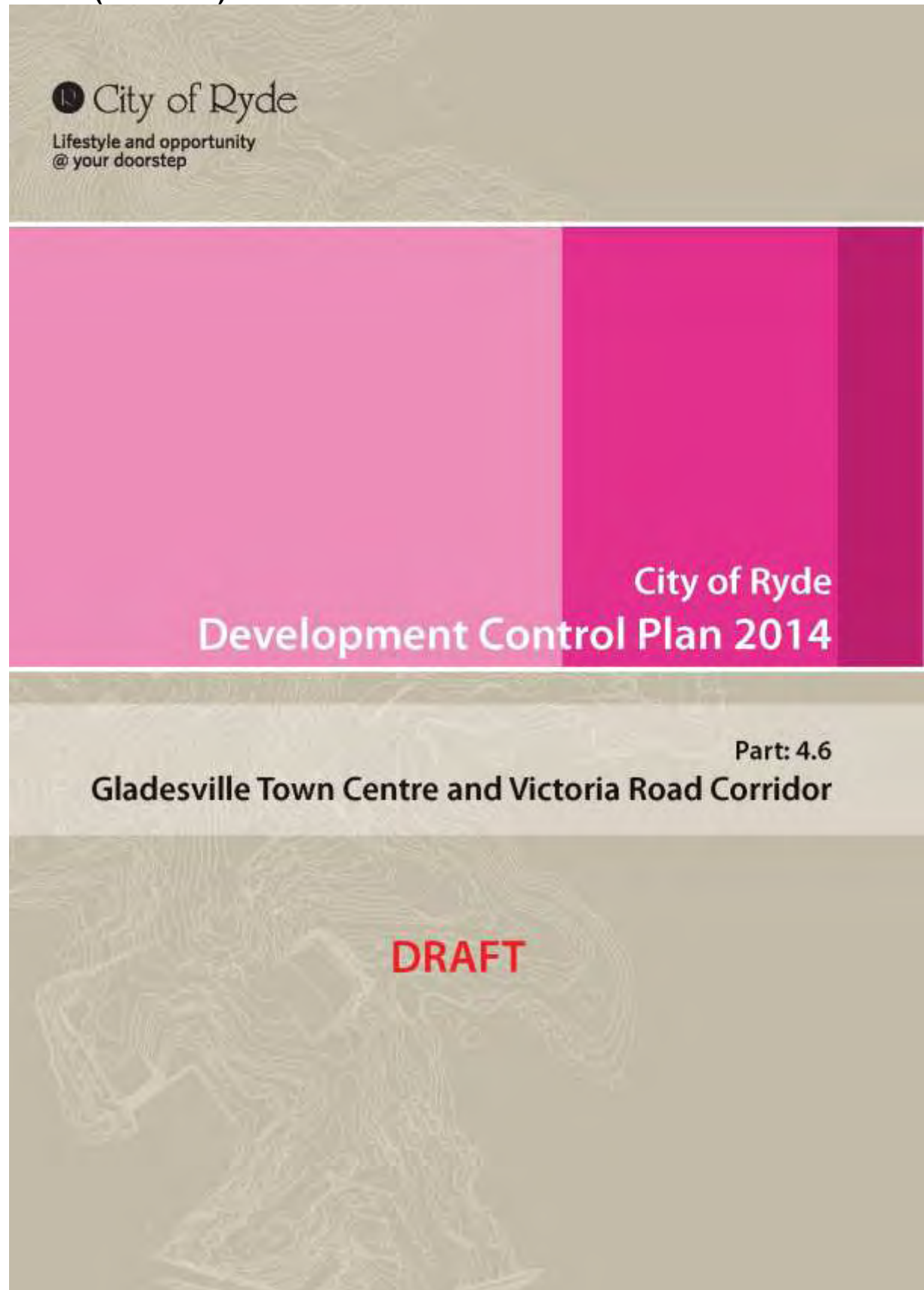
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ATTACHMENT

The following document is a replacement *Part 4.6 Gladesville Town Centre and Victoria Road Corridor* designed to be inserted in Part 4.0 Urban Centres under the City of Ryde Development Control Plan 2014.

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ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

Translation

ENGLISH

If you do not understand this document please come to Ryde Civic Centre, 1 Devlin Street, Ryde Monday to Friday 8.30am to 4.30pm or telephone the Telephone and Interpreting Service on 131 450 and ask an interpreter to contact the City of Ryde for you on 9952 8222.

ARABIC

إذا تضرع عليك فهم محتويات هذه الوثيقة، نرجو الحضور إلى مركز بلدية رايد Ryde Civic Centre، 1 Devlin Street، Ryde، على العنوان: Ryde Civic Centre، 1 Devlin Street، Ryde، من الاثنين إلى الجمعة بين الساعة 8.30 صباحاً والساعة 4.30 بعد الظهر، أو الاتصال بمكتب خدمات الترجمة على الرقم 131 450 لكي تطلب من أحد المترجمين الاتصال بمجلس مدينة رايد على الرقم 9952 8222. نيلقة عندك.

ARMENIAN

Եթե այս փաստաթուղթը չէք հասկանում, խնդրում ենք՝ Ուոլդ Լիվ Կենտրոն, 1 Տեվլին Ճանապարհ, Րայդ, (Ryde Civic Centre, 1 Devlin Street, Ryde) ելքաշարքին Ուոլդ Լիվ Կենտրոն, 1 Devlin Street, Ryde) 8.30 – 16.30 ժամը, կամ հեռախոսակցել 131 450 հեռախոսահամարին՝ 131 450, եւ խնդրելով որ բացահայտվի այն Ուոլդ Բարձրագույնագրականին հետ կապ հաստատել՝ ձեր համար, հեռախոսակցել՝ 9952 8222 թիվին:

CHINESE

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اگر این مدرک را نمی فهمید لطفاً از 8.30 صبح تا 4.30 بعد از ظهر روزهای Monday to Friday، 1 Devlin Street، Ryde Civic Centre، 1 Devlin Street، Ryde، به مرکز شهرداری رايد، تا جمعه به مرکز شهرداری رايد، Ryde، نیازمند کنید یا به سرویس مترجم تلفنی شماره 131 450 تلفن کنید و از یک مترجم بخواهید که از طرف شما با شهرداری رايد شماره 9952 8222 تلفن کند.

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KOREAN

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Amend. No.	Date approved	Effective date	Subject of amendment

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

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ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

1.0 Preliminary

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1.0 PRELIMINARY

1.1 Introduction

This Part provides a vision and development controls for the long term redevelopment of the Gladesville Town Centre and Victoria Road Corridor. The vision for the town centre has been developed through extensive consultation and analysis through the preparation and exhibition of the Gladesville Town Centre and Victoria Road Master Plan. The Development Control Plan process included the preparation of built form, public domain and land economics studies to inform and create environmentally desirable, practical and viable development controls.

1.2 Purpose of this Part

This Part facilitates the revitalisation of Gladesville Town Centre as a vibrant, attractive and safe urban environment with a diverse mix of retail, commercial, residential and leisure opportunities.

1.3 Land affected by this Part

This Part applies to all land shown within the shaded area identified on the plan below (known as the Gladesville Town Centre and Victoria Road Corridor).

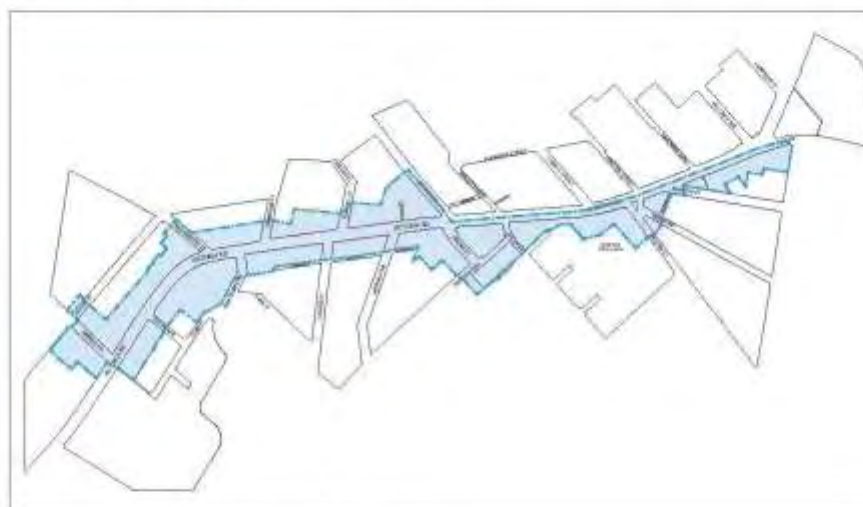


Figure 4.6.01 Land to which this Part applies

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Gladesville Town Centre and Victoria Road Corridor

1.0 Preliminary

1.4 Relationship of this Part to other Plans and Policies

This Part supplements and gives guidance to the controls and objectives of Ryde Local Environmental Plan 2014 (LEP). It is also part of a series of plans promoting the revitalisation of Ryde's business centres and should be read in conjunction with other relevant Council plans and policies, including but not limited to:

- City of Ryde Section 94 Development Contributions Plan
- Ryde Public Domain Technical Manual

This Part should also be read in conjunction with the requirements of the State Environmental Planning Policy (SEPP) (Infrastructure) as provisions of that Instrument have implications for building use, form and design and for the development application process.

In particular:

Clause 102 of SEPP (Infrastructure) will apply to development on land in or adjacent to Victoria Road. The clause will require consideration of design guidelines for sensitive developments.

Clause 104 (Traffic-generating development) of SEPP (Infrastructure) requires referral of certain development types to the RMS and consideration of any comments in determining these applications.

1.5 Interpretation

In this Part, terms have the same meaning as in the Environmental Planning and Assessment Act 1979 (as amended) and the Ryde LEP 2014 Gladesville Town Centre and Victoria Road Corridor. If there is an inconsistency between this part and other parts of the City of Ryde DCPs, Codes or Policies this Part shall prevail.

1.6 Structure of this Part

This Part identifies objectives and controls that will shape the future development of Gladesville Town Centre and Victoria Road Corridor to create an attractive, accessible and unique urban environment in which to live, work, shop and visit.

Development controls are provided for strategic sites in the town centre. Five sites have been identified as key sites ("Key Blocks") in the redevelopment of the town centre. These five sites have been tested in detail regarding built form, public domain design and economic viability. The detailed development controls for these sites are provided in Section 4.0 of this Part.

Built form development controls for all sites in the town centre include building heights, building alignments, building setbacks, active street frontages, awnings and street sections. Active street frontages and building uses are shown in town centre plans and street sections. Building articulation zones are shown in plans and street sections.

Public domain development controls (Section 3.0) complement the built form controls with urban spaces being defined by built form and landscape elements. New streets and squares are designed as part of a comprehensive built form and public domain strategy for key sites. The range of desired future character for various precincts is defined by landscape character and built form.

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ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

2.0 Vision

4.6

2.0 VISION

2.1 Vision Statement

Gladesville Town Centre is the town centre serving Hunters Hill and the southern part of the Ryde local government area. Gladesville will serve its local communities with a wide range of retail, commercial, community, entertainment, religious, residential and other uses appropriate to a vibrant and growing town centre.

- Gladesville Town Centre and Victoria Road will
- serve its local communities better with a diverse range of revitalised uses;
- include major retail, commercial and residential developments on key sites;
- develop a more cohesive built form and better landscaped public domain;
- define urban spaces as outdoor rooms lined by consistent built form and street trees;
- have heritage items and conservation areas protected and enhanced;
- contain new buildings which relate in built form to existing streetscapes and heritage items;
- enhance pedestrian links and public domain design to attract people to shop, work and live in the town centre; and
- be accessible for residents and for users of the centre.

2.2 Vision Statement - Precincts

The linear form of the town centre extending along Victoria Road has 4 distinct character areas which are to be enhanced in future development. The 4 precincts are identified in Figure 4.6.02 Precincts Vision Plan.

The character of each precinct is reinforced in the built form and public domain design controls. Building setbacks, active street frontages, upper level setbacks and landscape character controls relate to the precincts.

2.2.1 Monash Road Precinct

The northern precinct at Monash Road is to maintain its local retail role, whilst gaining additional retail, commercial and residential development. The precinct's heritage items and main street retail character are to be protected and enhanced with narrow frontage shopfronts and built forms that relate to the scale and character of existing buildings. The precinct will provide local shopping within a more cohesive built form and an improved public domain.

2.2.2 North Gladesville Precinct

The North Gladesville precinct between Pittwater Road and Monash Road is to be transformed from a visually cluttered commercial strip into a cohesive built form corridor of mixed retail, commercial and residential uses. The existing poorly defined spaces and visual clutter will be replaced with buildings which address the road with major façades. Large canopy street trees will be planted in building setbacks, and footpaths widened, to create a landscaped setting leading to the town centre precinct.

2.2.3 Town Centre Precinct

The town centre precinct is to be transformed from a poorly functioning strip shopping centre

ITEM 2 (continued)

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Gladesville Town Centre and Victoria Road Corridor

4.6 Vision

into a genuine mixed use town centre. The existing shops and pedestrian amenity on Victoria Road have been degraded by traffic and lack of renewal in recent years. The town centre will be revitalised with new large retail developments in Cowell Street and Coulter Street, which will support the existing retail shops with parking and greater pedestrian amenity. An enhanced pedestrian network and new public spaces will be created off Victoria Road, with a new square at the end of Wharf Road and street tree planting around the Coulter Street retail development. A pedestrian bridge across Victoria Road will link the existing shops and the proposed 'one-stop' parking in large new retail developments in Cowell and Coulter Streets. Better pedestrian amenity on and around Victoria Road and a greater range of services will revitalise the town centre as the focus of urban life for the communities on both sides of the town centre. The intersection of Wharf Road, Meriton Street and Victoria Road is a key site (refer section 4.3 of this part). The Clocktower marks this important intersection, which will be strongly defined by appropriately scaled buildings built to the street alignments.

2.2.4 South Gladesville

South Gladesville extends south of the town centre to Punt Road. It is the main approach to the town centre from Central Sydney, and provides a visual impression of Gladesville upon arrival. The character of this precinct will be reinforced as a well-landscaped entry to the town centre. The existing uses are predominantly low rise residential on the eastern side of Victoria Road, and commercial with residential flat buildings on the western side. Future development on the western side will have taller buildings set back from the street frontage with trees in the front setback, providing the landscaped setting.



Figure 4.6.02 Precincts Vision Plan

2.3 Public Domain

The public domain is made up of streets, pedestrian connections, small civic parks and squares.

Streets form the framework of the public domain connecting people to shopping, services, recreation and residential. Public spaces are the outdoor rooms of the town centre, providing focal points for community life.

Refer Figure 4.6.03 Public Domain Vision Plan in relation to the following sections:

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Gladesville Town Centre and Victoria Road Corridor

2.0 Vision

4.6

2.3.1 Street Hierarchy

The hierarchy of town centre streets is characterised by land-use, traffic flows and scale. This hierarchy will be maintained and enhanced to create a legible framework for the town centre.

Victoria Road is the primary road in the town centre, with two distinct characters:

- the gateways to the core at the South Gladesville and North Gladesville Precincts defined through building setbacks and street tree planting, forming a transition from residential areas;
- the Town Centre Precinct defined with new paving and urban elements, retaining existing building setbacks and awnings.

The east-west through streets of the Town Centre Precinct, provide important vehicle and public transport connections. They will be reinforced with street tree planting, new paving, urban elements and building alignment.

The streets and lanes of the Town Centre Precinct, including the proposed new street will be reinforced as important pedestrian connections, with street tree planting, paving, urban elements and building alignment where appropriate.

2.3.2 Public Spaces

The public spaces within the Gladesville Town Centre and Victoria Road Corridor will be provided within the Key Sites.

Refer to sections 3.3, and 4.0 of this Part and relevant Council Policies, Plans and Public Domain Guidelines.



Figure 4.6.03 Public Domain Vision Plan

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

3.0 OBJECTIVES AND CONTROLS

3.1 Built Form

3.1.1 Built Form Heights

Objectives

1. To promote an urban design scale in retail, civic and business precincts.
2. To promote opportunities for landmark development in appropriate locations.
3. To enhance the existing streetscape and ensure appropriate development scale in predominately residential and heritage precincts.
4. To ensure adequate sunlight is available for all buildings, streets and public open space.
5. To ensure the ground floor levels are adaptable over time to a wide range of uses.
6. To attract investment, new employment opportunities and enhance economic sustainability.
7. To give guidance to the Ryde Local Environmental Plan 2014 Height Controls.

Controls

- a. Buildings must comply with the maximum heights described in the Ryde Local Environmental Plan 2014 (LEP).
- b. Floor to ceiling height must be a minimum of 2.7 m for residential uses.
- c. To ensure that the ground floor levels are adaptable over time for a range of uses, the floor to floor height at ground level in all mixed-use developments is to be a minimum of 3.6 m, regardless of the initial proposed use.

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

4.6

3.1.2 Active Street Frontages

Objectives

1. To reinforce the commercial uses that currently exist in the town centre.
2. To avoid privacy problems for residential buildings built on or close to the street frontage.
3. To allow for a wide range of retail, commercial, entertainment and community uses at ground floor level.
4. To promote appropriate residential development.
5. To enhance personal safety and security.
6. To promote the commercial viability and function of the centre/corridor.

Controls

- a. Provide ground level active uses where indicated on the Active Street Frontages Control Drawing (Figure 4.6.05).
- b. Active uses contribute to personal safety in the public domain and comprise:
 - i. Community and civic facilities;
 - ii. Recreation and leisure facilities;
 - iii. Shops;
 - iv. Commercial premises;
 - v. Residential uses, particularly entries and foyers, however, these must not occupy more than 20% of the total length of each street frontage.
- c. Where required, active uses must comprise the street frontages for a depth of at least 10 m.
- d. Vehicle access points may be permitted where Active Street Frontage is required if there are no practicable alternatives.
- e. Ground floor shop fronts may incorporate security grills provided these ensure light falls onto the footpath and that the interior of the shop is visible. Blank roller-shutter doors are not permitted.
- f. Serviced apartments, hotels and motels shall not have apartments at the ground level. Locate retail, restaurants and / or other active uses at the ground level.

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4.6

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

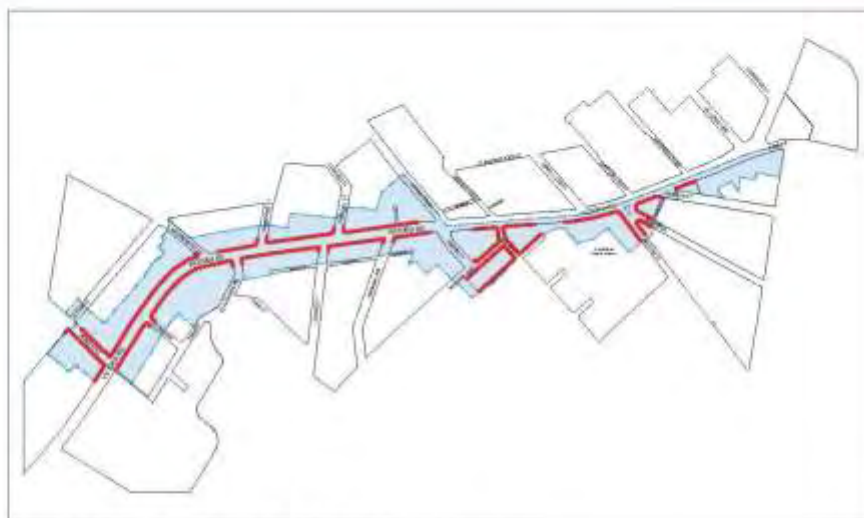


Figure 4.6.05 Active Street Frontages Control Drawing

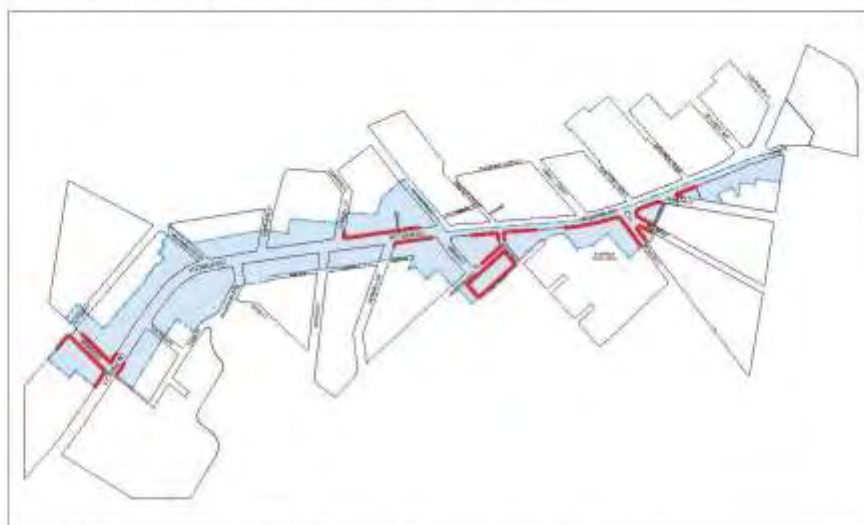


Figure 4.6.06 Buildings abutting the Street Alignment Control Drawing

ITEM 2 (continued)

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

4.6

3.1.3 Buildings Abutting the Street Alignment

Objectives

1. To retain the existing alignment of buildings in streets with continuous alignments.
2. To promote level continuity for pedestrians and shoppers in the retail cores of the town centre.
3. To strengthen the urban character and identity of the town centre with continuous building alignments which define the space of the street.
4. To promote pedestrian safety and security.

Controls

- a. Provide continuous street frontages with buildings built to the street boundary in the Gladesville Town Centre and in Muriash Road Precincts except as shown in the Key Sites Diagrams (Refer to Figure 4.6.06).
- b. Ground level architectural features, such as recessed doors and windows, are permitted to a maximum of 400 mm from the street boundary to design out concealment opportunities and promote personal safety and security.

3.1.4 Setbacks

Objectives

Ground Level Setbacks

1. To create a landscaped character to areas outside the retail cores of the town centre.
2. To differentiate the urban cores of the town centre from the North and South Gladesville Precincts.
3. To allow for street trees and awnings without reducing the width of the road for vehicular traffic in Victoria Road.
4. To improve the spatial definition of Victoria Road.
5. To promote walking.
6. To extend and enhance the public domain.

Upper Level Setbacks

7. To relate the scale and height of new buildings to heritage items and areas of consistent existing building height.
8. To create a street frontage building height which varies within a limited range in areas of consistent existing building height.
9. To create quality built forms with a distinctive base, middle and roofline relative to the particular height.
10. To allow for upper levels outdoor terraces.

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ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

Controls

a. Setbacks shall be in accordance with the following Table and Figures 4.6.07 and 4.6.08.

SETBACK REQUIREMENTS			
SETBACK DIAGRAM	STREET FRONTAGE / LOCATION	GROUND LEVEL SETBACK FROM STREET BOUNDARY	UPPER LEVEL SETBACK FROM STREET BOUNDARY
A	Victoria Road South-western side North Gladesville Precinct	2 m	4 m, above Level 5
B	Osgathorpe Street North Gladesville Precinct	3 m	3 m
C	Farm Street, Oxford Street North Gladesville Precinct	6 m	6 m unless key site (refer to key site plans)
D	Pittwater Road Town Centre Precinct	3 m	3 m
E	Victoria Road Town Centre Precinct	0 m	5 m, Level 4 and above
F	Victoria Road North-eastern side North Gladesville Precinct and South-western side South Gladesville Precinct	2 m	4 m, Level 4 and above
G	Monash Road North Gladesville Precinct	0 m	2 m, Level 4 and above
H	Meriton Road and side streets (unless otherwise noted) All Precincts	0 m	0 m
I	College Street	2 m	2 m

Note: This table must be read in conjunction with the key site plans where applicable. If there is a discrepancy between this table and the key site plans the key site plans shall prevail.

- b. The ground floor and lower levels of buildings on Victoria Road (except within the Gladesville Town Centre precinct) must be set back 2 m from the front property boundary and built to this alignment. Paving and footpath treatments are to be provided within the setback area in accordance with Section 3.3 of this DCP and Ryde Public Domain Technical Manual.
- c. All levels of buildings in side streets must be setback a minimum 2 m except as shown in Key Site Diagrams (Refer chapter 4.0 this Part) or the Setbacks Control Drawing Figure 4.6.07. Street trees and deep soil are to be provided within the setback area.
- d. All levels of buildings on the western side of Osgathorpe Street must be set back 3 m and built to this alignment, with deep soil and large canopy trees in the front setback.
- e. All levels of buildings in Farm Street must be set back 6 m, and built to this alignment with deep soil and large canopy trees in the front setback.

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

4.6



Figure 4.6.07 Setbacks Control Drawing

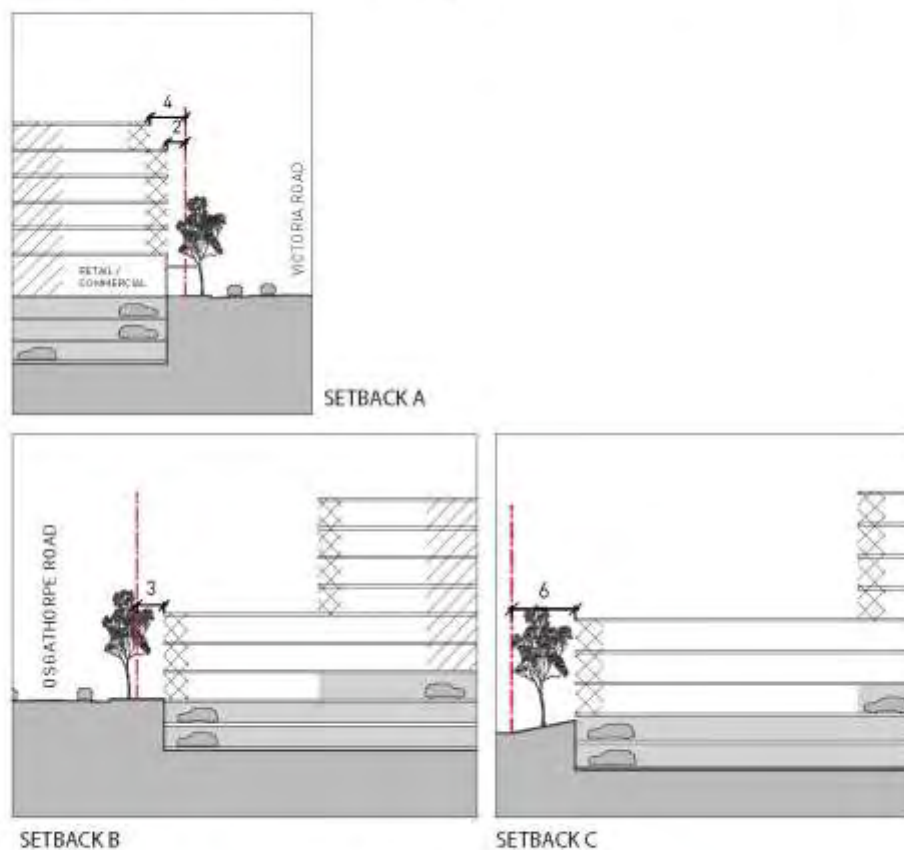


Figure 4.6.08 Ground Floor Setbacks

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

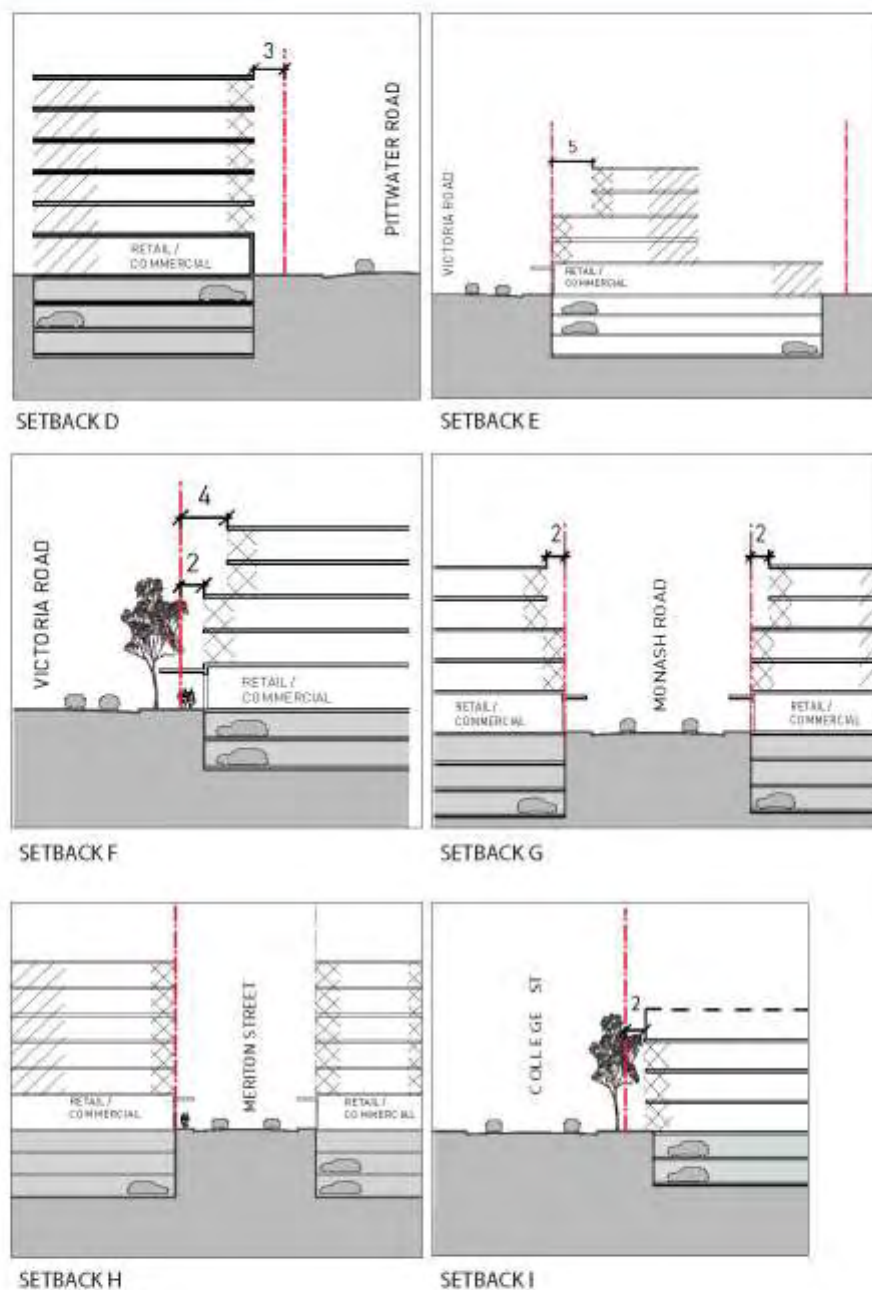


Figure 4.6.08 Ground Floor Setbacks (cont.)

ITEM 2 (continued)

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

4.6

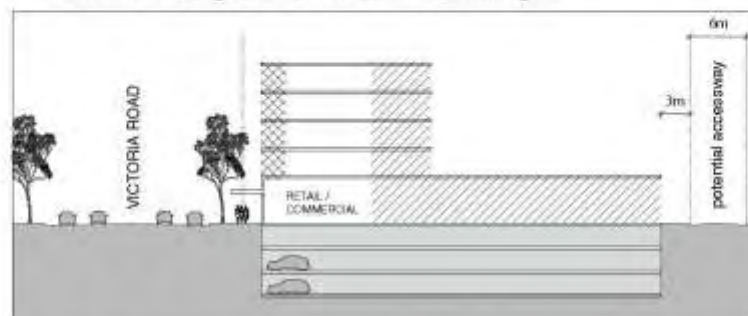
3.1.5 Rear Setbacks and Residential Amenity

Objectives

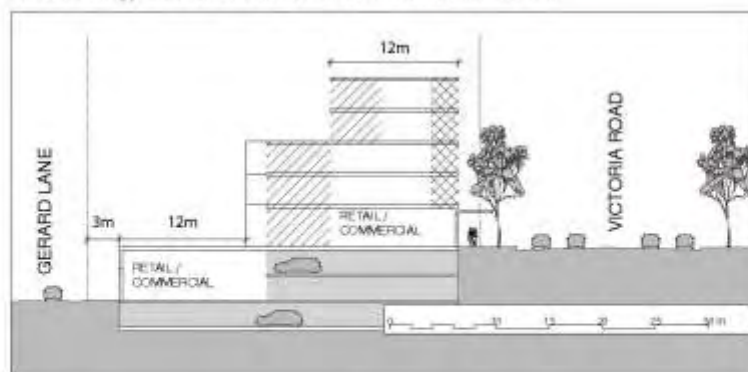
1. To restrict development at the rear of sites along Victoria Road and provide for building separation.
2. To promote the amenity of adjoining residents.
3. To encourage access alternatives to Victoria Road.

Controls

- a. Provide 9 m ground level setback generally at the rear of sites fronting Victoria Road in the North Gladesville and Monash Road Precincts except where adjoining Gerard Lane and as shown in Key Sites Diagrams Refer Figure 4.6.09 Setback I and Figure 4.6.09 Setback J.
- b. Provide 12 m separation minimum above the ground floor between residential buildings (including existing residential buildings on adjacent sites).
- c. Buildings fronting Victoria Road may build to the side boundary for a depth of 20 m measured from the street frontage. A side setback is then required to achieve 12 m separation between proposed and potential residential land uses.
- d. Predominantly residential activities should be located adjoining low density residential areas including at the rear. If this is not practicable, activities that do not produce negative impacts in terms of noise, light, sound and odour are encouraged.



SETBACK I: Typical section for lots in north Gladesville Precinct.



SETBACK J: Typical section for lots with rear to Gerard Lane.

Figure 4.6.09 Setbacks

Development Control Plan 2014

Draft

Exhibition

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ITEM 2 (continued)

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

3.1.6 Conservation Area Built Form Design Guidelines

Objectives

1. To protect and complement the scale of buildings in the Conservation area.
2. To maintain the existing rhythm of small lot subdivisions in the façade design of new developments.
3. To reflect the façade proportions and composition of the existing buildings in new developments.
4. To identify and provide guidance with respect to contributory items/elements.

Controls

- a. All development proposals within the Conservation Area shall be assessed for their impact on the heritage significance of the Conservation Area and have regard to the Statement of Significance.

Statement of Significance For the Gladesville Town Centre Conservation Area:

"The Conservation Area comprises a mix of commercial, educational and ecclesiastical buildings which in its extent and diversity provides a rare linear streetscape in the region with high aesthetic and historic values... The Conservation Area is representative of the historic main commercial centres established in area in the nineteenth century."

Source: "The Gladesville Shops Heritage Assessment and Conservation Guidelines"

- March 2004, Paul Davies Pty Ltd

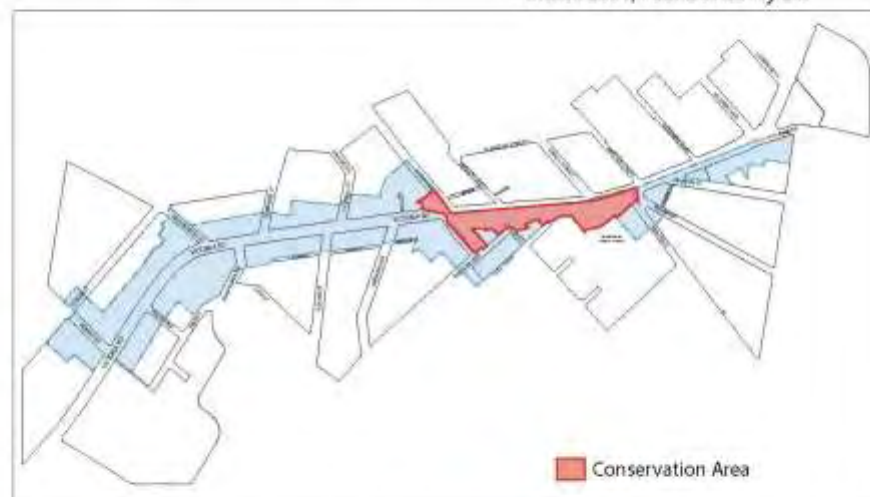


Figure 4.6.10 Gladesville Conservation Area Control Drawing

- b. Development is to comply with the setback and key site controls. The specified building envelopes relate the scale of new buildings to the scale of the existing main street shops in Victoria Road.
- c. Reflect the existing lot structure and subdivision pattern in the design of façades and ground floor shop fronts.

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ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

4.6

- d. Create vertically proportioned window and balcony openings in new development to relate to the existing fenestration patterns.
- e. Provide a combination of fully glazed and masonry façades with punched window openings formed into a balanced composition.
- f. Provide tops to building façades, such as masonry parapets and extended roof lines. The following are to be noted as contributory items in the Conservation Area:

CONTRIBUTORY ITEMS IN CONSERVATION AREA	
ADDRESS	DESTINATION
142 -154 Victoria Road (cnr Meriton and Victoria Road)	1930s commercial shops and flats
18 Western Crescent	Former rectory associated with Christ Church
6-8 Western Crescent	Jordan Hall - early 20th century community hall

- g. The contributory items identified in the table above should be retained.
- h. With regard to development involving 18 Western Crescent, community floor space equivalent to that existing is to be provided in any new development.
- i. With regard to development involving Jordan Hall, 6-8 Western Crescent, community floor space equivalent to that of the existing hall, ground floor and mezzanine will be required to be provided in any new development.
- j. The following controls also apply to all contributory items identified in the above table:
 - i. a heritage assessment of all contributory items is to be included with the development application. The heritage assessment is to be prepared in accordance with the NSW Heritage Office guidelines and is to consider the setting of the item;
 - ii. a pre-lodgement meeting is to be held with Council staff for all proposals which include contributory items;
 - iii. if the contributory item is found to have heritage significance sufficient to list as a local heritage item then the heritage provisions of this DCP (and Ryde LEP 2014) apply to the subject site;
 - iv. new development adjacent to contributory items should reflect the scale, massing, parapet lines, string courses, material qualities and fenestration patterns of the contributory items.

Objectives

- 1. To provide shelter for pedestrians in the majority of streets in the town centre.
- 2. To provide shelter at bus stops along Victoria Road.
- 3. To allow for awnings without impeding vehicular movement or the provision of street trees along Victoria Road.
- 4. To ensure a continuity of design in awnings.

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4.6

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

Controls

- a. Provide awnings over footpaths for ground level building frontages where shown on the Awnings Control Drawing below (Figure 4.6.11).
- b. Set back buildings in the North and South Gladesville precincts to allow for the provision of awnings and street trees. Refer setbacks A and B (Figure 4.6.08).
- c. Awning height is to be generally a minimum of 3 m from the pavement and setback 600 mm from the kerb edge. The heights of adjoining awnings should be considered (refer to Figure 4.6.17 and Figure 4.6.18).
- d. Design awnings to protect pedestrians from sun and rain. Glazed awnings will not be permitted where awnings are required unless it can be demonstrated that:
- e. Cleaning and maintenance regime will be established; and
- f. Solar protection (shade) can be achieved; and
- g. Lighting will be installed to the underside of the awning that will light the footpath.
- h. Provide lighting, preferably recessed, to the underside of awnings, sufficient to ensure a high level of safety for pedestrians at night.
- i. Vertical canvas drop blinds may be used along the outer edge of awnings. Drop blinds may not carry advertising signage but may carry business identification signage.
- j. Where the street or ground level is sloped, awnings should step down the hill.
- k. Council may not require awnings on heritage buildings where an awning would be inappropriate due to the cultural significance or architectural qualities of the heritage item.



Figure 4.6.11 Awnings Control Drawing

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

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3.2 Access

3.2.1 Minimum Street Frontage / Site Amalgamation

Objectives

1. Ensure as few driveways as possible off Victoria Road in order to promote public transport (bus priority lanes) and road safety.
2. Encourage access from the local roads network and the provision of new laneways.

Controls

- a. Any development within the North and South Gladesville Precincts is to have a minimum 40 m frontage to Victoria Road and one driveway crossing maximum, unless it can be demonstrated that access may be achieved from the local road network.

Note: This may require lot amalgamation in order to carry out development.

3.2.2 Vehicular Access

Objectives

- a. Ensure as few driveways as possible off Victoria Road in order to promote public transport (bus priority lanes) and road safety.
- b. Encourage access from the local roads network and the provision of new laneways.

Controls

- a. Provide vehicular access from the local roads network in preference to Victoria Road. This will require development of public laneways within the rear setback of most sites in the North Gladesville and Monash Road Precincts in particular.
- b. For all existing and proposed laneways, the laneway must include a 2-way carriageway, 6 m wide (regardless of traffic generation) and a footpath along one side 1.5 m wide, to the satisfaction of Council. A setback of 0.5 m may also be required to any built form (total 8 m allowance).

Note: Where a laneway is provided basement carparking may extend under the lane subject to Council approval.

- c. Gerard Lane shall be extended to create a connection running from Osgathorpe Street to Gerard Street.
- d. Where a new lane is proposed to extend an existing lane, the new lane must be designed to seamlessly connect to the existing lane. The new lane may be required to be wider than the existing to Council's satisfaction to ensure adequate sightlines and safety to take into account the cumulative traffic demand in relation to the development capacity of the area, vehicular types and other relevant matters.

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

3.2.3 Parking

Objectives

1. To support future town centre uses with car parking in key locations.
2. To promote walking and cycling to multiple destinations in the town centre.
3. To promote the sharing of parking between retail and commercial uses.
4. To promote a "Park Once" strategy for car parking in safe, central locations.
5. To provide appropriately designed parking and footpaths.
6. To promote efficient parking arrangements.

Controls

- a. Provide publicly accessible parking to support retail, entertainment and commercial land uses, church and educational institutions as shown on the Parking Control Drawing (Figure 4.6.12) below, to Council's satisfaction.
- b. The quantity of publicly accessible parking within the Town Centre Precinct shall equal or exceed existing public parking.

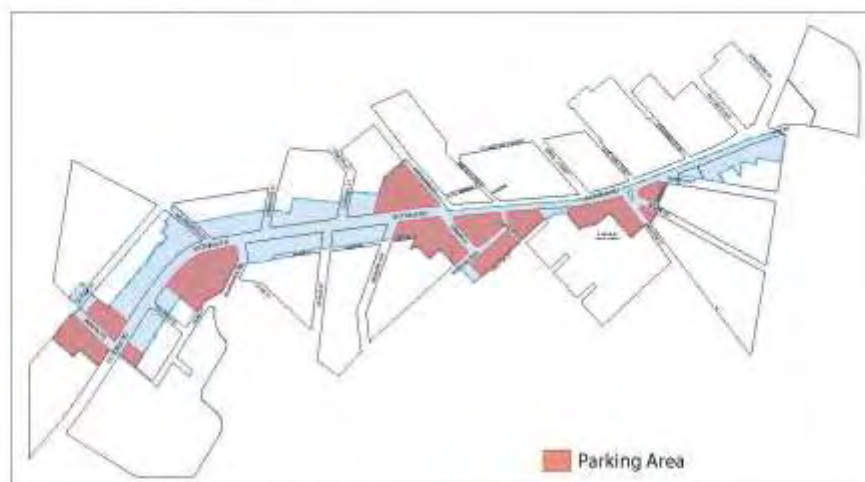


Figure 4.6.12 Parking Control Drawing

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

4.6

3.3 Public Domain

3.3.1 Pedestrian Connections

Objectives

1. To improve the amenity of existing pedestrian routes.
2. To supplement the existing on-street pedestrian system with off street connections such as pedestrian lanes.
3. To provide a fine grain of pedestrian connections, linking streets, community facilities and public spaces, and making easy connections from shopping precincts to Victoria Road.
4. To provide accessible, safe pedestrian links on public and private property.
5. To provide a public domain that is well-used by residents, workers and visitors.
6. To promote walking in the town centre by the introduction of clear direct walkways and connections to street, good lighting and clear sight lines.

Controls

- a. Provide street furniture, lighting and generous paved areas along the main pedestrian routes within the retail and commercial core with clear direct sight lines and direct linkages.
- b. Provide an elevated connection across Victoria Road to Council and RMS satisfaction (refer to Figure 4.6.13 and Figure 4.3.06).
- c. Improve the pedestrian environment around Western Crescent and Coulter Street, with a better link to Trim Place.
- d. Provide pedestrian through-site connections and public domain parks, squares and plaza's in accordance with the Pedestrian Connections Control Drawing (Figure 4.6.13) and the Public Domain Control Drawing (Figure 4.6.14).
- e. Pedestrian through-site connections must be:
 - i. direct, without concealment opportunities and designed to provide clear sightlines from one end to the other;
 - ii. a minimum of 3 m wide;
 - iii. designed to consider pedestrian safety and the security of adjacent businesses;
 - iv. activated by retail, civic and / or commercial land-uses;
 - v. naturally lit and ventilated, and well lit at night;
 - vi. publicly accessible between at least 7am and 7pm daily, however 24 hour public access is preferred;
 - vii. accessible to all and designed to provide barrier free access (i.e. have regard to the Disability Discrimination Act and relevant Australian Standards);
 - viii. have regard to Safer-by-Design Principles.
- f. Courtyards, plazas or squares should be provided to complement and adjoin pedestrian through-site connections. See also Public Domain Controls in Section 4 of this Part.

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

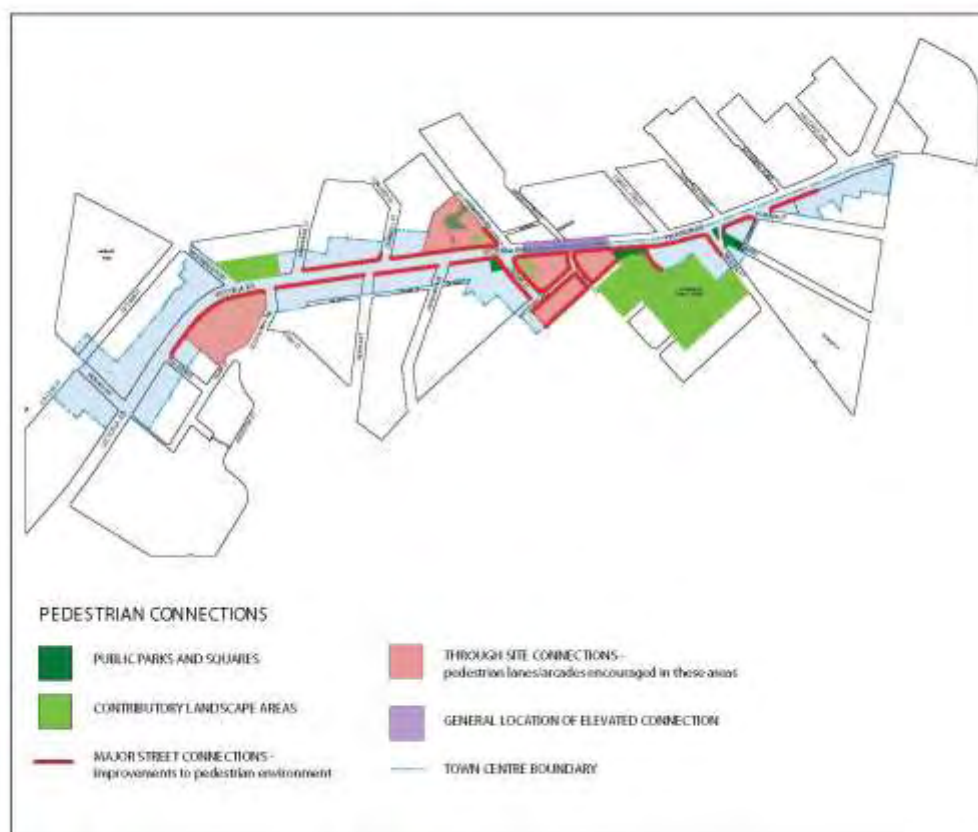


Figure 4.6.13 Pedestrian Connections Control Drawing

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

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3.3.2 Public Domain Framework

Objectives

1. To create a network of streets, parks and civic spaces that provide opportunities for recreation and leisure for workers, visitors and residents.
2. To provide opportunities for social gathering and leisure away from Victoria Road, but well connected to the main commercial and transport spine.
3. To ensure that all public spaces are safe and accessible, with high levels of amenity and design quality.
4. To ensure that development of key sites results in an increase in the area and quality of public space.

Controls

- a. Improve Trim Place connections with the public domain network.
- b. Improve the quality and function of the small park space on the corner of Victoria Road and Jordan Street.
- c. Increase the quantum and diversity of public space in the heart of the town centre, by:
 - i. redevelopment of the City of Ryde car park site on Pittwater Road, to include a public square (refer to Section 4.3.5); and
 - ii. street closure at Meriton Street and Wharf Road to create a new public square away from Victoria Road (refer to Section 4.3.9).
- d. Create vehicular and/pedestrian connections through major development sites (see Public Domain Controls in Section 4.0 for specific sites).



Figure 4.6.14 Public Domain Framework Control Drawing

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

3.3.3 Landscape Character

Objectives

1. To create a memorable landscape image for the town centre, which builds on the positive characteristics of topography, landscape character and views.
2. To define the changing character of Victoria Road through variations to streetscape design.
3. To protect, through planning controls, those spaces in private lands that contribute to the character and quality of the town centre.
4. To enhance the quality of existing parks and squares.
5. To create a hierarchy of tree planting for key streets, to reinforce spatial quality, provide shade for pedestrians, and improve the image of the town centre.

Controls

- a. Create a consistent planting theme with a number of species to ensure that the planting gives a visual coherence. Build on the palette of existing species in streets.
- b. Provide street trees as shown on the Landscape Character Control Drawing (Figure 4.6.15) and in accordance with the Ryde Public Domain Technical Manual and relevant street tree master plans.
- c. Select street trees based on the scale of buildings, width of the street, aspect, and on environmental parameters such as soil type.
- d. Build on the visual significance of the Church site and the Clocktower site, to emphasise the edges of core urban area.

See also Sections 2.3 and Section 3.2 for specific controls



Figure 4.6.15 Landscape Character Control Drawing

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

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3.3.4 Urban Elements

Objectives

1. To coordinate paving and urban elements within the Centre
2. To improve the image, quality and amenity of streets and public spaces through quality paving, lighting and street furniture.
3. To ensure that the selection of urban elements and level of provision is based on the hierarchy of streets and intensity of use.

Controls

- a. Provide paving, seats, benches and bins as selected by Council in accordance with the Ryde Public Domain Technical Manual.
- b. Provide seating and shelter (awnings or bus shelter) at all bus stops, and provide seating at community facilities and drop off points. Seating shall be in accordance with Ryde Public Domain Technical Manual.
- c. Provide new street lighting to primary and secondary streets as selected by Council and underground power cables.
- d. Provide pole lighting, lighting from building awnings and structures, in new public spaces, to ensure night time pedestrian safety to Council satisfaction.

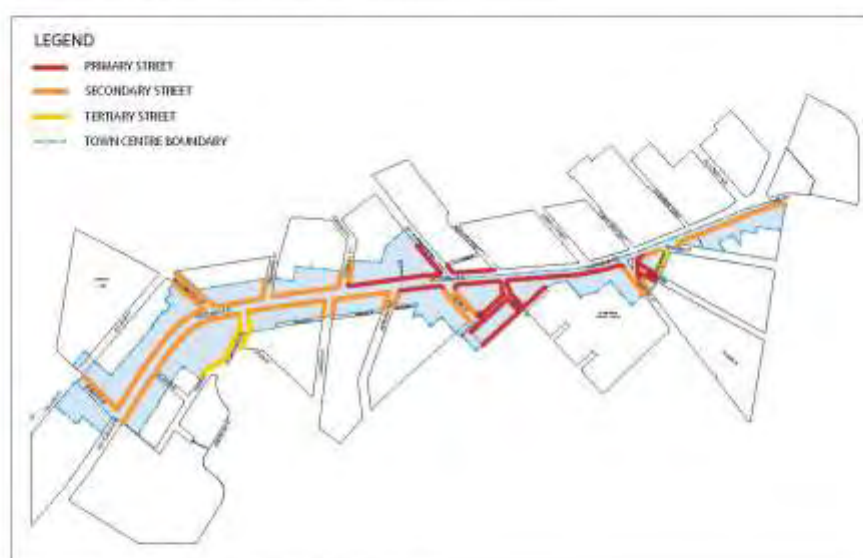


Figure 4.6.16 Urban Elements Control Drawing

ITEM 2 (continued)

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

3.3.5 Street Sections Introduction

Introduction

Streets are the primary structuring elements of the urban form, providing connection and address. They form the greater part of the public domain and should be conceived of as social spaces, not dominated by vehicles. There is a hierarchy of existing streets within the town centre that includes major streets for through traffic and public transport, and local streets for local traffic and pedestrians.

Street trees, furniture, paving and lighting create the detail and quality of the streets. The level and quality of provision can reinforce the hierarchy of streets and public places.

The following section contains objectives and controls for upgrading of existing streets, and the design of new streets in the town centre. Street section controls are provided for:

- Victoria Road (in general) (3.3.6);
- Victoria Road - Town Centre Precinct (3.3.7);
- Western Crescent (3.3.8);
- Coulter Street (3.3.9);

For information on paving, street furniture and lighting, and selection of street trees, reference is made to the Ryde Public Domain Technical Manual.

3.3.6 Victoria Road Section

North Gladesville and South Gladesville Precincts

Victoria Road is the spine, and the public face of the town centre. The southern and northern ends form transition zones between the greener residential areas of smaller buildings in a landscape setting and the highly urban setting of the town centre core. The transition zones have commercial and retail uses at ground floor with a building setback which allows generous street tree planting.

Victoria Road corridor is typically 26 m wide and parking and access is restricted both sides of Victoria Road (refer Figure 4.6.17 Victoria Road Section).

Objectives

1. To create a specific and consistent identity for Victoria Road consistent with the surrounding public domain areas.
2. To provide a robust public domain and to minimise ongoing maintenance requirements.
3. To enhance pedestrian safety, security and amenity along the Victoria Road corridor.

Controls

- a. Set back buildings 2 metres to provide a continuous paved surface typically 5.5 m wide both sides of Victoria Road.
- b. Provide continuous paving for the full footpath width in accordance with the Ryde Public Domain Technical Manual.
- c. Provide street furniture in accordance with Ryde Public Domain Technical Manual including:
 - i. provide seats and bins at 200 m intervals and at bus stops, OR a minimum one per block, if required by Council;

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

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- ii. provide new street lighting, staggered at 40 m intervals on both sides of street; or to Council satisfaction.
- iii. provide lighting to the underside of awnings for the safety and security of pedestrians.
- d. Powerlines are to be underground in locations specified by Council.
- e. Incorporate street tree planting of species to be approved by Council.

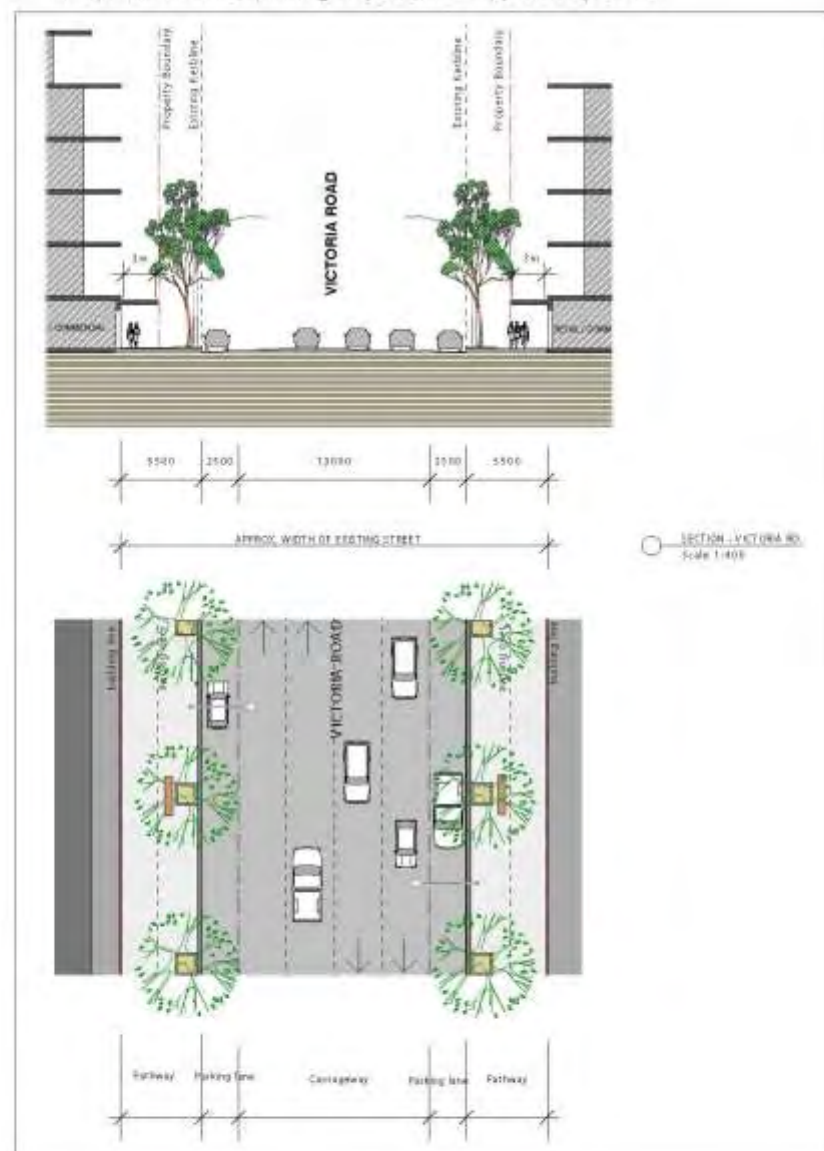


Figure 4.6.17 Victoria Road Section - North and South Gladesville Precincts

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

3.3.7 Victoria Road - Town Centre Precinct Section

Victoria Road in the Town Centre Precinct is highly urbanised, with predominantly retail use at ground floor and a high intensity of pedestrian use. Buildings form the edges of the street, with awnings over the footpath restricting tree planting. Trim Place forms a green break in the street.

Parking and access is restricted on both sides of Victoria Road.

Street trees are generally not provided except for special places such as Trim Place. Refer diagram Figure 4.6.18 Victoria Road - Town Centre Precinct Section

Objectives

1. To create a distinctive character for the Town Centre Precinct.
2. To enhance pedestrian amenity.
3. To minimise visual clutter in the public domain.

Controls

- a. Provide a 3.5 m wide footpath and buildings typically built to the boundary defining both sides of Victoria Road.
- b. Provide continuous granite paving for the full footpath width in accordance with the Ryde Public Domain Technical Manual.
- c. Provide landscaping consistent with an urban setting including planter boxes and the like.
- d. Provide street furniture in accordance with Ryde Public Domain Technical Manual including:
 - i. provide seats and bins at 50 m intervals and at bus stops, a minimum one per block, if required by Council;
 - ii. provide new street lighting, staggered at 20 m intervals on both sides of street, or to Council satisfaction;
 - iii. provide lighting to the underside of awnings for the safety and security of pedestrians.
- e. Powerlines are to be underground in locations specified by Council.

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

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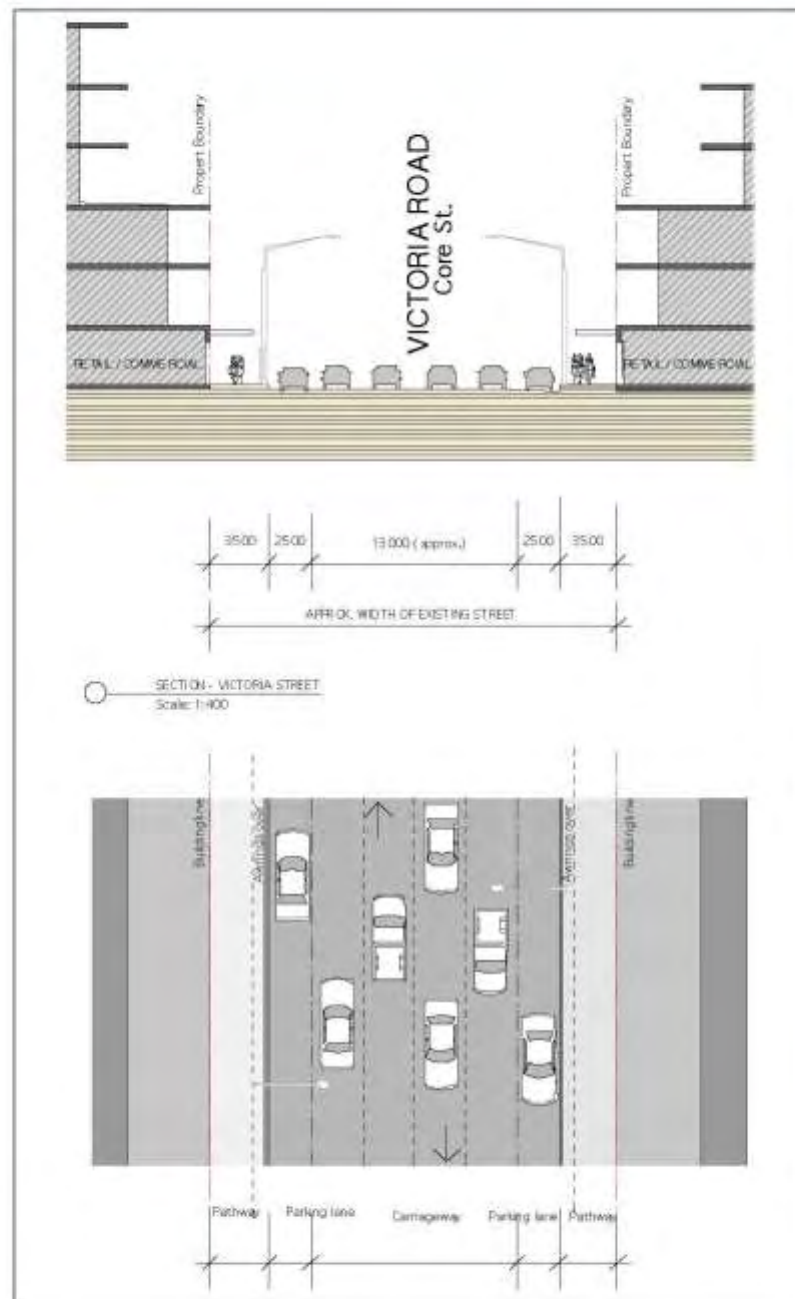


Figure 4.6.18 Victoria Road - Town Centre Precinct Section

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

3.3.8 Western Crescent Section

Town Centre Precinct

Western Crescent is a little street, currently with poor pedestrian amenity. With future development, this street should be part of a network of little streets with high pedestrian amenity, shopping and small public domain spaces, away from, but connected to, Victoria Road. Future setbacks on the eastern side are proposed to balance the scale of buildings and provide an expanded pedestrian area.

Refer diagram Figure 4.6.19 Western Crescent Section

Objectives

- a. To provide improved pedestrian amenity to Western Crescent.
- b. To provide improved pedestrian connections to Trim Place and the Town Centre Precinct.
- c. To provide public domain enhancements.

Controls

- a. Provide a 14.5 metre wide street defined by built edge both sides and a 3.5 m continuous paved footpath both sides.
- b. Provide parking one side and one way traffic as directed by Council.
- c. Provide continuous granite paving for the full footpath width in accordance with Ryde Public Domain Technical Manual.
- d. Provide small scale street trees in the carriageway on the western side, and on the footpath on the eastern side in accordance with the Ryde Public Domain Technical Manual.
- e. Provide street furniture in accordance with the Ryde Public Domain Technical Manual including:
 - i. provide seat and bins at 50 m intervals and at bus stops, minimum one per block, if required by Council
 - ii. provide new street lighting, staggered at 40 m intervals on both sides of street
 - iii. provide lighting to the underside of awnings for the safety and security of pedestrians
- f. Powerlines are to be underground in locations specified by Council.

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

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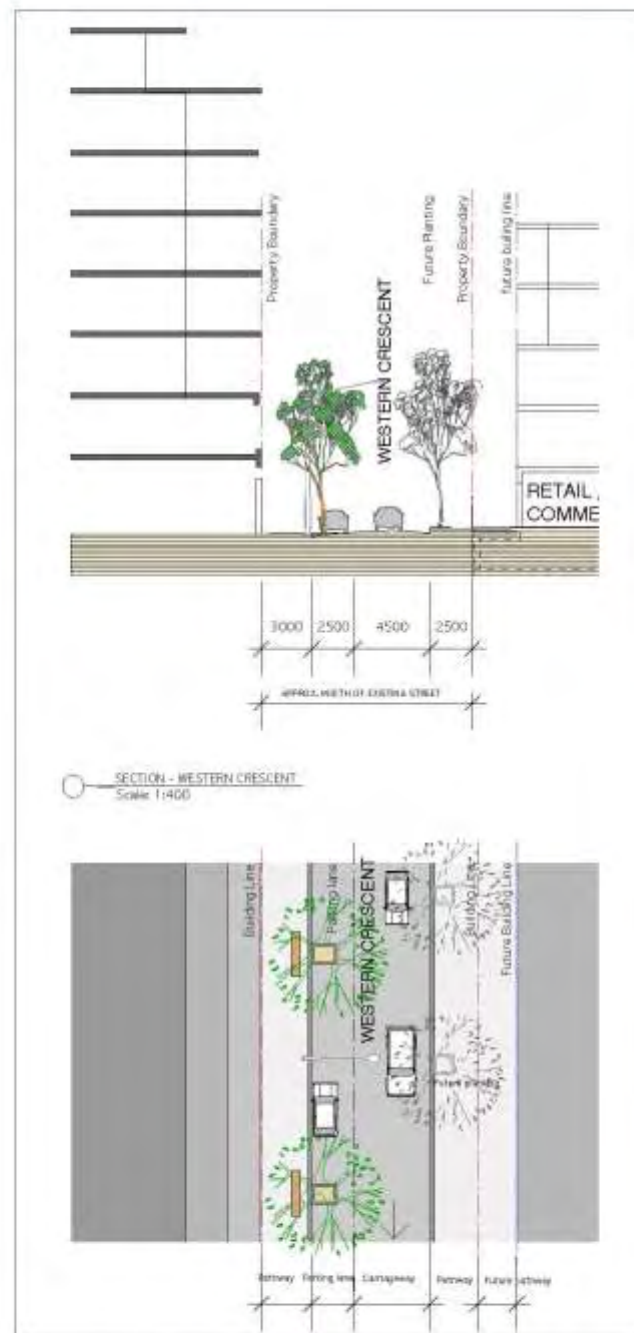


Figure 4.6.19: Western Crescent Section

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

3.3.9 Coulter Street Town Centre Precinct Section

Coulter Street forms the western edge of the retail and commercial core, with possible retail on the eastern side and existing residential on the western side. Expansion of the footpath on the retail side is proposed to allow street tree planting and improved pedestrian amenity. Extension of pavement and street tree planting along the lane to the south is proposed to form a better connection to Trim Place.

Parking and access is restricted both sides of Coulter Street. Refer diagram Figure 4.6.20 Coulter Street Section.

Objectives

1. To provide improved pedestrian amenity to Western Crescent.
2. To provide improved pedestrian connections to Trim Place and the Town Centre Precinct.
3. To provide public domain enhancements.

Controls

- a. Provide a 12.5 metre wide street defined by a built edge on the eastern side, and a landscape setback on the western, residential side.
- b. Provide small scale street trees in footpath on the eastern side, continuing to Trim Place.
- c. Provide continuous paved surface 3.5 m wide on the eastern side, with granite paving for the full width. Paving is to be in accordance with Ryde Public Domain Technical Manual.
- d. Provide street furniture in accordance with the Ryde Public Domain Technical Manual including:
 - i. provide seat and bins at 50 m intervals and at bus stops, minimum one per block, if required by Council
 - ii. provide new street lighting, staggered at 40 m intervals on both sides of street.
- e. Powerlines are to be underground in locations specified by Council.

ITEM 2 (continued)

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Gladesville Town Centre and Victoria Road Corridor

3.0 Objectives and Controls

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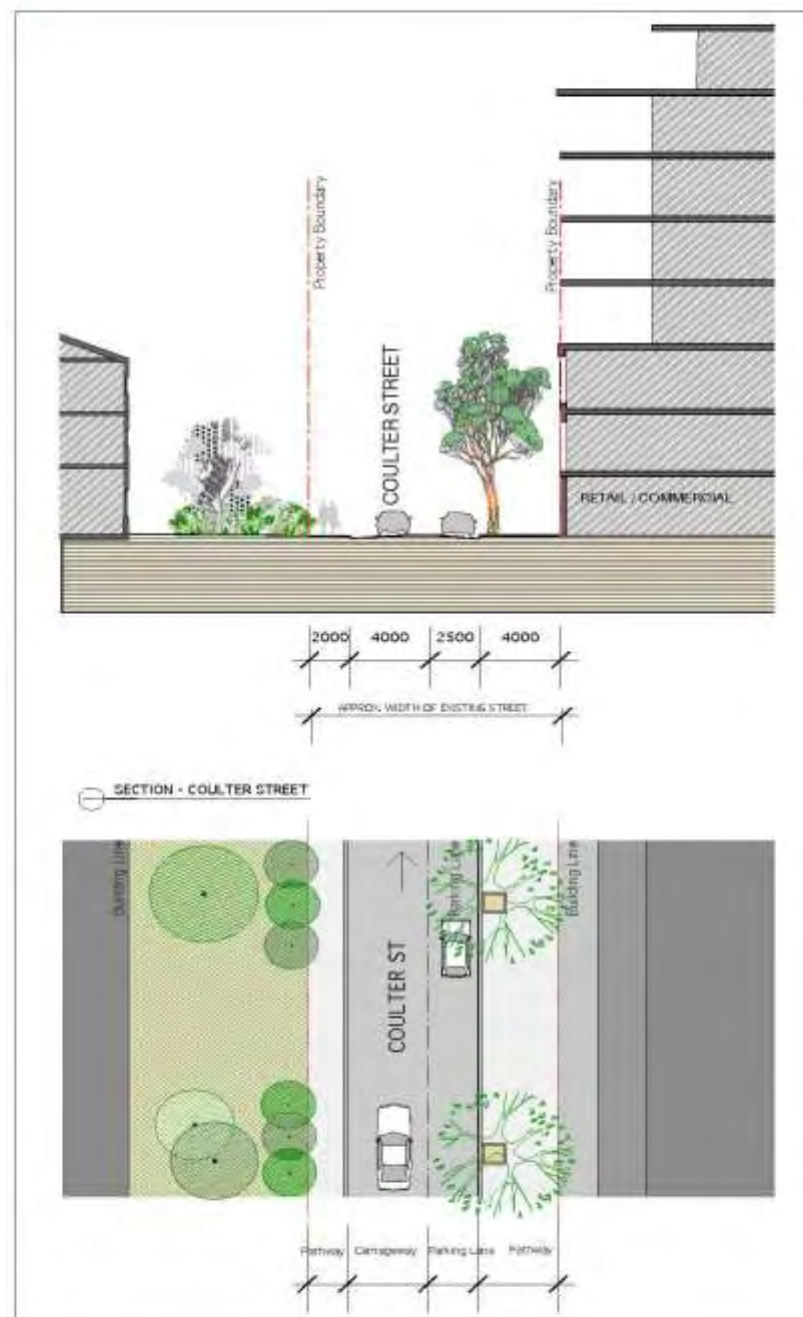


Figure 4.6.20 Coulter Street Section

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Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.0 Key Sites

4.0 KEY SITES

4.1 Key Sites Introduction

Gladesville Town Centre functions primarily as a ribbon shopping strip containing many actively used sites and also under-utilised sites. The Gladesville Town Centre and Victoria Road Corridor Master Plan identified a number of key sites, which have potential to revitalise the centre through their redevelopment and related public domain improvements. The key sites identified in this section were previously identified in the Gladesville Master Plan for public domain and development projects.

Four of the key sites (Coulter Street, Wharf Road, Massey-Cowell Streets and the Pittwater Road Council Carpark site) are in close proximity to the shopping precinct. The opportunity exists with their development to:

- Create a better pedestrian environment in and around the town centre shopping precinct;
- Assist pedestrian movement with new streets, pedestrian through site connections, widened footpaths and pedestrian squares;
- Create pleasant outdoor places for recreation away from the traffic on Victoria Road;
- Provide a wide range of retail shopping, including expanded supermarkets, big box retail and a greater range of specialty shops;
- Provide better public underground carparking; and
- Renew community facilities such as libraries and child care centres.

The Primrose Hill site is currently under-utilised and the opportunity exists to provide a landscaped pedestrian link through the site, a hotel and retail /commercial uses at the ground floor and residential development above.

The Monash Road area is a prominent entry to the corridor with a small scale retail presence that is in need of revitalisation. Appropriately scaled development aims to unify the built form at this important intersection with Victoria Road and relate to existing near by low scale buildings.

The development controls in section 4 of this Part provide detailed guidance to create cohesive built form and public domain outcomes for Key sites. All the Key sites have public domain improvements, some with new streets, squares and lanes and widened footpaths.

The detailed envelopes shape future built forms and establish relationship to the public domain spaces, topography, heritage items and conservation areas.

Objectives

The public domain improvements and development of these key sites in this Part will:

1. Support the existing town centre shopping precinct;
2. Contribute to expanding and enhancing the pedestrian network around the town centre shopping precinct;
3. Provide an expanded range of uses in the town centre;
4. Provide better public domain access and amenity through existing under-utilised sites; and
5. Create an enhanced image of the town centre as its entries and major intersections.

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Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

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Controls

- a. Future design and development proposals for Key Sites are to be reviewed by a Design Review Panel to ensure design quality in design proposals.
- b. The Key Sites Plans in Section 4 of this Part may be varied subject to preparation of a new Comprehensive Plan for the subject land that demonstrates the following to Council's satisfaction:
 - i. Publicly accessible open space exceeding that shown in the Key Sites Plans within this Part OR publicly accessible open space that exceeds 30% of the site area.
 - ii. Community benefit in the form of facilities such as child care, community meeting space, library space, commuter parking, business incubator or other. The Comprehensive Plan must demonstrate the demand for such facilities to Council satisfaction.
 - iii. Environmental impacts (such as overshadowing and overlooking) are managed.
 - iv. Environmentally sustainable design is implemented. Water and energy consumption are minimised.
 - v. Transport Management is to Council and, where applicable, RMS satisfaction including pedestrian access, public transport access, parking quantum and layout, and intersection level of service.

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Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.2 Key Sites Plan

Key Sites are detailed in the following pages.

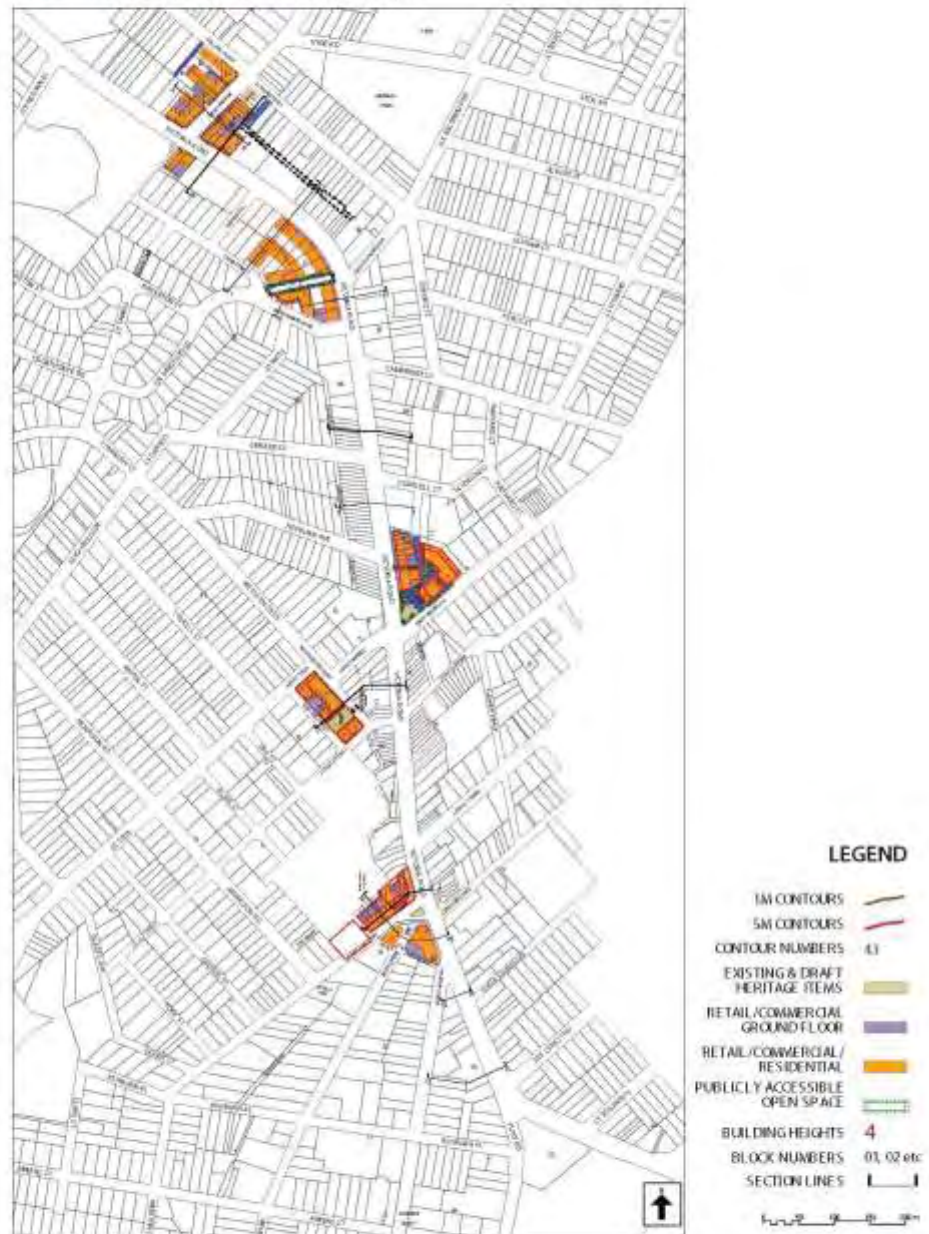


Figure 4.6.21 Key Sites Plan

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Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

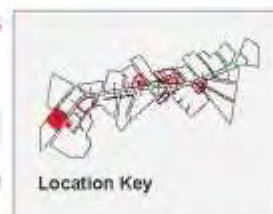
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4.3 Key Sites Built Form and Public Domain Controls

4.3.1 Monash Road Key Site Built Form Controls

Objectives

1. Create a thriving retail block containing specialty retail, commercial and residential uses.
2. Create a cohesive small centre with a continuous retail or commercial ground level abutting the street frontage of Victoria Road and Monash Road.
3. Ensure the built heritage value of the existing buildings is taken into consideration.



Controls

Building Uses and Ground Floor Activities

- a. Provide mixed use development with retail or commercial activities on the ground level particularly on Victoria Road and Monash Road frontages, with commercial, retail or residential upper floors.
- b. Provide commercial or retail uses fronting Monash Road.

Street Frontages

- c. Provide a continuous active frontage at ground level abutting the property boundary on Victoria Road and Monash Road.
- d. Provide a setback from Victoria Road on the southern end of Block 04A to enable tree planting.

Building Heights

- e. Provide development in accordance with Figure 4.6.23 Built Form Plan for building heights in storeys.

Note: The articulation of the top floor in the 3 dimensional building envelope drawing (Figure 4.6.22) is indicative of a top floor treatment.

Building Depth and Separation

- f. Must be in accordance with Figure 4.6.23 Built Form Plan building depth and separation requirements.
- g. An 18 m wide building envelope maximum including balconies and façade articulation is preferred.



Figure 4.6.22 Block 02, 03 & 04 3D Model

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

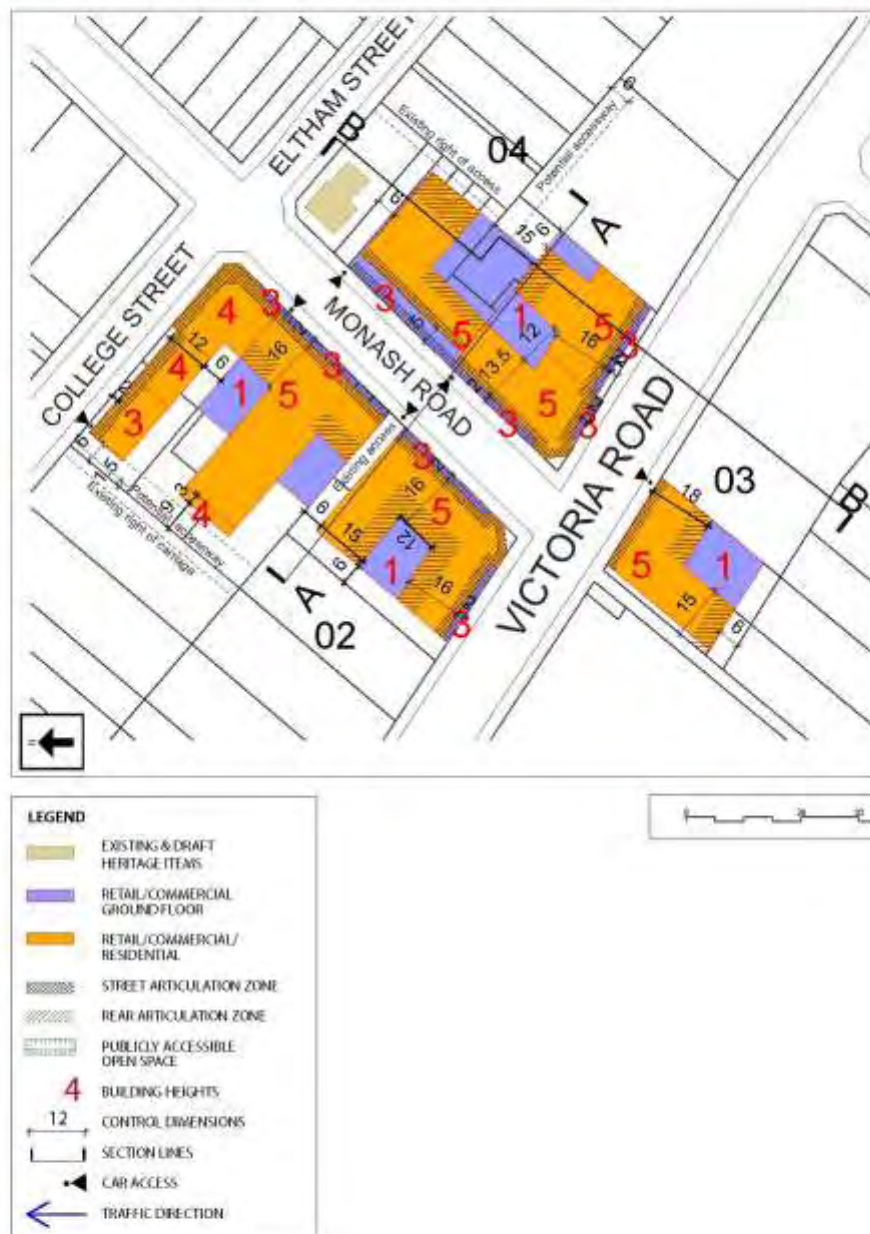


Figure 4.6.23 Block 02, 03 & 04 Built Form Plan

ITEM 2 (continued)

ATTACHMENT 2

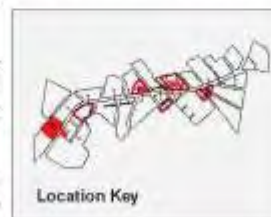
Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.6

Building Setbacks

- h. Provide zero setbacks along Victoria Road and Monash Road on the ground, first and second floors in accordance with Figure 4.6.23 Built Form Plan and Figure 4.6.24 Setbacks.
- i. Provide upper level setbacks in accordance with Figure 4.6.23 Built Form Plan and Figure 4.6.24 Setbacks. Upper level setbacks are measured to the edge of any balcony or building façade.
- j. Provide a 2m setback for ground floor fronting College Street. Upper levels above the ground floor residential uses should also be setback 2m.
- k. Provide zero setbacks at the corner of Monash Road and College Street for ground floor and upper levels to a maximum of 3 storeys to maintain a 3 storey built form on the corner of Monash Road and College Street.



Minimising Vibration, Noise and Air Pollution in Residential Buildings Near Busy Roads

- l. Design to minimise vibration, noise and air pollution in the internal layout and materials selection of residential buildings. Development must comply with NSW Planning & Infrastructure, Development Near Rail Corridors and Busy Roads - Interim Guidelines.
- m. Internal circulation corridors, bathrooms, laundries and other non-habitable spaces should be located adjacent to the busy road.
- n. Living rooms and primary balconies should be located and oriented away from the main road.
- o. Additional techniques to minimise the impacts of a busy road include glazed balconies or wintergardens, louvred balcony screens and double glazing.
- p. Cross ventilation is to be maintained by means such as glass and metal louvres, and cross over or two storey apartment types.

Public Domain

- q. At least 10% of the site area is to be provided as public domain or community space in the form of a potential vehicular access way 6 m wide and a footpath 1.5 m wide to connect to the local street network OR to Council's approval.
- r. A development application for new floor space that exceeds 500m² is to provide a detailed traffic and pedestrian access study that demonstrates safe and convenient access, including consideration of loading/unloading arrangements.

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

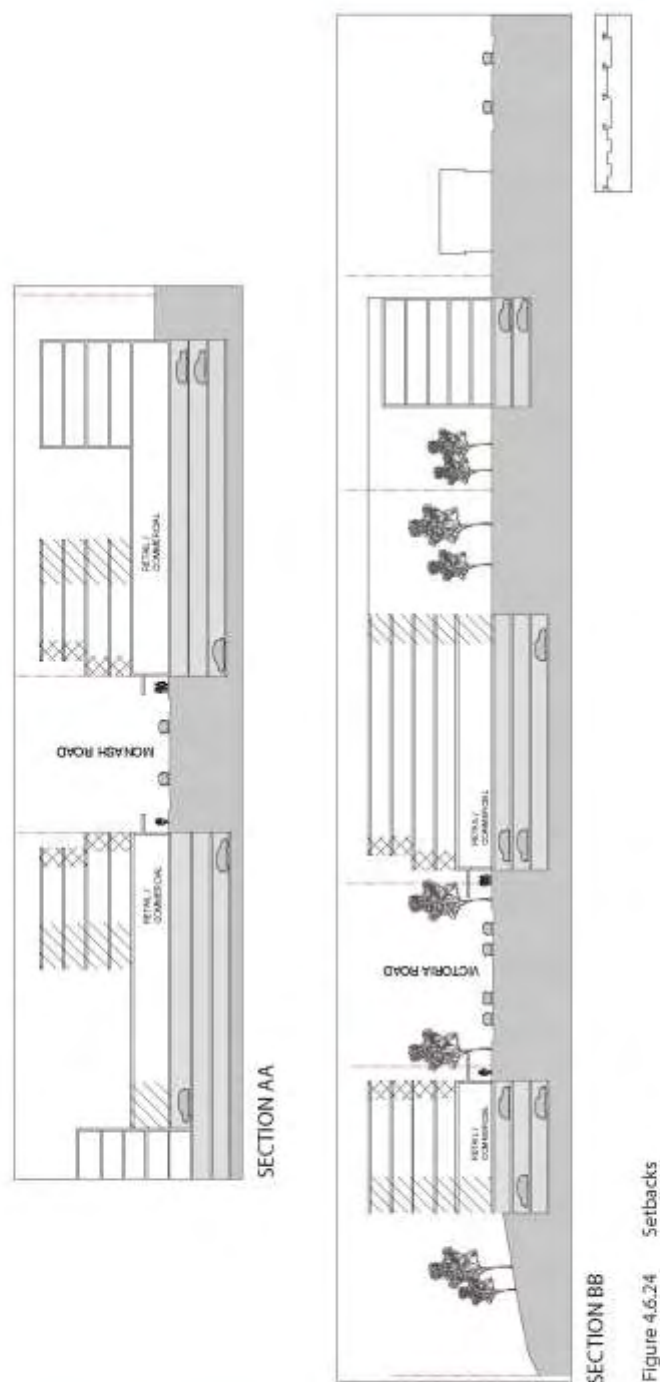


Figure 4.6.24 Setbacks

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

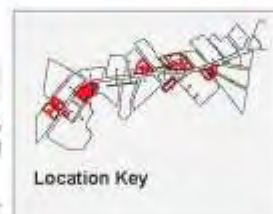
4.0 Key Sites

4.6

4.3.2 Block 05 (Primrose Hill) Built Form Controls

Objectives

1. Create a thriving, mixed use area, with a range of commercial, retail or residential uses along Victoria Road and extending down Osgathorpe Road.
2. Create a landscaped character and landscaped setting for buildings facing Osgathorpe Road and Farm Street.
3. Create a well-articulated sequence of built forms in Victoria Road, Osgathorpe Road and Farm Street.
4. Protect the residential amenity of development fronting Victoria Road.



Controls

Building Uses and Ground Floor Activities

- a. All development must include commercial and/or retail land uses.
- b. Provide mixed use development with retail or commercial activities on the ground level fronting Victoria Road and the corner of Osgathorpe Road, with commercial, retail or residential upper floors.
- c. Create a mix of residential or commercial activities in the buildings facing Osgathorpe Road. Land uses on Farm St are to be residential or compatible with residential land uses.

Street Frontages

- d. Provide an active frontage at ground level on Victoria Road.
- e. Provide a building setback with a landscaped setting for the residential buildings facing Osgathorpe Road and Farm Street.

Building Heights

- f. Provide development in accordance with Block 05 Built Form Plan (Figure 4.6.26) for building heights in storeys.

Note: The articulation of the top floor in the 3 dimensional building envelope drawing (Figure 4.6.25) is indicative of a top floor treatment, and is not a development control.

- g. Step built forms down from Victoria Road to relate the built form to the change in the topography.



Figure 4.6.25 Block 05 3D Model

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites



Figure 4.6.26 Block 05 Built Form Plan

ITEM 2 (continued)

ATTACHMENT 2

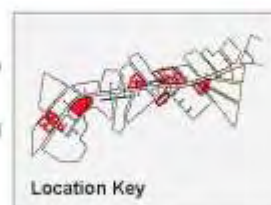
Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.6

Building Depth and Separation

- h. Provide building depth and separation in accordance with Figure 4.6.26 Block 05 Built Form Plan.
- i. An 18 m wide maximum building envelope, including balconies and façade articulation, is preferred.



Building Setbacks

- j. Provide 2 m setbacks along Victoria Road on the ground, first and second floors in accordance with Figure 4.6.26 Built Form Plan and Figure 4.6.27 Setbacks.
- k. Provide upper level setbacks in accordance with Figure 4.6.26 Built Form Plan and Figure 4.6.27 Setbacks. Upper level setbacks are measured to the edge of any balcony or building façade.
- l. Provide 3 m setbacks in Osgathorpe St at the ground, first and second floors.
- m. Provide 6 m setbacks in Farm St at the ground, first and second floors.

Minimising Vibration, Noise and Air Pollution in Residential Buildings Near Busy Roads

- n. Design to minimise vibration, noise and air pollution in the internal layout and materials selection of residential buildings. Development must comply with NSW Planning & Infrastructure, Development Near Rail Corridors and Busy Roads - Interim Guidelines.
- o. Internal circulation corridors, bathrooms, laundries and other non-habitable spaces should be located adjacent to the busy road.
- p. Living rooms and primary balconies should be located and oriented away from the main road. Additional techniques to minimise the impacts of a busy road include glazed balconies or wintergardens, louvred balcony screens and double glazing.
- q. Cross ventilation is to be maintained by means such as glass and metal louvres, and cross over or two storey apartment types.

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

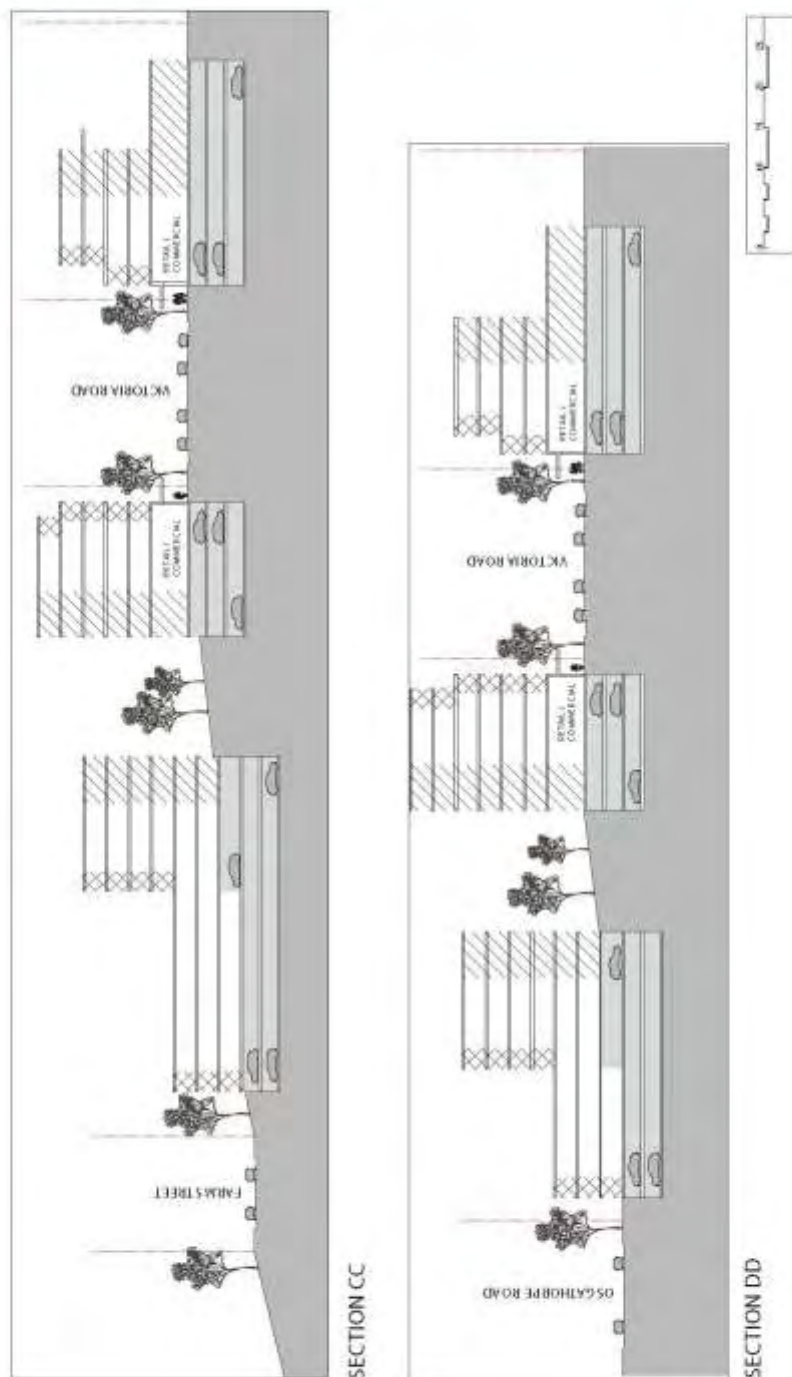


Figure 4.6.27 Block 05 (Primrose Hill) Setbacks

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.6

4.3.3 Block 05 (Primrose Hill) Public Domain/ Community Space Controls

Introduction

The site is highly visible at the top of a hill, on a bend on Victoria Road. Development of this key site will potentially improve the visual quality of the streetscape of Victoria Road, and form a gateway to the town centre.



Objectives

1. Maximise opportunities for pedestrian connections and landscape improvement.

Controls

- a. Provide street enhancements and landscaping in accordance with Block 05 Public Domain Plan (Figure 4.6.30).
- b. Provide street tree planting in accordance with Draft Ryde Public Domain Technical Manual.
- c. Provide a pedestrian connection, public domain and/or community space equivalent to at least 10% of the site area in the form of a through-site link as shown on the key site drawing or to Council's approval. A through site link shall have the following characteristics:
 - i. Connects Farm St with the signalised pedestrian crossing at Victoria/Westminster Rds; and
 - ii. open to the sky; and
 - iii. a minimum dimension of at least 12 m across; and
 - iv. a minimum 15 m separation between buildings on either side of the through site link; and
 - v. paved in accordance with Ryde Council's Public Domain Technical Manual.
- d. Create a landscape edge along Farm Street and Osgathorpe Road, to suit the character of the surrounding streetscape.
- e. Extend the kerb at the corner of Farm Street and Osgathorpe Road, to reduce the pedestrian crossing distance and make an opportunity for tree planting.
- f. Widen pavements to improve pedestrian circulation, and provide more seating.

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.6 Key Sites



Figure 4.6.28 Block 05 Public Domain Plan

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

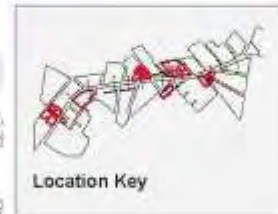
4.0 Key Sites

4.6

4.3.4 Block 11 (Council Carpark) Built Form Controls

Objectives

1. Create a mixed use area, with a range of community, commercial, retail or residential uses along Victoria Road and Pittwater Road.
2. Create a continuous retail or commercial ground level abutting the street frontage of Victoria Road.
3. Reinforce the existing civic role of the site fronting Pittwater Road, by relocating the library and child care centre to the new development.
4. Create new public spaces on the street frontage to Pittwater Road and within the new development.
5. Link the developments to Victoria Road and Pittwater Road through an existing public walkway.
6. Enhance the heritage character of the Presbyterian Church.
7. Ensure the heritage and landscape values of the heritage listed church are taken into consideration.



Controls

Building Uses and Ground Floor Activities

- a. Provide commercial or retail uses to the ground floor along Victoria Road.
- b. Provide community and retail/commercial uses to the ground floor along Pittwater Road. Encourage community activities at the ground floor level.
- c. Provide residential or commercial uses on the upper floors.

Street Frontages

- d. Provide a landscaped setting for the Presbyterian Church on the corner of Pittwater Road and Victoria Road, with a row of closely spaced trees planted between future development and the rear façade of the church.
- e. Setback the building on Pittwater Road to create a forecourt to the building, addressed by the library, child care centre and possible retail uses.
- f. Provide a continuous active frontage at ground level abutting the property boundary on Victoria Road.

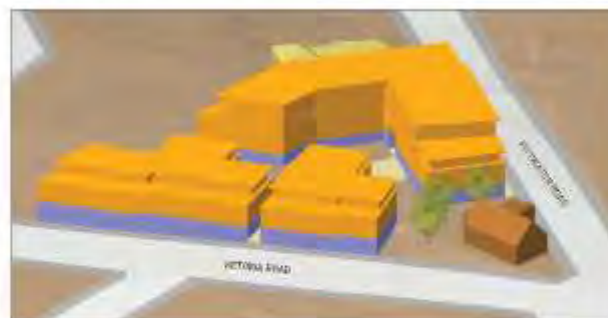


Figure 4.6.29 Block 11 3D Model

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites



Figure 4.6.30 Block 11 Built Form Plan

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.6

Building Heights

- g. Provide development in accordance with Block 11 Built Form Plan (Figure 4.6.29) per building heights in storeys, measured to the ceiling of the top most floor.

Note: The articulation of the top floor in the 3 dimensional building envelope drawing (Figure 4.6.28) is indicative of a top floor treatment, and is not a development control.

Building Depth and Separation

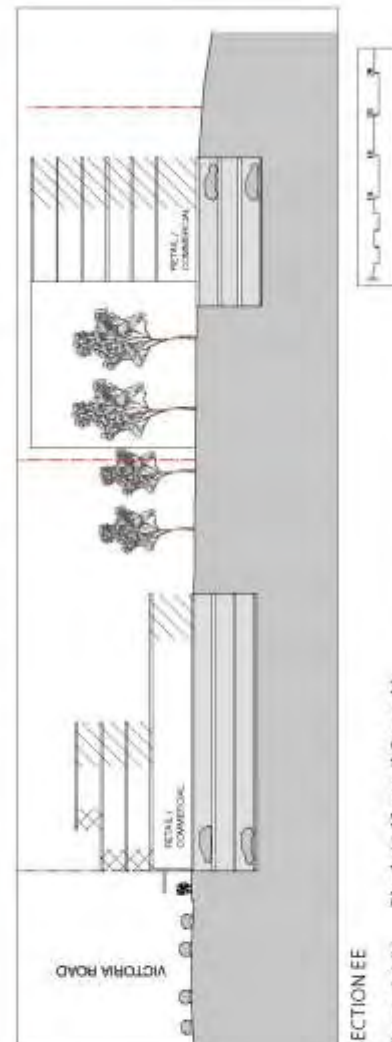
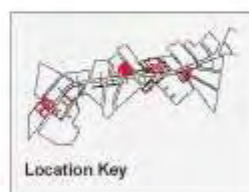
- h. Provide building depth and separation in accordance with Block 11 Built Form Plan (Figure 4.6.29).

Building Setbacks

- i. Provide setbacks to Pittwater Road as shown on Block 11 Built Form Plan (Figure 4.6.29).
- j. The ground, first and second floors along Victoria Road are to be built to the existing street boundary.
- k. The upper floors along Victoria Road are to be set back a minimum 5 metres from the edge of any balcony or building façade.

Minimising Vibration, Noise and Air Pollution in Residential Buildings Near Busy Roads

- l. Design to minimise vibration, noise and air pollution in the internal layout and materials selection of residential buildings. Development must comply with NSW Planning & Infrastructure, Development Near Rail Corridors and Busy Roads - Interim Guidelines.
- m. Internal circulation corridors, bathrooms, laundries and other non-habitable spaces should be located adjacent to the busy road.
- n. Living rooms and primary balconies should be located and oriented away from the main road. Additional techniques to minimise the impacts of a busy road include glazed balconies or wintergardens, louvred balcony screens and double glazing.
- o. Cross ventilation is to be maintained by means such as glass and metal louvres, and cross over or two storey apartment types.

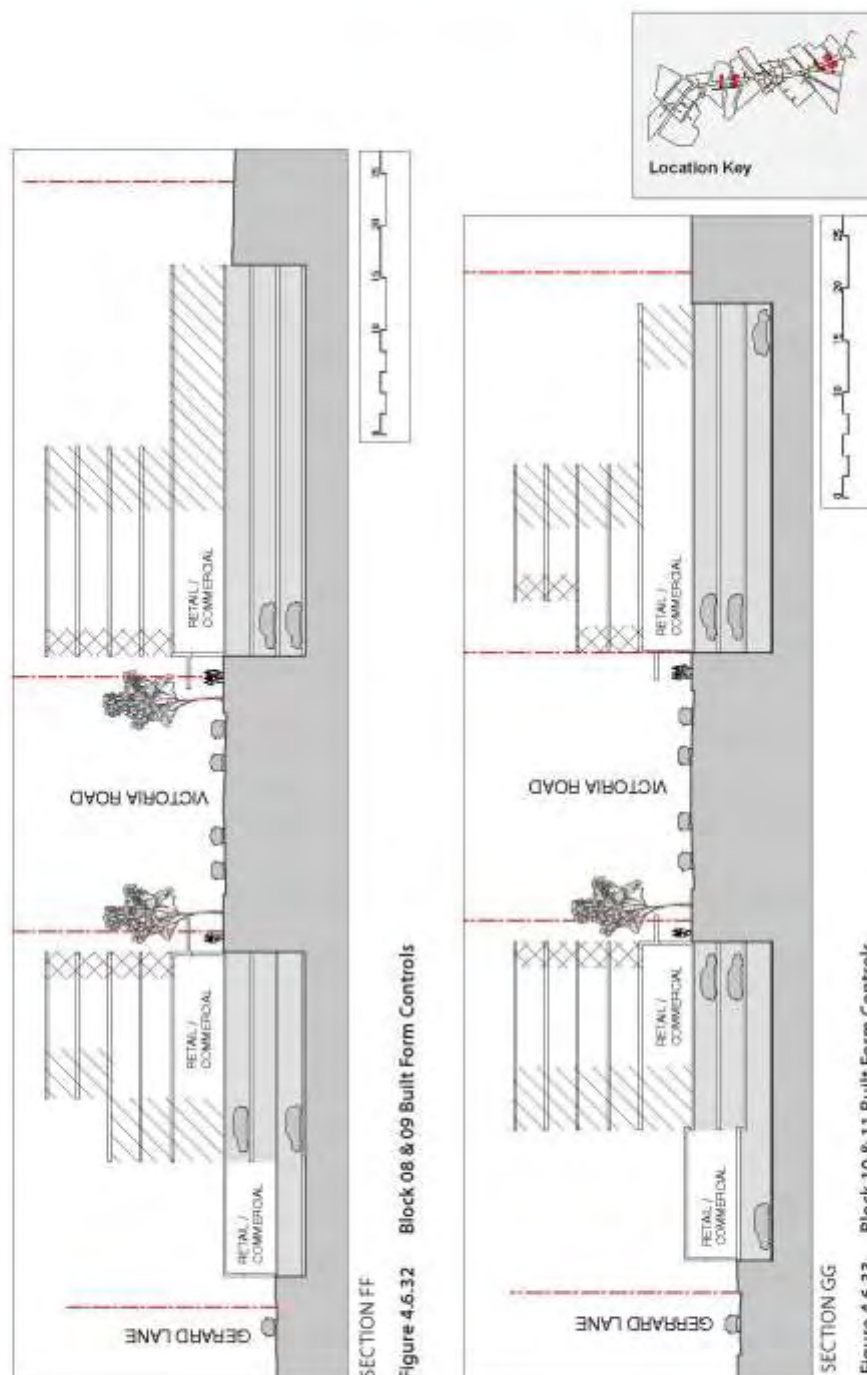


ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor
4.0 Key Sites



ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.6

4.3.5 Block 11 (Council Carpark) Public Domain Controls

Introduction

The church grounds and small open space opposite form a significant green pocket on Victoria Road that makes a positive contribution to the street character. The green space at the corner of Jordan Street is exposed to traffic and not well used, but the paved space below this is used for outdoor dining.



Objectives

1. Create a civic precinct associated with the new library and community facilities.
2. Maximise the opportunity for pedestrian connections.
3. Reinforce the positive qualities of the church site and open space opposite.

Controls

- a. Provide public domain / community space equivalent to at least 10% of the site area in the form of a public plaza as shown on the key site drawing or to Council's approval. The public plaza is to have the following characteristics:
 - i. Open to the sky; and
 - ii. A minimum dimension of at least 9 m in any one direction; and
 - iii. A minimum 15 m separation between buildings on either side of the plaza; and
 - iv. paving seating and lighting in accordance with Council's Public Domain Technical Manual.
- b. Create pedestrian connections to Victoria Road.
- c. Widen pavement on Pittwater Road to improve pedestrian circulation, and provide seating.
- d. Provide streetscape improvements including planting in accordance with Block 11 Public Domain Plan (Figure 4.6.34).
- e. Provide a tall dense plant screen as a backdrop to the church. Plant tall native species such as Spotted Gum to screen the residential building behind.



ITEM 2 (continued)

ATTACHMENT 2

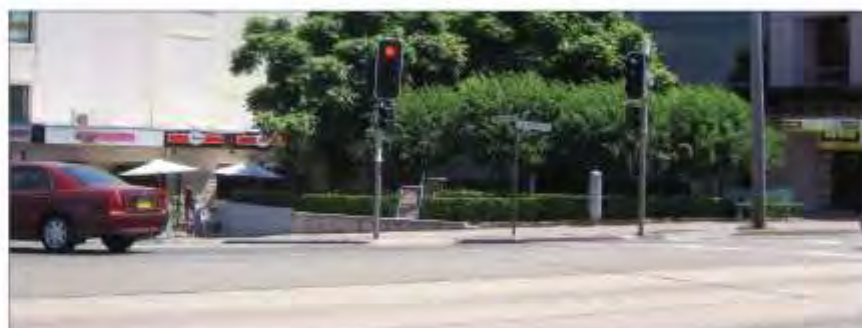
4.6

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites



Figure 4.6.34 Block 11 Public Domain Plan



ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.6

4.3.6 Block 18 (Coulter Street) Built Form Controls

Objectives

1. To create and sustain safe pedestrian access.
2. To create a vibrant hub with activities to complement community, education and entertainment facilities within the precinct.
3. To create a well-articulated sequence of built forms in Coulter Street, Ross Street and Western Crescent, with residential or commercial uses at the upper levels separated into discrete buildings.



Controls

Building Uses

- a. Land-use must complement community, education and entertainment facilities within the precinct.

Street Frontages

- b. Provide active uses including retail or commercial at the first floor and ground level frontage to Coulter Street, Ross Street, Unsley Street and Western Crescent.

Building Heights

- c. Views from nearby sites are to be considered in any redevelopment. Height and Built Form shall comply with Block 18 Built Form Plan (refer to Figure 4.6.36).

Note: The articulation of the top floor in the 3-dimensional building envelope drawing (Figure 4.6.35) is indicative of a top floor treatment, and is not a development control.

Building Depth and Separation

- d. Provide building depth and separation in accordance with Block 18 Built Form Plan (Figure 4.6.36).

Note: All dimensions are to the building envelope.

- e. The building envelope in residential buildings including all balconies and façade articulation is 18 m wide.
- f. The building depth in commercial and retail buildings also includes balconies and façade articulation. Façade articulation such as the use of balconies, bays, entry portals and the expression of structure are desirable architectural expressions.



Figure 4.6.35 Block 18 3D Model

ITEM 2 (continued)

ATTACHMENT 2

4.6 Gladesville Town Centre and Victoria Road Corridor

4.6 Key Sites

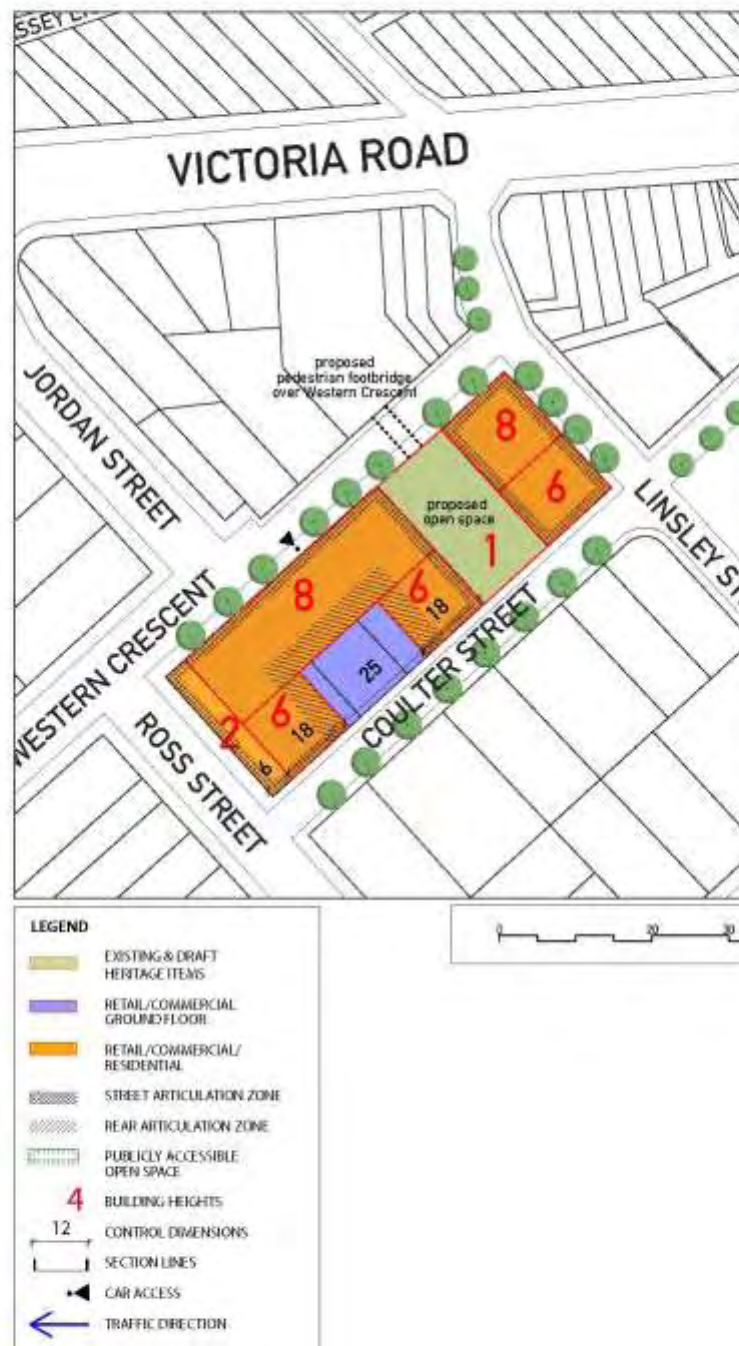


Figure 4.6.36 Block 18 Built Form Plan

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.6

Building Setbacks

- g. All levels are to have a zero setback from Coulter Street, Ross Street, Linsley Street and Western Avenue.

Access

- h. Provide a pedestrian footbridge at a location to the satisfaction of Council and the RMS that links Block 18 with Block 21.
- i. The footbridge shall be lit to P4 Australian Standard, provide weather protection and be fully accessible.
- j. A DA application for new floor space that exceeds 500 m² is to provide a detailed traffic and pedestrian access study that demonstrates safe convenient access.
- k. Parking and safe access must be provided during construction of any new development that exceeds 500 m² (including consideration of kiss and ride for the school and childcare).

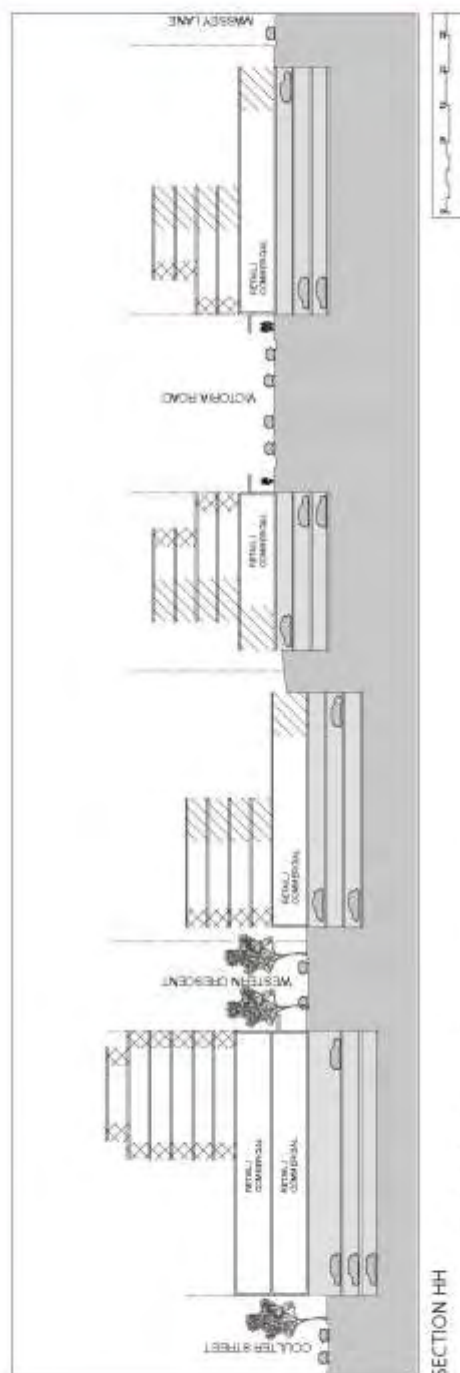


Figure 4.6.37 Block 18 (Coulter Street)

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.3.7 Block 18 (Coulter Street) Public Domain Controls

Introduction

Coulter Street, Western Crescent and Linsley Street are narrow one way streets around the existing car park. There is a very poor pedestrian environment, with narrow footpaths and no shade. Coulter Street extends to Trim Place, but the footpath is narrow with poor pedestrian amenity.



Objectives

1. Create a civic precinct associated with new shopping development, with a good pedestrian environment away from Victoria Road.
2. Enhance pedestrian links to create a walkable network of public spaces.
3. Create network of streets with an intimate scale, forming a pedestrian orientated environment.

Controls

- a. Provide public domain and community space equal to 10% of the key site area or 500 m² (whichever is the greater) and generally in accordance with Block 18 Public Domain Plan (Figure 4.6.38). Public Domain space must meet demands created by the site redevelopment and may include pedestrian connections, laneways and public plazas. Public plazas must be:
 - i. Open to the sky; and
 - ii. A minimum 15 m separation between buildings on either side of the public plaza; and
 - iii. Paved in accordance with Ryde Council's Public Domain Technical Manual.
- b. Set back future buildings on eastern side of Western Crescent for street tree planting, and plant in carriageway on the western side.
- c. Widen footpaths on Linsley Street and Coulter Street to improve pedestrian amenity and allow street tree planting.
- d. Widen footpath on Coulter Street and plant, to enhance the connection to Trim Place.

See also Section 3.3.8 and 3.3.9

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.6



ITEM 2 (continued)

ATTACHMENT 2

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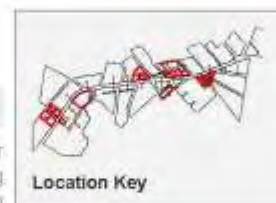
Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.3.8 Block 20, 25 & 28 (Wharf Road) Built Form Controls

Objectives

1. Create a coherent town centre commercial or retail character with a continuous commercial or retail ground level abutting the street frontage of Victoria Road and extending down Meriton Street and Wharf Road.
2. Create enhanced pedestrian and shopper amenity in Wharf Road and Meriton Street, with active ground level uses and widened footpaths.
3. Provide a New Lane from Meriton Street to Wharf Road. The creation of this New Lane will benefit the flow of traffic in the Wharf Road area and will provide enhanced pedestrian amenity in Wharf Road and Meriton Street. The increased yields are dependent upon the provision of the New Lane.
4. Retain the existing residential/commercial building on the corner of Victoria Road and Meriton Street.



Controls

Building Uses and Ground Floor Activities

- a. Provide mixed use development with retail or commercial uses at the ground floor, with a continuous retail or commercial frontage to Victoria Road, Meriton Street and Wharf Road.

Street Frontages

- b. Provide an active frontage at ground level abutting the property boundaries on Victoria Road, Meriton Street and Wharf Road.
- c. Locate intensely used, small scale retail frontages, such as cafes, restaurants and specialty shops addressing the proposed landscaped pedestrian area at the northern end of Wharf Road.

Building Heights

- d. Provide development in accordance with Block 20, 25 & 28 Built Form Plan (Figure 4.6.40) for building heights in storeys.

Note: The articulation of the top floor in the 3 dimensional building envelope drawing is indicative of a top floor treatment, and is not a development control.

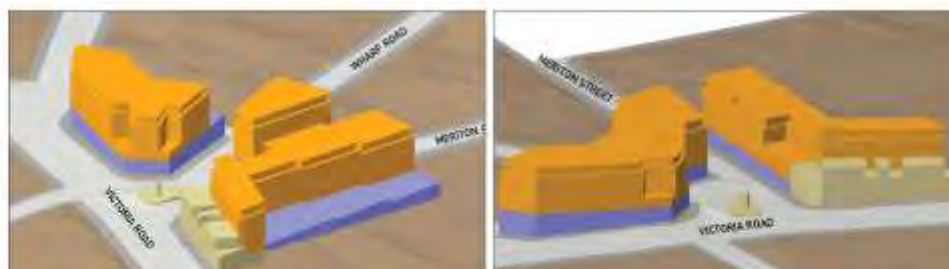


Figure 4.6.39 Block 20, 25 & 28 3D Model

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

4.6

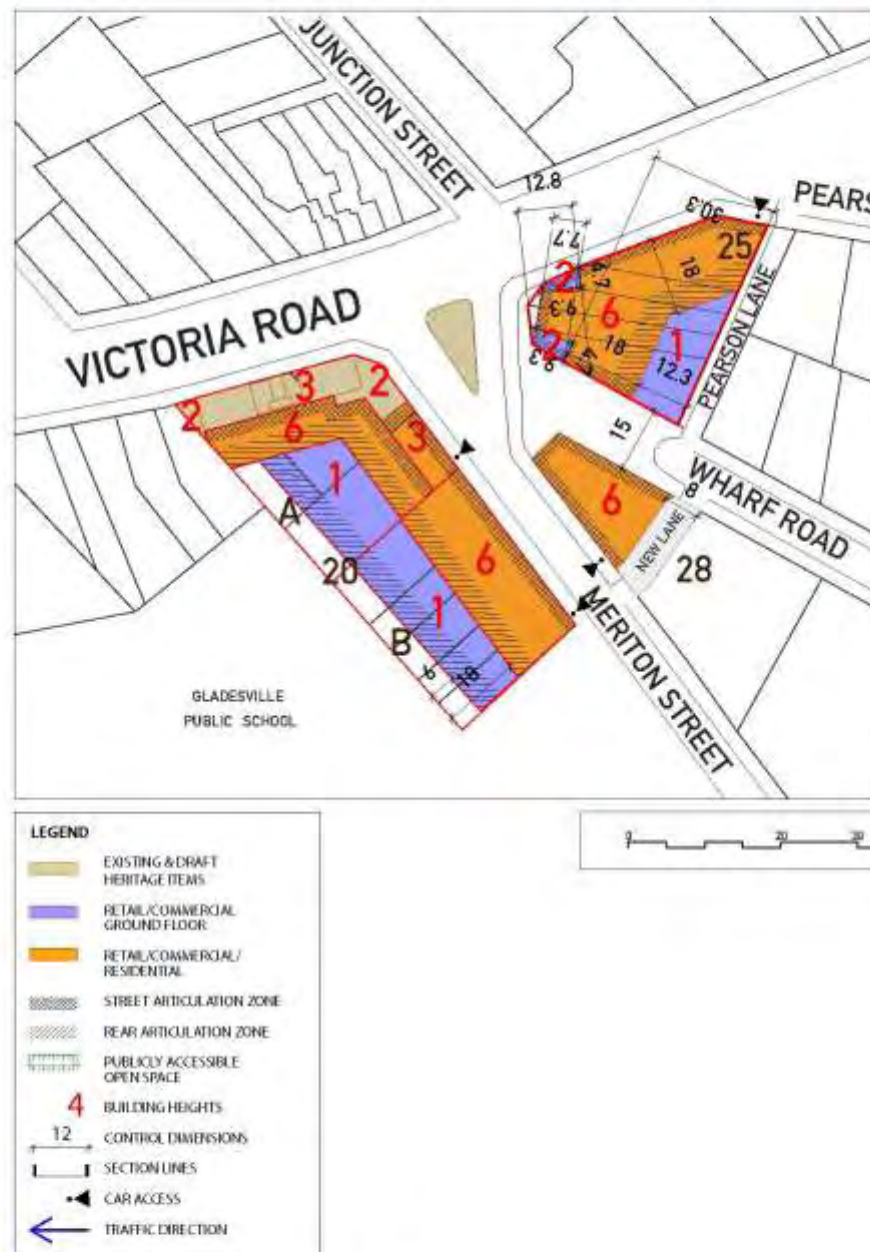


Figure 4.6.40 Block 20, 25 & 28 Built Form Plan

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

Building Depth and Separation

- e. Provide building depth in accordance with the Block 20, 25 & 28 Built Form Plan (Figure 4.6.40).
- f. Provide 12 m building separation between proposed development and existing or proposed residential development.
- g. An 18 m wide building envelope maximum, including balconies and façade articulation, is preferred.



Building Setbacks

- h. Provide zero setback to Meriton Street and Wharf Road.
- i. The ground and first floors on site 25 have a zero setback to Victoria Road, Wharf Road and Pearson Lane.
- j. The upper floors on site 25 are to comply with the building envelope setbacks to form a splayed corner form that relates to site 28.

Avoiding Noise and Air Pollution in Residential Buildings

- k. Barriers to noise and air pollution are to be provided by the internal layout and design of residential buildings. Barriers are to be created by the location of internal circulation corridors, bathrooms, laundries, storage and other non-habitable spaces adjacent to the road. Living rooms and primary balconies are to be located and oriented away from the main road. Additional barrier techniques include glazed balconies or wintergardens to bedroom balconies, louvred screens to balconies and windows and double glazing to windows and doors. Cross ventilation is to be maintained by means such as glass and metal louvres, and cross over or two storey apartment types.

Access

- l. Provide a new laneway that is 8 m wide and enhances pedestrian and vehicular access to and from the site and the public plaza.
- m. Laneway shall implement Local Area Traffic Management in accordance with RMS guidelines (to ensure that the new laneway does not become a rat run between Victoria Road and Meriton Street).

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor
4.0 Key Sites **4.6**

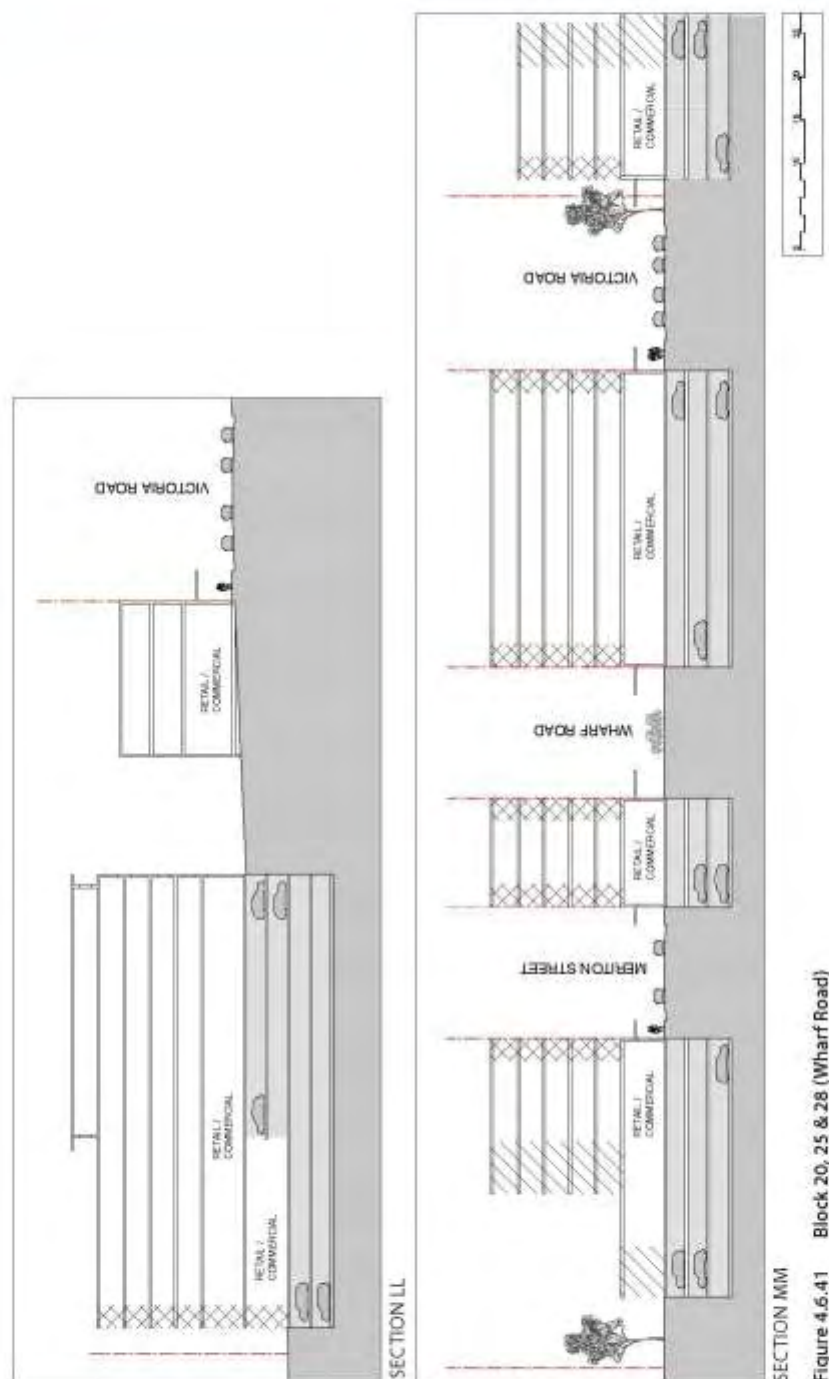


Figure 4.6.41 Block 20, 25 & 28 (Wharf Road)

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

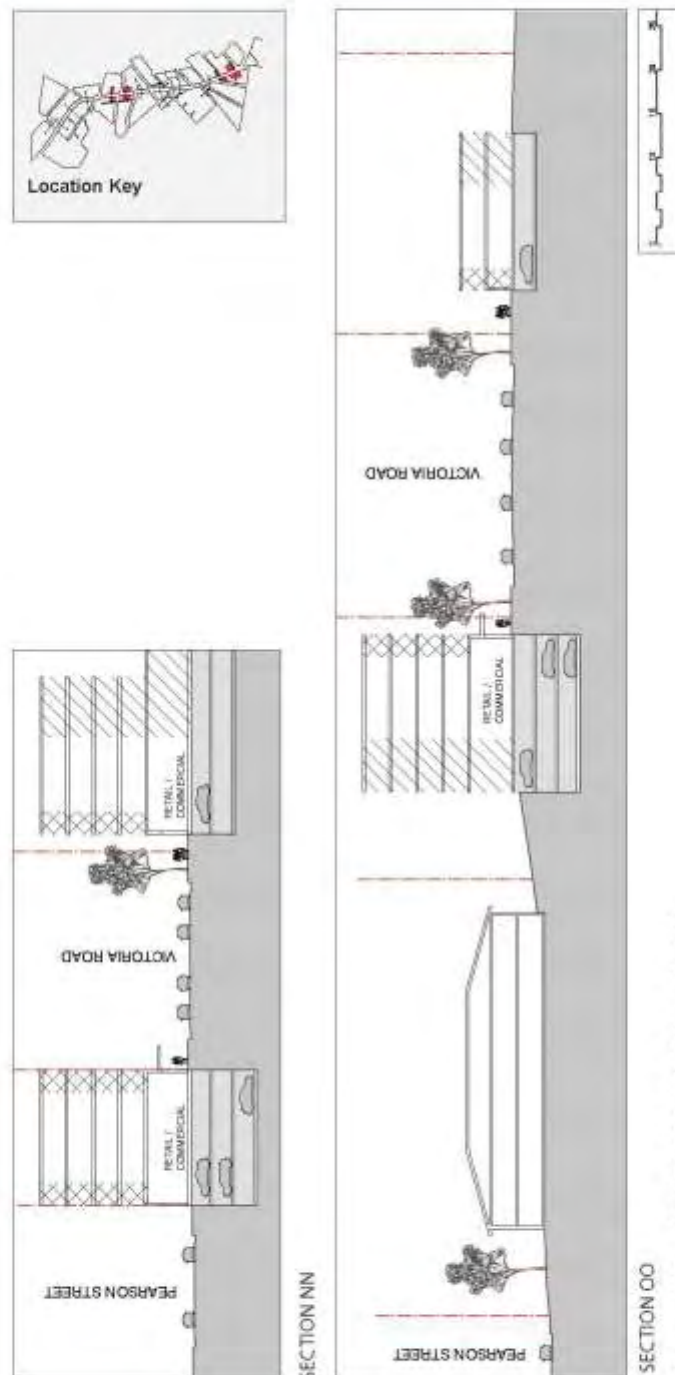


Figure 4.6.42 Block 26, 27 & 30 Built Form Controls

ITEM 2 (continued)

ATTACHMENT 2

Gladesville Town Centre and Victoria Road Corridor

4.0 Key Sites

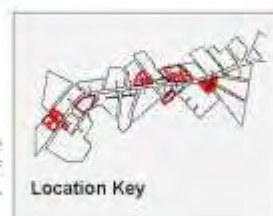
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4.3.9 Block 20, 25 & 28 (Wharf Road) Public Domain Controls

Introduction

This is a significant site on Victoria Road, with high visibility on the journey south. It is a potential gateway site, forming the edge of the town centre core. The clock tower has iconic significance for the town centre.

The end of Wharf Road is currently partially closed with traffic calming devices, but still occupied by roadway, with little amenity for pedestrians. Closing the road creates an opportunity to make a new public space, that can complement commercial activity and support community life.



Objectives

1. Create a new public space off Victoria Road that provides opportunities for a range of community and commercial activities that enhance the life and viability of the town centre.

Controls

- a. Close Wharf Road, and provide a new vehicular laneway connection to Meriton Street. (Refer Access)
- b. Provide a public plaza that:
 - i. Is open to the sky; and
 - ii. has a minimum dimension of at least 15 m in any one direction; and
 - iii. A minimum area of 500 m²; and
 - iv. 15 m separation between buildings on either side of the Wharf Road street closure; and
 - v. Paved in accordance with City of Ryde's *Public Domain Technical Manual*.
- c. Provide clear unobstructed and identifiable pathways and open spaces.
- d. Provide generous planting to make a green pocket that contributes to the character of Victoria Road, and is a green backdrop to the clock tower.
- e. Narrow the carriageway to maximise the size of the new public space.
- f. Enhance the landscape surrounding the clock tower.

ITEM 2 (continued)

ATTACHMENT 2

4.6

Gladesville Town Centre and Victoria Road Corridor

4.6 Key Sites



Figure 4.6.43 Block 20, 25 & 28 Public Domain Plan

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ITEM 2 (continued)

ATTACHMENT 2



City of Ryde
Civic Centre
1 Devlin Street
Ryde NSW 2112

www.ryde.nsw.gov.au

ITEM 2 (continued)

ATTACHMENT 3



ITEM 2 (continued)

ATTACHMENT 4



20 May 2015

Roads and Maritime Reference: SYD15/00507

Manager – Urban Planning
City of Ryde
Locked Bag 2069
North Ryde NSW 1670

Attention: Melissa Burne

**PLANNING PROPOSAL - 2 COLLEGE STREET AND 10 MONASH STREET, GLADESVILLE
CONSULTATION UNDER SECTION 56(2)(D) OF THE ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT, 1979**

Dear Ms Bishop,

I refer to your correspondence of 22 April 2015 inviting Roads and Maritime Services to comment on a planning proposal to facilitate a mixed use residential, commercial and retail building on the abovementioned properties. Roads and Maritime appreciates the opportunity to provide comment on the subject planning proposal.

Roads and Maritime has reviewed the planning proposal and raises no objection.

However, it is noted that the 'Preferred Road Network' for this precinct as outlined in the Gladesville Traffic and Parking Study has been considered as part of the traffic study undertaken for the subject planning proposal. Roads and Maritime reiterates the advice provided to City of Ryde in a letter of 19 February 2015 with regard to the Gladesville Traffic and Parking Study (TAB A).

Any further enquiries in relation to this matter can be directed to Senior Transport Planner – James Hall on phone 8849 2047 or via email at james.hall@rms.nsw.gov.au.

Yours sincerely,



James Hall

**A/Manager, Strategic Land Use
Network & Safety Section**

Roads and Maritime Services

27-31 Argyle Street, Parramatta NSW 2150 | PO Box 973 Parramatta NSW 2150 | www.rms.nsw.gov.au | 131 782

ITEM 2 (continued)

ATTACHMENT 4

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TAB A
RMS SUBMISSION – GLADESVILLE TRAFFIC & PARKING STUDY



ITEM 2 (continued)

ATTACHMENT 4



19 February 2015

Reference:

Mr H. Muker
City of Ryde
Civic Centre
1 Devlin Street
Ryde

Dear Mr Muker,

RE: Gladesville Traffic and Parking Study

I write in response to the Draft Gladesville Traffic and Parking Study forwarded to Roads and Maritime Services for comment. Roads and Maritime appreciate this opportunity to comment on the study.

From analysing the submission, it is apparent that the primary purpose of the report is to consider mitigating actions taken to reduce the cumulative impact of vehicle growth, caused by development, on the road network in Gladesville and its environs. A number of options are put forward and this letter details Roads and Maritime's response to each proposal in turn. The combined impact of all of the options is also discussed at the end of this letter, with additional requests and considerations.

1. Closure / Partial Closure of College Street and corresponding widening of Cressy Road Intersection with Victoria Road.

This proposal involves the closure of College Street, either in one or both directions, to prohibit Bunnings traffic using College Street when travelling to or from areas north of Victoria Road. Traffic exiting Bunnings via Frank Street will also be prevented from turning right and thus forced to use Victoria Road and Monash Road when travelling north. This option is primarily designed to retain the residential amenity of dwellings in College Street, and possibly Orient Street.

This proposal has met with significant opposition from local land owners and business tenants, who are concerned that the closure will reduce the attractiveness of College Street as a location for tenants, inconvenience deliveries, prevent trucks turning in College St and impact on emergency vehicle access. City of Ryde advises that this is in contrast to local residents who have given significant support to the closure of College Street in both directions to ensure local amenity, pedestrian safety and reduce through traffic. City of Ryde has also advised that Holycross School has offered support to a one way closure in College Street.

It is important to note that Roads and Maritime are primarily concerned with the impact of development on the State Road Network, with local issues to be considered and determined by the City of Ryde. By the very nature of the proposals either the complete or partial closure of college Street will force both existing and newly generated traffic onto the State Road Network. The extra traffic that either proposal diverts onto Victoria Road is considered acceptable with the greater impact more acutely felt on other local roads, specifically Cressy Road. Roads and Maritime therefore has no objection to either proposal but cautions the City of Ryde to work with all local stakeholders to find an acceptable solution.

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ITEM 2 (continued)

ATTACHMENT 4

Emergency access may be better served by the partial closure of College Street (in preference to the full closure) given that emergency vehicles could access the estate by driving through the pinch point in the wrong direction if absolutely necessary. It should also be noted that neither College Street or Frank Street is an agreed B-double route as stated in some of the correspondence. However it should be noted that Cressy Road is approved for 19m B-doubles.

If either option is deemed necessary Roads and Maritime requires that the widening of Cressy Road is implemented prior to the partial or full closure of College Street. This must be implemented at no cost to Roads and Maritime.

2. Addition of a 4th leg to the Tennyson Road / Victoria Road intersection to provide primary access to Bunnings store.

The principle of access to Bunnings via the Victoria Road, Tennyson Road intersection, has been agreed in the past and Roads and Maritime continues to have no objection to this proposal. However, Roads and Maritime is concerned with the substantial increase in traffic projected to use Tennyson Road south of Victoria Road, and the impact this could have on the functioning and efficiency of the intersection.

Further consideration needs to be given to road network improvements on Tennyson Road to accommodate any future development and increased densities for sites with frontage to Victoria Road and along Tennyson Road including the site at 2-14 Tennyson Road, should it proceed.

The increase in the use of Tennyson Road may in part be due to proposal to ban, during the afternoon peak, right hand turns from Victoria Road into Jordan Street. This is discussed more thoroughly below.

The changes to the signalised intersection should be implemented as soon as possible and must be implemented at no cost to Roads and Maritime.

3. New Traffic Signals at the intersection of College Street / Eltham Street / Monash Road.

The report investigates traffic signals at the above intersection which are intended to manage traffic flow from and into the two side streets following the anticipated increase in traffic, primarily on Monash Road. Roads and Maritime is concerned with the impact that signals in this location could have, especially because of the relatively short distance from the Victoria Road, Monash Road Intersection.

The signals would also seem to encourage rat running through Orient Street and College Street by improving access onto Monash Road via College Street. Eltham Road is already operating as a one way street (albeit temporarily as a trial) and the effectiveness and necessity of these signals is questioned. Roads and Maritime encourage the early implementation of a roundabout at the intersection of Buffalo Road and Monash Road rather than the implementation of traffic signals at this intersection thereby encouraging drivers to use this route rather than Orient Street and College Street. This is particularly relevant given the poor sight lines available at Buffalo Road. Roads and Maritime therefore does not support to the implementation of signals at this location.

4. Eltham Street proposed one way system

This option, currently being trialed for a 12 month period, converts Eltham Street to one way working in an attempt to reduce its attractiveness to rat-running. Roads and Maritime has consented to the trial period and awaits the outcome of an investigation into its effects.

ITEM 2 (continued)

ATTACHMENT 4

5. New Link – connecting Frank Street to Buffalo Road.

Previously the City of Ryde had been understood to be investigating the possibility of a new link connecting Frank Street and Buffalo Road thereby removing the requirement to close College Street. It is understood that this concept has been discontinued due to cost and impacts on local land owners. Roads and Maritime therefore offers no comment.

6. Introduction of Right Turning Phase at Westminster Road, Victoria Road intersection.

This proposal investigates the possibility of providing a right turn facility on the westbound Victoria Road approach to Westminster Road. The right turn bay is designed to ease congestion at the other intersections that currently permit right turning for vehicles travelling north. Previously, Roads and Maritime has accepted proposals to create a four leg signalised intersection (as part of a lapsed development proposal) at this location, and thus the possibility of amending the current arrangement is feasible.

This may require the acquisition of additional land and substantial investment to ensure it can accommodate right turning vehicles in a sufficiently sized bay. A detailed analysis of the performance of the intersection will be necessary prior to Roads and Maritime's acceptance of this proposal. If the detailed modelling proves favourable the works must be implemented at no cost to Roads and Maritime.

7. Introduction of Right Turn Ban into Jordan Street from Victoria Road in the PM Peak.

To reduce the cumulative impact of development on through traffic on Victoria Road, the report investigates banning right turns from Victoria Road into Jordan Street in the PM period. The proposal removes the diamond phase from the traffic signals where vehicles travelling in opposing directions on Victoria Road are permitted to turn right at the same time. Removing this phase releases more cycle time for vehicles travelling north. A G turn is proposed as the most direct alternative route although an increase in traffic is projected on Tennyson Road possibly as a consequence of this turning movement. The report is relatively light on detail regarding the increase in traffic on roads south of Victoria Road and Roads and Maritime will require further analysis prior to the approval of the right turn ban.

Some safety concerns may arise as part of the proposals as drivers not familiar with the operation of the signals may disobey the signs and be left in a dangerous position. Although timed right turn bans do exist there are some concerns introducing this in such a congested location. Prior to this being considered a detailed assessment of the site should be carried out. If the detailed modelling and safety assessment proves favourable the works must be implemented at no cost to Roads and Maritime.

8. Introduction of a roundabout at the intersection of Buffalo Road and Monash Road.

In order to accommodate the increase in traffic, the intersection of Buffalo Road and Monash Road is proposed to be upgraded to a roundabout. Roads and Maritime supports this proposal especially considering the poor sight lines present at the current form of the intersection. It is Roads and Maritime's view that this option should be implemented as soon as possible and in connection with the closure of College Street (if deemed necessary) so that traffic is maintained on the specific road hierarchy best placed to deal with it i.e. both Monash Road and Buffalo Road are collector roads.

9. LATM Measures in Orient Street.

Roads and Maritime has no comment or objection to the proposals to implement traffic calming in Orient Street and/or College Street, unless they have a direct impact on the State Road Network.

ITEM 2 (continued)

ATTACHMENT 4

10. Speed Management on the Higginbotham Road / Thompson Street Corridor.

Similarly, Road and Maritime has no comment or objection to the proposals to implement speed management features on Higginbotham Road and Thompson Street, unless they have a direct impact on the State Road Network.

Conclusion

In conclusion Roads and Maritime supports the vast majority of proposals put forward in the report. Most of the options identified primarily effect local or regional roads and/or their connection to the State Road Network. A number of the options must be implemented concurrently, especially the widening of the Cressy Road approach to Victoria Road with the partial or full closure of College Street. This will form a specific condition of consent on any future Bunnings Development Application, together with the access consents for the 4th leg at the Tennyson Road, Victoria Road intersection.

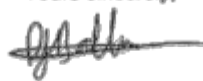
The proposed changes to traffic signals and phasing on Victoria Road at Jordan Street and Westminster road will require further analysis to demonstrate that the efficiency and functionality of the state road network is not compromised by the proposals. In addition, the proposed right turn ban at Jordan Street will also need a safety assessment to demonstrate that an unacceptable hazard is not being created. This could include a review of the safety record at existing timed right turn bans at major intersections.

The impacts of the increase in traffic on Tennyson Road and the roads south of the Victoria Road have not been considered in detail in the study. Roads and Maritime are particularly concerned that the cumulative impact of development will require substantive widening to the Tennyson Road approach to Victoria Road. This should be taken into account as part of the consideration of any increase in existing densities on Tennyson Road and should preferably form part of this current study or be detailed in an addendum that considers the other local development options. Given the longstanding community concern over the increase in traffic on Morrison Road, it may also be useful to consider the impact of the increase in traffic as part of a holistic approach to traffic generation, especially should the PM peak right turn ban into Jordan Street be implemented.

The only option that Roads and Maritime does not believe is warranted is the implementation of signals at the intersection of Monash Road, College Street and Eltham Road. Roads and Maritime are of the opinion that traffic signals would have a negative impact on drivers accessing the State Road Network via Monash Road.

I trust this provides a thorough response to your traffic study, however, should you have any further questions please do not hesitate to contact David Bailm on 8849 2367.

Yours sincerely,



David Bailm
Network and Safety Officer
Network & Safety Services

ITEM 2 (continued)

ATTACHMENT 5

Table: Summary of Community Submissions and Strategic Planning Responses/Recommendations

TRIM Reference	Summary of Submission	Strategic Planning Response	Recommendation
D15/40545 (Resident of College Street adjacent to Bunnings site)	<ul style="list-style-type: none"> Rejects the request to change planning controls until an outcome on the Bunnings development in relation to a College St road closure is known If College Street is not closed extra developments will only mean more danger to the residents, more traffic, congestion and devaluing of properties Has heard that this request is to enable another apartment block with shops similar to the Aldi complex opposite Does not want additional development if College St is not a main thoroughfare because unsafe for family 	<p>Noted as an objection on traffic grounds if College Street is not closed.</p> <p><u>College Street Closure</u> This submission was received 24 April 2015 prior to Council considering a report and recommendations on the Bunnings Planning Proposal, Draft site specific DCP and draft Bunnings Gladesville Traffic and Parking Study. Council considered these matters on 28 April 2015 and resolved with respect to College Street to adopt for inclusion in the Bunnings Gladesville Traffic and Parking Study a: <i>“Trial full closure of College St to be implemented prior to Bunnings commencing construction (at no cost to council by Bunnings). The trial shall be reviewed after 12 months of operation of the Bunnings store and the results reported back to Council at that time. The applicant shall cover the full cost of the traffic review, surveys and any supporting technical studies”</i></p> <p><u>Additional Development and Traffic Management</u> Information regarding the maximum development yield anticipated under the subject planning proposal , together with similar information on other planning proposals and development activity in the Traffic Study Area, was provided to the consultants responsible for the preparation of the Bunnings Gladesville Traffic and Parking Study.</p> <p>The proponents for the subject planning proposal were also required to consider and respond to the draft Bunnings Gladesville Traffic and Parking Study in the planning proposal</p>	No change to PP or DCP in response to submission

ITEM 2 (continued)

ATTACHMENT 5

Table: Summary of Community Submissions and Strategic Planning Responses/Recommendations

TRIM Reference	Summary of Submission	Strategic Planning Response	Recommendation
		<p>and associated Traffic and Parking Assessment prior to the material being placed on exhibition.</p> <p>The Draft Amending DCP, as exhibited, included objectives and controls specifically requiring further detailed assessment with respect to the traffic and parking considerations associated with any redevelopment of 2 College Street/10 Monash Road to address this concern.</p> <p><u>Devaluing of properties</u> No evidence has been provided with respect to this concern.</p>	
D15/51040 (Resident College Street – opposite site)	<p>Objects to planning proposal on grounds of:</p> <ul style="list-style-type: none"> • No implementation approval for the Bunnings traffic management plan • Increased traffic on College St/Monash Rd has not been factored into any traffic management plan • Overshadowing • Decreased local amenity from visual and light pollution resulting from height increase as experienced from 	<p><u>Traffic Management Plan</u> The suggestion that increased traffic on College St/Monash Rd has not been factored into any traffic management plan is not correct.</p> <p>The development potential should the 2 College St/10 Monash Road planning proposal proceed was considered in full as part of the preparation of the traffic model and Bunnings Gladesville Traffic and Parking Study. Information regarding the maximum development yield anticipated under the 2 College St/10 Monash Road planning proposal was provided to the consultants responsible for the preparation of the traffic model and Bunnings Gladesville Traffic and Parking Study, together with similar information on other planning proposals and development activity in the Traffic Study Area.</p> <p>The proponents have also considered and responded to the</p>	No change to PP or DCP in response to submission

ITEM 2 (continued)

ATTACHMENT 5

Table: Summary of Community Submissions and Strategic Planning Responses/Recommendations

TRIM Reference	Summary of Submission	Strategic Planning Response	Recommendation
	<p>Monash Hill development</p> <ul style="list-style-type: none"> Piecemeal planning instead of precinct planning addressing complete traffic and pedestrian management plan. 	<p>draft Bunnings Gladesville Traffic and Parking Study in the planning proposal and associated Traffic and Parking Assessment prior to the material being placed on exhibition.</p> <p><u>Overshadowing, Amenity and Height</u> Objectives and controls in the Draft Amending DCP, as exhibited, have been designed with respect to the amenity of residential land and residential development in the vicinity of the site. A setback of 6m is proposed to the rear/side boundary adjoining 2A College Street. The location of the subject site to the southeast and west of College Street residences, and the existence of the 6m wide access way along the boundary with 2A College Street, work against any potential overshadowing of adjoining residential land.</p> <p>The proposed height control under the LEP and DCP require a stepping down of heights from 4 to 3 storeys towards the adjacent and nearby residential properties in College Street, based on amenity considerations, to provide appropriate transition between the nearby business zone and residential properties.</p>	
D15/51762 (Resident of College Street – adjacent to site)	<ul style="list-style-type: none"> Objects to planning proposal Objects to rezoning to allow business. Does not want business making both ends of College Street busier – Frank St corner and Monash Road 	<p>Objection to planning proposal on traffic grounds is noted.</p> <p><u>College Street and Businesses</u> College Street is part of the local traffic network and has been zoned part residential and part light industrial for many years. Council's resolutions on the Bunnings planning proposal address a range of options to address concerns regarding traffic</p>	No change to PP or DCP in response to submission

ITEM 2 (continued)

ATTACHMENT 5

Table: Summary of Community Submissions and Strategic Planning Responses/Recommendations

TRIM Reference	Summary of Submission	Strategic Planning Response	Recommendation
	<p>corner</p> <ul style="list-style-type: none"> • Wants separation of business from residential to protect safety of children • Concerned about increased traffic issues at College St/Monash Rd intersection which is already busy without traffic lights or roundabout. • Concerned about more child care centres. 	<p>including separation of business and residential traffic.</p> <p><u>Proposed Rezoning and Child Care Centres</u> The submission raises objection to the proposed rezoning to a business zone and concern about potential for more child care centres. The proposed rezoning affects 2 College Street only. A change from R2 Low Density Residential to B4 Mixed Use will not change the current permissibility of child care centres which are permissible with consent in a number of zones under the Ryde LEP 2014 including the R2 Low Density Residential, B4 Mixed Use, and IN2 Light Industrial zones relevant in the context of the subject site.</p> <p><u>College St/Monash Rd/Eltham St intersection</u> Council's Traffic Team is mindful of the concern for pedestrians in particular in this locality and will be monitoring the situation. The Bunnings Gladesville Traffic and Parking Study recommended a range of traffic mitigation measures including the installation of traffic signals at the Monash Road/College St/Eltham St intersection to discourage through-traffic movements via Orient St and College St. Traffic signals are not supported by RMS. Council's subsequent resolution was consistent with the RMS, resolving to include a roundabout at the Monash Road/Buffalo Road intersection as alternate means of discouraging through movements via Orient St/College St.</p>	

3 VOLUNTARY PLANNING AGREEMENT POLICY

Report prepared by: Development Contributions Coordinator
File No.: GRP/09/5/6/2 - BP15/818

REPORT SUMMARY

In its meeting of 28 April 2015 Council resolved;

- (a) *That Council endorse the City of Ryde draft Voluntary Planning Agreement Policy and relevant attachments for public exhibition for a period of 28 days.*
- (b) *That the outcomes of the public exhibition of the City of Ryde draft Voluntary Planning Agreements Policy be reported to Council.*

In accordance with the resolution (a) the exhibition of the draft Voluntary Planning Agreement Policy and the relevant attachment, being the example Agreement template, was notified to the public in the local newspaper on 13 May 2015. The draft policy and template documents were made available for public comment for a 28 day period, 13 May to 10 June 2015 inclusive, on Council's website and in hard copy format at the Ryde Library, Ryde Planning and Business Centre, the Civic Centre Customer Service desk and in the libraries at Gladesville, Cox's Road, Eastwood and West Ryde.

There were no submissions received from the public during the period of the exhibition of the draft Voluntary Planning Agreement Policy and example Agreement template.

RECOMMENDATION:

- (a) That Council endorse adoption of the draft Voluntary Planning Agreement Policy and example Agreement template as exhibited to be the final form of the Policy document.
- (b) That Council endorse publication of the Voluntary Agreement Policy and example Agreement template on Council's website and for the date of publication on the website to become the Effective Date from which the Policy is to operate.

ATTACHMENTS

- 1** Draft VPA Policy
- 2** Draft VPA Template

ITEM 3 (continued)

Report Prepared By:

Malcolm Harrild
Development Contributions Coordinator

Report Approved By:

John Brown
Acting Manager - Urban Planning

Dominic Johnson
Group Manager - Environment and Planning

ITEM 3 (continued)

Discussion

The Voluntary Planning Agreement (VPA) is a voluntary agreement or other arrangement under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination thereof, to be used for or applied towards a public purpose. The VPA may be between a planning authority (or 2 or more planning authorities) and a developer:

- (a) who has sought a change to an environmental planning instrument, or
- (b) who has made, or proposes to make, a development application, or
- (c) who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies.

Council is to note that the acceptance of an offer to enter into a Planning Agreement is at the absolute discretion of Council.

A voluntary planning agreement is the mechanism by which developers may provide public benefits in lieu of, or in addition to, Section 94 contributions. These may comprise:

- Infrastructure such as roads, drainage, open space, improvements to existing transport and access ways.
- Facilities e.g. child care centres, youth and leisure facilities, civic spaces, car parks, affordable housing.
- Public domain improvements e.g. paving, street planting, public art, street furniture.
- Cash contributions, land dedication, other benefits in line with Council plans and strategies.

The Policy aims to provide the community with an understanding and information on planning agreements and the provision of public benefits.

The current VPA Policy has been in place since 2011 and it was reported to Council on 28 April 2015 the provisions and requirements of that Policy and procedures could be improved to create efficiencies, ensure clarity and strengthen the legal documents.

Subsequently Council's General Counsel and Development Contributions Coordinator reviewed and amended the current VPA Policy and attachments and produced a revised Policy. While the structure of the Policy and associated documents changed, the key elements of the Policy were retained in the draft revised Policy:

- Principles governing the use of planning agreements.
Currently contained in the associated procedural document attached to the current policy, it was proposed that these be included in the main policy document. Minor rewording was also proposed to improve clarity.

ITEM 3 (continued)

- Circumstances where Council may enter into a planning agreement.
A minor amendment to the policy was proposed to clarify the circumstances where Council might enter into a VPA – being in connection with any development application or instrument change (i.e. planning proposal). This information was previously contained within the associated procedural document; it was proposed that it be relocated to the Policy document and more clearly identified therein.
- Acceptability test – assessment of the desirability of a proposed planning agreement.
It was proposed that this information be included in the Policy document in a single, clearly identified location to improve the clarity and utility of the document.
- Types and forms of contributions.
For the purpose of improved clarity it was proposed that the Policy include a specific section referring to the type and form of contributions Council would consider.
- Relationship to Section 94 or 94A Contributions Plan.
In addition to relocating this information from the associated procedural document to the Policy document, some rewording and additional information was proposed to improve general clarity and to ensure that the Policy clearly identifies that works, cash or other public benefit in planning agreements are normally in addition to the contributions required under a S94/S94A Plan.
- Public notification.
It was proposed that this information be moved from the associated procedural document to the Policy document and consolidated into one section of the document. No changes were proposed to the minimum notification period (28 days).
- Amendments to planning agreements.
It was proposed that the Policy be amended to include the process for amending a VPA in accordance with Council's existing practice - an amendment is via a deed of variation (that is to be exhibited for 28 days).
- Third parties/cost of entering into planning agreements.
It was proposed that Policy specify that the use of a "third party or external consultants" in the negotiation of an agreement is at the discretion of Council and may include legal opinion, quantity surveyor and financial advice. The cost associated with the using the third party would be paid for by the developer/proponent.
- Section on contributions.
It was proposed that this information be moved from the associated procedural document to the Policy document.

ITEM 3 (continued)

- Valuing public benefits.
It was proposed that this information be moved from the associated procedural document to the Policy document. A minor wording change was also proposed to clarify the procedure - the value of the proposed benefit would be determined prior to the agreement being publicly notified.
- Credits and offsets.
An addition to the Policy was proposed in the form of a short section providing specific guidance with respect to Credits and offsets. This section clarified Council's position in instances where the costs of any works-in-kind provided by a Developer exceed the costs of those works agreed in a VPA.
- Implementation agreement.
It was proposed that this information be moved from the associated procedural document to the Policy document with some minor changes to the wording.
- Notation of the VPA is to occur on Section 149 (5) planning certificates.
It was proposed that this information be moved from the associated procedural document to the Policy document.
- Registration of planning agreements and caveats.
It was proposed that this information be moved from the associated procedural document to the Policy document. It was also proposed that additional information be included in the Policy specifying the Developer's and Council's roles in the registration process.
- Template planning agreement – An updated example of a VPA template would be provided with the Policy so that developers are made aware of Council's essential VPA provisions.
- Potential Material Public Benefits
It was proposed that this information be updated and moved from the associated procedural document to the Policy document. The information includes a list of examples of the types of public benefits that developers may provide.

In replacing the VPA documentation available on Council's website since 2011, the draft Voluntary Planning Agreement Policy, and example Agreement template, as exhibited, are designed to provide procedural efficiency, clarity of approach and improvements to the legal documentation that is required between Council and developers.

ITEM 3 (continued)

Council is not required under the Environmental Planning and Assessment Act 1979 or associated Regulations to exhibit a voluntary planning agreement policy for public comment. However, to ensure a robust and transparent process it was proposed, in the Voluntary Planning Agreement Policy Review report to Council on 28 April 2015 that the draft Policy be exhibited for a period of 28 days. The consultation process involved;

- A public notice dated 13 May 2015 in the local newspaper of the exhibition period,
- Publishing the draft Voluntary Planning Agreement Policy and example Agreement template on the Council of the City of Ryde website from 13 May to 10 June 2015 inclusive, and
- Making copies of the documents on the website available at the at the Ryde Library, Ryde Planning and Business Centre, the Civic Centre Customer Service desk and in the libraries at Gladesville, Cox's Road, Eastwood and West Ryde for the period 15 May to 10 June inclusive.

During the period of the public exhibition of the Voluntary Planning Agreement Policy and example Agreement template Council did not receive any submissions.

Financial Implications

Adoption of the recommendation will have no financial impact.

Options

That Council may resolve not to endorse adoption of the revised VPA Policy and publish it on Council's website.

This is not recommended as this action would be counter to the spirit of the endorsed public exhibition and risk Council remaining with a Policy from 2011 which no longer offers the clarity and efficiencies sought by Council and developers in dealing with public benefits offered to Council in a Voluntary Planning Agreement.

ITEM 3 (continued)

ATTACHMENT 1

Draft Planning Agreements Policy

Scope

This Policy applies to the use of Planning Agreements to which the Council is a party.

The public benefits negotiated through the Planning Agreement process will be administered by Council in the context of delivering the key outcome areas of the City of Ryde:

- A City of well-being
- A City of liveable neighbourhoods
- A City of prosperity
- A City of progressive leadership
- A City of environmental sustainability
- A City of connections
- A City of harmony and culture

Purpose

This policy establishes a framework to guide the preparation of Planning Agreements under Subdivision 2 of Division 6 of Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The policy objectives are to:

- Establish a fair, transparent and accountable framework governing the use of Planning Agreements by the Council of the City of Ryde (Council);
- Give stakeholders in development greater involvement in the type, standard and location of public facilities and other public benefits; and
- Adopt innovative and flexible approaches to the provision of infrastructure and other public benefits in a manner that is consistent with Council's strategic and infrastructure plans.

This policy is not legally binding, however it is intended that the Council and all persons dealing with Council in relation to Planning Agreements will follow this Policy to the fullest extent possible.

The acceptance of an offer to enter into a Planning Agreement is at the absolute discretion of Council.

Draft Planning Agreement Policy		
Owner: Service Unit	Accountability:	DRAFT – 24 March 2015
Trim Reference: D15/29800	Review date:	Endorsed: Date and Authority

ITEM 3 (continued)

ATTACHMENT 1

Definitions	
Term	Meaning
Act	Environmental Planning and Assessment Act 1979 (EP&A Act)
Contribution Rates	The monetary contribution relating to un-deferral as contemplated by Draft Ryde LEP 2014 (Amendment 1) Macquarie Park Corridor.
Council	Council of the City of Ryde
Developer	A person who has sought a change to an environmental planning instrument that includes the making, amendment or repeal of an instrument, or who has made or proposes to make a Development Application, or who has entered into an agreement with or is otherwise associated with such a person
Development Application	Has the same meaning as in the Act
Development Contribution	Contribution provided by the Developer under a Planning Agreement being a monetary contribution, the dedication of land free of cost to Council, any other material public benefit or any combination of them.
Explanatory Note	A written statement that provides details of the objectives, nature, effect and merits of a Planning Agreement, or an amendment to or revocation of a Planning Agreement as required under the Regulation.
Instrument Change	A change to an environmental planning instrument whether it be for the making, amendment or repeal of that instrument.
Planning Agreement	A voluntary agreement between one or more planning authorities and a Developer who seeks: (a) To change an environmental planning instrument (which may be for rezoning or other purpose); or (b) Who has made, or proposes to make a Development Application
Planning Benefit	A Development Contribution that confers a net public benefit, that is, a benefit that exceeds the benefit derived from measures that would address the impacts of particular development on surrounding land or the wider community.
Planning Obligation	An obligation imposed by a Planning Agreement on a developer requiring the developer to make a Development Contribution.
Public	The community as a whole or, where context requires, a section of the community
Public Benefit	The benefit enjoyed by the public as a consequence of a Development Contribution.
Public Facilities	Public infrastructure, facilities, amenities and services.

Draft Planning Agreement Policy		
Owner: Service Unit	Accountability:	DRAFT – 24 March 2015
Trim Reference: D15/29800	Review date:	Endorsed: Date and Authority

ITEM 3 (continued)

ATTACHMENT 1

Public Purpose	Includes (without limitation) any of the following: (a) The provision of (or the recoupment of the cost of providing) public amenities or public services; (b) The provision of (or the recoupment of the cost of providing) affordable housing; (c) The provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land; (d) The funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or other infrastructure; (e) The monitoring of the planning impacts of a development; (f) The conservation and enhancement of the natural environment.
Regulation	Environmental Planning and Assessment Regulation 2000

Note: This Policy adopts the terms used in the *Practice Note on Planning Agreements* published by the former Department of Planning and Natural Resources (July 2005) and the definitions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.

Overview of Planning Agreements

Planning Agreements are voluntary agreements that allow Development Contributions such as the dedication of land at no cost to Council, monetary contributions, any other material public benefit or any combination of these for a public purpose. Refer to Annexure A for guidance with respect to suggested Public Benefits that are applicable to the Ryde Local Government Area (LGA).

Planning Agreements form one part of Council's developer contribution system. This developer contribution system includes Council's Section 94 or Section 94A contribution plans (as the case may be) that have been adopted in accordance with the relevant provisions of the Act.

Any offer to enter into a Planning Agreement with Council is to be initialised in writing to the Council by the Developer.

The written offer is to contain adequate information for Council to properly consider whether or not to accept the offer. In this regard, the offer should include as much information as possible including but not limited to the following matters:

- (a) The Land to which the Planning Agreement relates, including its legal description;
- (b) The Development Application or Planning Proposal that relates to the Planning Agreement;

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- (c) The Developer's details;
- (d) If the Developer is not the owner of the subject land, then the land owner's details and whether the land owner intends to enter into the Planning Agreement as well (if so, a written offer will also be required from the relevant land owner(s));
- (e) The Public Benefits being offered under the terms of the Planning Agreement; and
- (f) The nature of the security to be provided for the Public Benefits;

Planning Agreements are separate from, but complement Council's Section 94 or Section 94A (as the case may be) contribution plans.

Planning Agreements provide an efficient means of increasing and broadening the range of community infrastructure in conjunction with redevelopment.

Planning Agreements may arise through either a Development Application or a request for an Instrument Change.

The acceptance of an offer to enter into a Planning Agreement is at the absolute discretion of Council.

Council will not accept any component of a public benefit under the terms of a Planning Agreement if that component is already required to be provided by virtue of a condition of a development consent with the exception where the Planning Agreement proposes any off sets to contributions under Section 94 or Section 94A (as the case may be) of the Act.

In determining whether to accept an offer to enter into a Planning Agreement, the Council is required to take into consideration a number of matters including the nature and value of the public benefit being offered in proportion to the nature and value of the exceedance of the planning controls sought by the Applicant in the case of a Development Application or any Instrument Change.

POLICY ON THE USE OF PLANNING AGREEMENTS

Principles governing the use of Planning Agreements

Planning Agreements will be governed by the following principles:

- Council will assess the public benefit of the Development Contribution when deciding whether to proceed with the Planning Agreement;
- Council will not allow Planning Agreements to improperly restrict the exercise of its functions under the Act, Regulation or any other act of law;

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- Council will not use Planning Agreements for any purpose other than a proper planning purpose;
- Development that is unacceptable on planning grounds will not be supported because of planning benefits offered by developers that do not mitigate the impacts of development;
- When considering a Development Application or planning proposal, Council will not give undue weight to a Planning Agreement;
- Council will not allow the interests of individuals or interest groups to outweigh the public interest when considering a Planning Agreement;
- Council will not improperly rely on its statutory position, or otherwise act improperly, in order to extract unreasonable public benefits from developers under Planning Agreements, and will ensure that all parties involved in the Planning Agreement process are dealt with fairly; and
- If Council is subject to a financial interest from a development, being the subject of a Planning Agreement, it will take appropriate steps to ensure that it manages any conflict of interest it has between its role as planning authority and its interest in the development.

Circumstances where Council may enter into a Planning Agreement

Council may negotiate a Planning Agreement offered by a developer in connection with any Development Application or proposal for an Instrument Change relating to any land in the Council's local government area.

Acceptability test to be applied to all Planning Agreements

Council will consider the following questions in order to assess the desirability of a proposed Planning Agreement:

- (a) Is the proposed Planning Agreement directed towards a proper and legitimate planning purpose having regard to the statutory planning controls and other adopted planning policies and infrastructure strategies and the circumstances of the case?
- (b) Does the proposed Planning Agreement provide for a reasonable means of achieving the relevant planning purpose and securing the relevant public benefit?
- (c) Will the proposed Planning Agreement produce outcomes that protect the public interest?
- (d) Are there any relevant circumstances that may operate to preclude Council from entering into the proposed Planning Agreement?

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(e) Will the proposed Planning Agreement provide benefits that bear a relationship to the delivery of services and infrastructures within the LGA?

(f) Is the quantum of the Public Benefit commensurate with the value of the Development Contribution?

Consideration of Planning Agreements in relation to planning proposals and Development Applications

When exercising its functions under the Act in relation to a Development Application or a proposal for an Instrument Change to which Planning Agreement relates, Council will consider:

- (a) whether the proposed Planning Agreement is relevant to the Development Application or Instrument Change and whether it may be subsequently considered in connection with the Development Application or Instrument Change; and
- (b) if so, the proper planning weight to be given to the proposed Planning Agreement.

Types and forms of contributions

To ensure that Development Contributions provided under Planning Agreements are directed towards appropriate and legitimate planning purposes, Council will consider whether the proposed Development Contributions:

- (a) mitigate or compensate for the impact of the relevant development;
- (b) meet Council's planning policy objectives including those set out in section 94 or section 94A contributions plans (as the case may be);
- (c) meet the requirements of Council's public infrastructure works program; and
- (d) meet the objectives of other relevant draft or adopted Council policies, strategies or plans.

The form of a Development Contribution to be made under a proposed Planning Agreement will be determined by the particulars of the Development Application or planning proposal to which the Planning Agreement relates.

Relationship to section 94 or section 94A contributions (as the case may be)

Normally public benefits in Planning Agreements are additional to required contributions. By exception, a Planning Agreement may partly or fully exclude the application of section 94 or section 94A contributions in relation to developments, the subject of a Planning Agreement.

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The ability in a Planning Agreement to partly or wholly exclude the application of section 94 or section 94A contributions gives Council a degree of flexibility to redistribute the financial, social and environmental costs and benefits of a development. This flexibility provides the opportunity to address issues that may not have been anticipated or may not be able to be appropriately addressed with the more rigid requirements of section 94 or section 94A contributions.

Where a Planning Agreement partly or fully excludes the application of section 94 or section 94A contributions, the Act prevents Council from imposing a condition of development consent requiring the payment of those contributions except to the extent that it requires the payment of the balance of those contributions where the Planning Agreement only partly excludes them.

A Planning Agreement may also exclude the benefits provided under such agreement being considered in the assessment of section 94 or section 94A contributions. In such cases, the Act precludes the application of section 94(6) which would otherwise require the consideration of any land, money or material public benefit contributed to the consent authority when assessing section 94 contributions or S94A contributions.

Public notification of Planning Agreements

A Planning Agreement cannot be entered into, amended or revoked unless public notice is given and the Planning Agreement is first made publicly available for inspection for a minimum period of 28 days.

If the Planning Agreement is in connection with a Development Application, the public notice shall be given, if practicable, as part of and contemporaneously with, and in the same manner as, any notice of the Development Application.

If the Planning Agreement is in connection with a proposal for an Instrument Change, the public notice shall be given, if practicable, as part of and contemporaneously with, and in the same manner as, any public notice of the relevant planning proposal that is required under the Act.

Where it is not practicable to give public notice at such times, the Regulation requires that it be given as soon as possible after as determined by Council.

Amendments may be required as a result of public submissions or for other reasons.

Where amendments are required to a draft Planning Agreement, the amended draft Planning Agreement and explanatory note may be re-exhibited.

Where Council has entered into a Planning Agreement and the agreement is in force, it must include certain particulars relating to the Planning Agreement in its annual report for that year.

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Amendment to Planning Agreement

Where Council has entered into a Planning Agreement and the parties to the agreement have agreed to vary the Planning Agreement, then a new letter of offer and a deed of variation will be required to be entered into to formally record the changes to the terms of the Planning Agreement.

The deed of variation will need to be publicly notified for 28 days prior to the parties executing the document.

The deed may also be required to be registered on the title of the subject land.

Independent third parties

Independent third parties may, at the sole discretion of Council, be used wherever it is deemed appropriate by Council for various reasons including but not limited to, circumstances where it is considering whether the Planning Agreement delivers a net public benefit.

The cost associated with the use of independent third parties will be borne by the developer.

Assessing proposed provisions under a Planning Agreement.

The matters that Council may consider in any negotiations for a Planning Agreement include whether,

- (a) the demands created by the development for new public infrastructure, amenities or services are addressed;
- (b) the facilities and/or services to be provided meet the planning and strategic objectives of Council;
- (c) mitigation of the impact of development is addressed;
- (d) recurrent funding of public facilities is required;
- (e) past deficiencies in infrastructure provision that would otherwise prevent a development from occurring are addressed;
- (f) monitoring the planning impacts of development is required;
- (g) planning benefits for the wider community accrue from the Planning Agreement; and
- (h) any initial or ongoing costs are designated as Council's responsibility.

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Standard Contributions

Wherever possible, Council will seek to standardise Development Contributions sought under Planning Agreements in order to streamline negotiations and provide fairness, predictability and certainty for developers. However, this does not prevent public benefits being negotiated on a case by case basis particularly where planning benefits are also involved.

Recurrent Contributions

The Council may request developers to make Development Contributions towards recurrent costs of public facilities through a Planning Agreement. Generally, the Planning Agreement will only require the Developer to make contributions towards the recurrent costs of the facility until a public revenue stream is established to support the on-going costs of the facility, or for a time agreed between the parties.

Pooling of Development Contributions

Where a proposed Planning Agreement provides for a monetary contribution by the Developer, Council may seek to include provisions permitting money paid under the agreement to be pooled with money paid under other Planning Agreements. These monetary contributions will allow public benefits to be provided in a fair and equitable way, particularly for essential infrastructure anywhere in the Ryde LGA

Valuing public benefits under a Planning Agreement

The value of a benefit proposed under a Planning Agreement will be determined prior to the agreement being publicly notified.

If a Development Contribution under a Planning Agreement is the carrying out of works for a public purpose, Council may value that Development Contribution on the basis of a cost estimate for the works. This may be prepared by a suitably qualified quantity surveyor or valuer (as the case may be) appointed by Council and paid by the Developer.

Where the Development Contribution under a Planning Agreement includes the dedication of land and the value of that land is to be taken into account, Council may seek the services of an appropriately qualified land valuer as appointed by Council and at the cost of the Developer in order to value the land being dedicated.

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In the event that a Planning Agreement proposes works and services that would normally be provided as a condition of development consent, then those works and services will be deemed to have no value under the Planning Agreement.

Costs of entering into Planning Agreements

The costs of preparing, negotiating, executing, varying and monitoring compliance with the Planning Agreement, including any external or internal costs to Council together with the cost of employing independent consultants and/or independent third parties are all costs associated with entering into a Planning Agreement. Generally, Council will require that all reasonable costs are met by the Developer.

Credits and Off-sets

In the event that the costs of any works-in kind that are to be provided by a Developer exceed the costs of those works as agreed with Council in a Planning Agreement:

- (a) Council will not agree to a Planning Agreement providing for those additional costs to be:
 - refunded to the developer; or
 - off-set against any Development Contributions required to be made by the developer; and
- (b) The developer will not be able to make any further claim against Council for those additional costs.

Implementation agreements

In appropriate cases, Council may require a Planning Agreement to provide that before the commencement of development and subject to the agreement all relevant parties, the parties are to enter into an implementation or side agreement in addition to the VPA for matters such as:

- Issues of commercial sensitivity;
- The terms on which the developer will provide Council with early access to the land;
- The manner in which completed work is to be handed over to Council;
- The manner in which work to be completed by Council and the Developer separately are to interface.

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These agreements may be publicly notified at the sole discretion of Council, having regard to their commercial sensitivity.

Provision of security under a Planning Agreement

Council will require a Planning Agreement to make provision for security to cover the Developer's obligations under the agreement.

At the discretion of Council, the form of security will be an unconditional performance bond or bank guarantee provided by an institution regulated by the Australian Prudential Regulation Authority (APRA).

The security must be in favour of the Council to the full value of the Developer's obligations under the Planning Agreement and on terms otherwise acceptable to Council.

Notations on certificates under section 149(5) of the Act

Council will require a Planning Agreement to contain an acknowledgement by the Developer that Council will make a notation about a Planning Agreement on any certificate issued under section 149(5) of the Act relating to the land the subject of the agreement

Registration of Planning Agreements and caveat

Pursuant to Section 93H of the EP&A Act, Council will generally require a Planning Agreement to contain a provision requiring the Developer to agree to registration of the agreement on the title to the land to which the agreement applies.

On execution of the Planning Agreement and until it is registered on title, the developer will be required to consent to Council lodging a caveat on the title of the relevant land.

Council will require the relevant registered land owner to consent to and procure the consent of any other prior registered interests to the registration of the Planning Agreement and the caveat.

The costs of registering the Planning Agreement and the caveat on the title of the land are to be borne by the Developer.

The Developer is to provide Council with all the necessary documents required to facilitate the registration of the Planning Agreement and caveat on the title to the land, including the written consent of any parties with interests in the land

The Council is to lodge the Planning Agreement and the caveat for registration on the title of the land.

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Monitoring and review of a Planning Agreement

Council will monitor the performance of the Developer's obligations under the Planning Agreement.

Template for Planning Agreement

Council has prepared an example of the type of Planning Agreement that Council may propose for Planning Agreements under section 93F of the Act where a monetary contribution is proposed in relation to a Development Application.

Depending on the nature of the public benefits offered by the Developer and whether the offer relates to a Development Application or Instrument Change, the clauses in this template are subject to changes (for example, if the public benefit is works that are required to be undertaken by the Developer then clauses regarding those works will be included).

Council will negotiate and prepare the Planning Agreement at the Developer's cost

References - Legislation

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Practice Note on Planning Agreements – Department of Infrastructure Planning and Natural Resources, July 2005

Review Process and Endorsement

This Policy is endorsed by Council and will be reviewed the earlier of three years after it comes into effect or the date of change to the Legislation.

Annexure A

The contribution offered by the developer is to be in accordance with Council's requirement for a Development Contribution.

The following is a list of possible Development Contributions that Council may accept under the terms of a Planning Agreement.

The list is not exhaustive and Developers are encouraged to discuss these or other requirements that may be included in a Planning Agreement with Council prior to making any offer to enter into such an agreement.

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Planning Agreements may also involve the payment of monetary contributions, partial or full construction of new facilities, expansion, upgrades, augmentations, embellishments, fit-outs and resourcing of existing facilities or any other public benefit as agreed to by the Council.

1. Potential Material Public Benefits – Outside Macquarie Park

Infrastructure	<p>Accessibility improvements – accessible parking, kerb ramps, modifications to public buildings or areas, Roads – design and construction, Open space – parks, public places, embellishment, Drainage and storm water controls, Traffic measures, Transport outcomes, Pedestrian and cycleways linkages and footpaths Telecommunication networks Power, water, gas Communications and information technology such as WIFI public space Bridges (vehicular and pedestrian)</p>
Facilities	<p>Accessible, key worker and affordable housing Community services – e.g. meeting rooms, halls, libraries Child care and family health care centres Public toilets Youth spaces Public leisure facilities Performance spaces Civic spaces Public car parking areas and commuter parking Bus shelters Family care facilities Sport, recreation and activity centres Business, research and creative industries incubator space and ancillary uses</p>

Public domain improvements	<p>Paving – paths, streets and open space areas Plantings – streets and open space areas Furniture – seats, bins Banners Public art in streets, open space and other public domain space Kerbs and gutters Treatment and/or features in public places Facilities such as kiosk in parks and open spaces Turf Public leisure, sport and recreation facilities Environmental management improvements such as water and energy minimising devices Water quality devices Water bubblers, lockers and other amenities Signage including suburb identification, way finding, parking, interpretation and information signs for pedestrians, cyclists and users of other vehicles.</p>
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Other	<p>Cash contributions</p> <p>Land dedicated for use as parks, facilities, pedestrian connectivity and new roads</p> <p>Contributions for the development of community facilities plans and cultural facilities plans</p> <p>Aboriginal site protection</p> <p>Other benefits in line with Council plans and strategies -including plans of management, flood plan management plans, traffic and transport plans, master-plans, development controls plans, local environmental plans and the management plan</p>
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ATTACHMENT 2

DRAFT PLANNING AGREEMENT

(ADDRESS)

THE COUNCIL OF THE CITY OF RYDE
AND
(INSERT NAME)

The Council of the City of Ryde
General Counsel
1 Devlin Street
RYDE NSW 2112
Ref: _____

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PLANNING AGREEMENT

DATED _____ **day of** _____ **20** _____

PARTIES

1. **COUNCIL OF THE CITY OF RYDE (ABN 81 621 292 610)** of 1 Devlin Street, Ryde, New South Wales (**Council**); and
2. *(identify name)* of (**Developer**).

BACKGROUND

- A. The Developer is the owner of the Land.
- B. On *(identify date)* the Developer lodged (or authorised to be lodged, as the case may be) the Development Application with the Council to carry out the Development on the Land.
- C. On *(identify date)*, the Council granted the Development Consent.

OPERATIVE PROVISIONS

1 PLANNING AGREEMENT UNDER THE ACT

The parties agree that this Agreement is a Planning Agreement governed by Part 4 of the Act.

2 SCOPE AND APPLICATION OF THIS AGREEMENT

- (a) This Agreement binds the parties and applies to the Land on which the Development is to be carried out. This Agreement does not include and does **not** in any way reduce or satisfy the Developer's obligations to pay monies under:
 - (i) section 94 of the Act; or
 - (ii) any other statute or instrument that may apply to the land or to the development application.
- (b) For the purposes of section 93F(3)(d) of the Act, the parties expressly agree that this Planning Agreement does not exclude the operation of section 94 of the Act, and conditions may be imposed in respect of the contributions identified in (a) to (b) inclusive.
- (c) For the purposes of section 93F(3)(e) of the Act, the parties expressly agree that the Developer's Contributions to be provided under this Planning Agreement are not to be taken into consideration when determining the Developer's obligations to pay monies under section 94 of the Act.

3 OPERATION OF THIS AGREEMENT

This Agreement takes effect on the date of this Agreement after execution by both parties,

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4 DEFINITIONS AND INTERPRETATION

4.1 Definitions

In this Agreement, the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979 (NSW)* (as amended) and includes any regulations made under that Act.

Construction Certificate has the same meaning as set out in the Act.

Council's Representative means the person specified in Item 2 of Schedule 1 who is duly authorised to give approval under this Agreement or such other person as may be nominated by the person occupying the role of General Manager of the Council from time to time.

Council Works means the works of the general nature described in Schedule 2 to be completed by the Council and includes any application fees, advertising fees, design development costs, tendering costs, tender assessment costs, public consultation costs, and any other consultancy costs (such as architectural, heritage, planning, traffic, engineering, drafting or any other advice), land acquisition costs, survey costs, construction costs, relating to the design and implementation of the Council Works.

Dealing means selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land.

Development means the proposal of the general nature set out in Item 4 of Schedule 1 to be completed by the Developer in accordance with the Development Consent.

Development Application means the development application identified in Item 4 of Schedule 1 and includes all plans, reports models, photomontages, material boards (as amended supplemented) submitted to the consent authority prior to the determination of that Development Application.

Development Consent means the consent granted by the Council to the Development Application for the Development identified in Item 4 of Schedule 1 and includes all modifications made under section 96 of the Act.

Developer's Contribution means the Monetary Contribution.

Developer's Works means the work identified in Schedule 3, as refined and developed in accordance with this Agreement.

GST has the same meaning as in the GST Law.

GST Law has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and any other Act or regulation relating to the imposition or administration of the GST.

Land means the land identified in Item 3 of Schedule 1, comprising the land the subject of the Development Application.

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Monetary Contribution means the amount set out in Item 5 of Schedule 1 (indexed in accordance with clause 5.2) to be paid by the Developer to the Council in accordance with this Agreement.

Occupation Certificate has the same meaning as in the Act.

Party means a party to this agreement, and includes their successors and assigns.

4.2 Interpretation

In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- (a) headings are inserted for convenience only and do not affect the interpretation of this Agreement.
- (b) a reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- (c) a reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- (d) a reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- (e) a reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.
- (f) a word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular.
- (g) references to the word 'include' or 'including' are to be construed without limitation.
- (h) a reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns.
- (i) any schedules and attachments form part of this Agreement.
- (j) a word defined in the Act has the same meaning in this Agreement.

5 PAYMENT OF MONETARY CONTRIBUTION

5.1 Payment of the Monetary Contribution

The Developer agrees:

- (a) to pay the Monetary Contribution, indexed in accordance with clause 5.2 before the release of any Construction Certificate for any part of the Development; and

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ATTACHMENT 2

- (b) to provide a Bank Guarantee for the amount of the Monetary Contribution on or before execution of this Agreement which will be exchanged for the Monetary Contribution before issue of the Construction Certificate.

The Monetary Contribution shall be paid in cash or by unendorsed Bank Cheque.

5.2 Indexation

On the date of payment, the Monetary Contribution will be adjusted to a revised amount derived by applying the following formula:

$$\text{Monetary Contribution at Time of Payment} = C \times \frac{\text{CPI2}}{\text{CPI1}}$$

where:

C is the original amount Monetary Contribution (as identified in Item 5 of Schedule 1 of this Voluntary Planning Agreement);

CPI2 is the index number for the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics at the time of payment; and

CPI1 is the index number for the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics and applicable for the quarter at the date of grant of Development Consent.

5.3 Application

The parties agree that the payment of the Monetary Contribution for the purposes of the Council Works is intended to comprise the public benefit under this Agreement. The Council will, in its sole discretion, expend an amount equivalent to the Monetary Contribution on the Council Works.

5.4 No Trust

The parties expressly acknowledge and agree that nothing in this Agreement will be read or construed as creating any form of trust arrangement, or fiduciary duty as and between the Developer and the Council. Without limiting any other part of this Agreement, the Council is not obliged or required to separately account for, or in any manner trace, the Monetary Contribution at the request of or for the benefit of the Developer.

5.5 Expenditure by the Council

The parties expressly agree that the expenditure of an amount equal to or greater than the Monetary Contribution upon the Council Works will be full and conclusive proof of the proper application of the Monetary Contribution. Without limiting clause 5.4, the Developer may not make or bring any claim or action of any nature relating to:

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- (a) the design, sequencing, or final form of the Council Works, including any areas or elements (as the case may be) deleted from the scope of the Council Works; or
- (b) the reasonableness of any cost incurred in the performance of the Council Works.

6 REGISTRATION OF AGREEMENT

6.1 Registration of Agreement

- (a) The Developer warrants that it is the registered owner of the Land.
- (b) The Developer warrants that it has obtained all consents to the registration of this Agreement on the title to the land as are necessary and in particular the consent of any mortgagee or Lessee registered on the Certificate of Title to the land.
- (c) The Developer must on execution of this Agreement produce to the Council together with this Agreement for execution by the Council:
 - (i) the written consent of all persons who have an interest in the Land, including any mortgagee and Lessee, confirming their consent to the registration of this Agreement on the title of the Land;
 - (ii) A copy of the Production Ticket as evidence that the mortgagee / Developer (as the case may be) has produced the Certificate of Title to Land & Property Information (LPI) for the purpose of Council registering the Agreement on the title of the Land; and
 - (iii) A bank cheque for the relevant registration fees made payable to LPI.
- (d) The Developer must promptly comply with any requisitions that may be raised with regard to registration of the Agreement from LPI.
- (e) Subject to clause 6.1(b), the Council will lodge this Agreement for its registration on the title of the Land.
- (f) The Council will notify the Developer following registration of the Agreement on the title of the Land and forward a copy of the Agreement to the Developer.

6.2 Caveat

The Developer acknowledges and agrees that:

- (a) When this Agreement is executed by the owner of the Land the Council is deemed to have acquired and the owner has deemed to have granted an equitable estate an interest in the Land for the purpose of section 74F(1) of the Real Property Act 1900 and consequently the Council has a sufficient interest in the Land in respect of which to lodge a caveat over the Land to register that interest; and

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- (b) It will not object to the Council lodging a caveat on the relevant folio of the register for the Land nor will it seek to remove any caveat registered by the Council.

6.3 Consent of Mortgagee

The Developer warrants to the Council that it has obtained and is in possession of a written consent from the mortgagee in which the mortgagee consents to:

- (a) the Developer entering into and performing its obligations under this Agreement and the lodgement of a caveat by the Council notifying its interest in the relevant folio of the register for the Land under the Real Property Act 1900 and agrees that;
- (b) it will only exercise its rights under any mortgage, charge, lien, trust, power or retention of deposit arrangement in relation to the Land subject to the rights of Council and promptly upon request lodge at Land & Property information the relevant Certificate(s) of Title to enable registration of this Agreement under the Real Property Act in the relevant folios of the register of the Land.

6.4 Removal of Registration of the Agreement and Caveat

After the whole of the Developers contribution has been completed or supplied (as the case may be) the Council will execute any form and supply such other information reasonably required to remove the Agreement and the caveat from the title to the land.

7 DISPUTE RESOLUTION

7.1 Reference to Dispute

If a dispute arises between the parties in relation to this Agreement, then either party may seek to resolve in accordance with this clause 7.

7.2 Notice of Dispute

The party wishing to commence dispute resolution processes must notify the other in writing of:

- (a) the nature, or subject matter, of the dispute, including a summary of any efforts made to resolve latter than by way of this clause 7;
- (b) the intent to involve this clause 7;
- (c) (if practicable) the outcomes which the notifying party wishes to achieve;
- (d) any material impact which the dispute has upon the completion of the Developer's Works.

The contents of a notice issued under the clause 7.2 are deemed to be confidential. The party issuing the notice may (but is not obliged) to assert legal professional privilege in respect of the contents.

ITEM 3 (continued)

ATTACHMENT 2

7.3 Principals of Parties to Meet

The principals of the parties (and in the case of the Council, the principal may include the person acting the role of General Manager as defined in the Local Government Act 1993, or such other person as is nominated by the person holding that role in writing) must promptly (and in any event within 14 days of written notice) meet in good faith to attempt to resolve the notified dispute. The parties may, without limitation:

- (a) resolve the dispute during the course of that meeting;
- (b) agree that further material, expert opinion, or consideration is needed to effectively resolve the dispute (in which event the parties will in good faith agree to a timetable for resolution);
- (c) agree that the parties are unlikely to resolve the dispute and in good faith agree to a form of alternative dispute resolution (including expert determination, arbitration, or mediation) which is appropriate for the resolution of the relevant dispute.

7.4 Neither Party May Constrain

If:

- (a) at least one meeting has been held in accordance with clause 7.3; and
- (b) the parties have been unable to reach an outcome identified in 7.3(a) to (c); and
- (c) either of the parties (acting in good faith) forms the view that the dispute is reasonably unlikely to be resolved in accordance with a process agreed under clause 7.3;

then that party may, by 14 day's notice in writing to the other, terminate the dispute resolution process in respect of that dispute. The termination of the process set out in this clause 7 does not of itself amount to a breach of the Agreement.

8 NOTICES

8.1 Service of Notice

Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:

- (a) delivered or posted to that Party at its address set out in Item 6 of Schedule 1 or (if such delivery is not accepted) then to the registered office or principal place of business of the Party.
- (b) faxed to that Party at its fax number set out in Item 6 of Schedule 1.

8.2 Change of Address

If a Party gives the other Party 10 business days notice of a change of its address or fax number, any notice, consent, information, application or

ITEM 3 (continued)

ATTACHMENT 2

request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.

8.3 Time of Service of Notice

Any notice, consent, information, application or request is to be treated as given or made at the following time:

- (a) if it is delivered, when it is left at the relevant address.
- (b) if it is sent by post, 2 business days after it is posted.
- (c) If it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.

8.4 Service after hours, on Weekends and Holidays

If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

9 APPROVALS AND CONSENT

Except as otherwise set out in this Agreement, a party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

10 ASSIGNMENT AND DEALINGS

10.1 Dealings with Land

- (a) Subject to clause 10.1(b), the Developer must not have any Dealings with the Land unless the Developer first informs the proposed assignee, purchaser or other party (the "**Incoming Party**") of this Agreement and provides the Incoming Party with a copy of this Agreement and transfers the obligations of this Agreement to that party.

- (b) If the Incoming Party is acquiring:

- (i) an interest in the Land as a purchaser of one or more lots in a strata scheme, (whether or not the plan has, at the date of exchange, been registered at Land and Property Information NSW), or
- (ii) is acquiring a lease on or more parts of the building upon the Land that does not form part of the Development;

then the Developer may create that interest without providing that party with a copy of this Agreement or requiring that party to enter into

ITEM 3 (continued)

ATTACHMENT 2

a Agreement with the Council and the interest so created will not be in breach of this Agreement.

11 COSTS

11.1 Legal and Administrative Costs

The Developer must pay all reasonable legal and administrative costs and expenses in relation to:

- (a) the negotiation, preparation and execution of this Agreement; and
- (b) any enforcement of the rights under this Agreement;

and the Council may claim monies in payment of the legal and administrative costs from the Developer as a debt due and owing.

11.2 Stamp Duty

The Developer is liable for and must pay all stamp duty (including any fine or penalty) on or relating to this Agreement.

12 ENTIRE AGREEMENT

This Agreement sets out the whole agreement of the Parties in respect of the subject matter. There are no other agreements, warranties or undertakings.

13 FURTHER ACTS

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

14 GOVERNING LAW AND JURISDICTION

This Agreement is governed by the law of New South Wales. The Parties submit to the jurisdiction of the courts of that state.

15 NO FETTER

Nothing in this Agreement will be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, or fettering in any way the exercise of any statutory discretion or duty.

16 REPRESENTATIONS AND WARRANTIES

The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

17 SEVERABILITY

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or

ITEM 3 (continued)

ATTACHMENT 2

part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

18 MODIFICATION

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the parties to this Agreement.

19 WAIVER

The fact that a Party does not do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.

A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

20 GST

20.1 In this clause terms used have the meaning given to them by the GST Law as defined in Section 195-1 of the *A New Tax System (Goods and Services Tax) Act 1999* (the "GST Act").

20.2 If a party to this Agreement (the "Supplier") makes a supply under or in connection with this Agreement and is liable by law to pay GST on that supply, then the consideration otherwise payable by the recipient of the supply will be increased by an amount equal to the GST paid or payable by the Supplier.

20.3 If this Agreement requires a party to pay for, or reimburse any expense, loss or outgoing ("reimbursable expense") suffered or incurred by another party, the amount required to be paid, or reimbursed by the first party is the amount of the reimbursable expense net of any input tax credit or reduced input tax credit to which the other party is entitled in respect of the reimbursable expense.

20.4 Each party agrees to do all things, including providing tax invoices and other documentation that may be necessary or desirable to enable or assist the other party to claim any input tax credit, set-off, rebate or refund in relation to any amount of GST paid or payable in respect of any supply under this Agreement.

20.5 Subject to the operation of this clause, and unless otherwise expressly stated amounts in this Agreement are GST exclusive.

21 EXPLANATORY NOTE

The Explanatory Note must not be used to assist in construing this deed.

ITEM 3 (continued)

ATTACHMENT 2

SCHEDULE 1 REFERENCE SCHEDULE		
Item	Name	Description
1	Developer's Name	(identify name)
	Developer's ACN	(identify ACN (if applicable))
	Developer's Address	(identify address)
2	Council's Representative	(identify name)
3	Land	(identify Land)
4	Development	(insert brief description)
	(Development Application No.)	(insert Development Application number)
5	Monetary Contribution	\$ (insert amount)
6	Notices	
	Council Attention Address Fax Number Developer Attention Address Fax Number	General Manager 1 Devlin Street, Ryde NSW 2112 9265 9505 (identify name) (identify address) (identify number)

ITEM 3 (continued)

ATTACHMENT 2

SCHEDULE 2 COUNCIL'S WORKS
Area of Council's Works Council is to perform public domain works of the nature set out in this Schedule
Nature of Works <i>(Insert description of proposed works)</i>
EXAMPLE ONLY
13

ITEM 3 (continued)

ATTACHMENT 2

**SCHEDULE 3
DEVELOPER'S WORKS**

SECTION 1 – Developer's Works

The parties acknowledge and agree the Developer is not required to perform works to the public domain in satisfaction of this Agreement.

Nothing in this Agreement will be read or construed as in any way reducing or derogating from, the obligations to perform works in accordance with the Development Consent

EXAMPLE ONLY

ITEM 3 (continued)

ATTACHMENT 2

EXECUTED as an Agreement by:

COUNCIL OF THE CITY OF RYDE)
(ABN: 22 636 550 790) by the General)
Manager under delegated authority)
pursuant to Section 377 of the Local)
Government Act 1003, in the presence)
of:

Witness (signature):

Full Name (printed):

(insert name and ACN) in accordance)
with section 127 of Corporations Law: }

Signature:

Full Name (printed):

Position:

Signature:

Full Name (printed):

Position:

15

4 NORTH RYDE M2 SITE PLANNING AGREEMENT

Report prepared by: Development Contributions Coordinator
File No.: GRP/09/5/1/7 - BP15/868

REPORT SUMMARY

The North Ryde M2 Site (also known as “Lachlan’s Line”) is part of the North Ryde Urban Activation Precinct that has been zoned as an Urban Activation Precinct (UAP) by the Minister for Planning.

The site is under the control of Urban Growth NSW whose approach is to provide the entire infrastructure on the site and then invite tenders from the property industry to develop each lot.

Council estimates that the development of the M2 site would be subject to approximately \$49.5 million in Section 94 Contributions.

The proposed Planning Agreement consists of the proponent delivering infrastructure, public benefit and maintenance worth approximately \$54.9 million, and Council providing credit of approximately \$25.3 million against future Section 94 Contributions.

Should Council adopt the proposed agreement, Council will receive approximately \$54.9 million worth of infrastructure, public benefit, and maintenance, as well as approximately \$24.2 million in Section 94 Contributions for the development of the M2 site (\$49.5 million less the \$25.3 million credit under the agreement).

The works proposed under this arrangement are for infrastructure and facilities that are in line with Council’s S94 Plan Works Schedule and are similar to the benefits obtained in planning agreements with other developers. The difference in this arrangement is that UrbanGrowth will oversee the delivery of the assets, will receive a credit lower than the value of the works, and will maintain them in the first few years of their life while the remainder of the area is being developed by the companies that win the tenders to construct on each of the developable lots.

It should be noted that a separate but associated Planning Agreement valued at \$15.8 million is under negotiation between the Department of Planning and UrbanGrowth NSW. This separate agreement is for major intersection and road improvements in Delhi Road and the intersections of Wicks Road with Epping Road and Waterloo Road in response to the traffic changes that will be caused by the increase in residential development within the North Ryde Urban Activation Precinct.

The State Government has also committed a separate \$6 million from the Priority Precincts Program for a new public park in the central zone of Macquarie Park.

The attached Summary of VPA Proposal outlines the offer from UGNSW to Council.

ITEM 4 (continued)

RECOMMENDATION:

- (a) That Council resolves to accept the offer contained in the Summary of VPA Proposal, written by Lindsay Taylor Law for UrbanGrowth NSW, to enter into a Voluntary Planning Agreement in relation to the Staged Development Consent, State Significant Development application SSD 5093, within the North Ryde Urban Activation Precinct (UAP) that will require UrbanGrowth NSW as developer to make development contribution works and dedicate land to reduce the contributions payable under S94 of the EPA Act and in so doing,
 - (i) Provide parks and open space, shared pathways and roads on the Land and dedicate and transfer of the land on which those works are located to Council in accordance with the Staged Consent, and
 - (ii) Install artworks in locations in accordance with the Staged Consent or otherwise as agreed between the parties, and
 - (iii) Construct and deliver a community centre on part of Lot 104 in accordance with Council's requirements to a value up to \$7.8 million within Stage 1 of the development, and
 - (iv) Maintain the open space for 5 years after completion and maintain the civil works for 2 years.
- (b) That Council resolves to delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979*;
- (c) That Council resolves to delegate authority to the General Manager and General Counsel (as the case may be) following public exhibition of the draft Voluntary Planning Agreement to,
 - (i) Authorise any minor changes to the draft Voluntary Planning Agreement provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in (a) above, and
 - (ii) Subsequently enter into the Voluntary Planning Agreement on behalf of Council,
- (d) That Council resolves to classify any land to be dedicated to Council under the terms of the Voluntary Planning Agreement as Operational Land in accordance with the provisions of Section 31(2) of the Local Government Act 1993.

ITEM 4 (continued)

ATTACHMENTS

- 1** North Ryde M2 Site Planning Agreement - Summary of VPA Proposal - LAN_LAN15004_011
- 2** M2 Site Community Centre Concept
- 3** M2 Site Indicative Functional Brief
- 4** M2 Site Concept Image
- 5** M2 Site Infrastructure Plan
- 6** M2 Site Development Lots
- 7** M2 Site Proposed S94 offsets and credits

Report Prepared By:

Malcolm Harrild
Development Contributions Coordinator

Report Approved By:

Dominic Johnson
Group Manager - Environment and Planning

ITEM 4 (continued)

Discussion

The potential development of the North Ryde Station Precinct has been known to Council since March 2011 when Council was invited to comment upon a potential State Significant Site and Concept Plan application for the land adjacent to the North Ryde railway station in Delhi Road.

On 24 September 2013 Council was notified by the Minister for Planning and Infrastructure that the North Ryde Station Precinct had been rezoned as an Urban Activation Precinct. The two major effects of this for Council were that the Precinct was to include the M2 site and that \$6 million was to be made available to Council for the development of a public park in Macquarie Park.

In May 2014 Urban Growth NSW (UGNSW) lodged a State Significant Development Applications (SSDA) for the M2 site with the Department of Planning and Infrastructure. On 20 October 2014 discussions between UGNSW and Council began shortly thereafter in regards to a Voluntary Planning Agreement for the site.

On 5 March 2015 Council was notified by the Secretary, Department of Planning and Environment, that the SSDA for the M2 Site had been determined. The SSDA proposed 12 development lots, 5 open space lots and 2 public road lots on the M2 site, amounting to 241,419m².

The concept design image of the whole development is illustrated on **ATTACHMENT 4** with a view looking east, with existing commercial buildings in white in the foreground. The concept displays a variety of proposed residential structures and open space. The areas representing the proposed infrastructure to be provided are shown on **ATTACHMENT 5**.

Discussions between Council and UGNSW have confirmed the nature of works and benefits (including those works that UGNSW would be required to deliver under Council's DCP) and have established which of the proposed works and benefits would be eligible for the application of a credit against S94 Contributions due on the development lots within the site.

In the initial negotiations UGNSW sought credits for works Council would expect to be provided at no cost to Council and to accept responsibility for the pedestrian bridge, valued at \$6.5 million, connecting the site to the North Ryde railway station. However, Council has required UGNSW to secure the RMS's interest in the bridge, ensuring that this is delivered and maintained at no cost to Council. In addition, Council has negotiated the delivery of a range of works beyond the proposed credits and has also negotiated a period of initial maintenance for key assets (open space, roads, and stormwater infrastructure).

ITEM 4 (continued)

The structure of the Planning Agreement and the offer was presented to Council by UGNSW in a Workshop on 28 April 2015. At this workshop Councillors indicated that infrastructure primarily servicing the future developments should not be delivered to the detriment of the wider community, that the potential for income generating assets to be provided to Council should be explored, and there were also concerns that there was limited connectivity between the site and the surrounding areas.

The proposed agreement ensures that the developer provides infrastructure and additional public benefit that serves both the future developments and the surrounding community including roads, improved stormwater, parkland, public domain works, and a community facility with potential to generate ongoing income to Council. Subject to decisions by Council it is not unreasonable to assume that proposed community facilities, put to part commercial use, would produce an annual income in excess of \$500,000. The proposed credit will see a significant proportion of this provided at no cost to Council, and in addition, it is proposed that the developer will maintain key infrastructure for the initial 2-5 years. The concern about the site's connectivity to the surrounding areas is noted and while the Delhi Road Bridge, Spine Road, and upgraded Wicks/Waterloo intersections are all expected to enhance accessibility to, from and through the site, there will be opportunity to supplement and enhance the sites interconnectivity through future developments on and around the site.

Section 94 Contributions and Required Works

Pursuant to Council's current Section 94 Development Contribution Plan 2007 the developers are required to provide contributions for identified infrastructure works, the table below shows the works identified under the current plan and the associated works proposed on the site:

Table 1 – Section 94 Plan and Required Works

Section 94 Development Contribution Plan 2007 – relevant identified works	Works proposed by UGNSW to satisfy Councils S94 Plan – value of works	Value agreed by Council (Credit)
Macquarie Park new parks acquisition	Central Park Land and Works – \$13.3m	\$7.6m
Macquarie Park linear parks	Linear Park Land and works – \$7.6m	\$3.0m
Open Space land acquisition	Open Space (lot 103) – \$5.1m	\$1m
Overland channels	Stormwater amplification – \$2.5m	\$2.5m
New cycleways	Pedestrian/Cycleways – \$2.9m	\$1.4m
TOTAL	\$31.4m	\$15.5m

ITEM 4 (continued)

Additional Proposed Works and Benefits Proposed

In a development of this scale (Fraser's Putney Hill development provides a comparable example) roads, footpaths, traffic facilities, street lighting, drainage and other items of infrastructure are to be provided in accordance with the DCP, some of which would be handed over to Council.

UGNSW is providing the following infrastructure and public benefit above and beyond those items identified in Table 1:

Table 2 – Additional Works and Benefits

Infrastructure Works/Benefit	Value of Works	Value agreed by Council (Credit)
Community Facility Land & Works	\$10.3m	\$7.8m
Bushland Reserve Land & Works	\$1.1m	\$700k
Public Art	\$2.5m	\$500k
Open Space (lot 108)	\$2.7m	\$800k
Pedestrian Bridge (Delhi Rd)	\$6.5m	Nil
Maintenance (Parks 5yrs, Civil 2yrs)	\$400k	Nil
TOTAL	\$23.5m	\$9.8m

Maintenance arrangements have been negotiated such that UGNSW will be responsible for maintaining open space (e.g. parks and bushland reserve) for 5 years after completion, and the civil works (e.g. roads and pathways) for 2 years. The estimated value of this maintenance has been calculated based on the type and scale of infrastructure as a maintenance schedule has yet to be finalised (pursuant to this agreement).

Section 94 Credits proposed

Other Planning Agreements which have delivered similar urban improvements to the City of Ryde include:

Development

1-3 and 2-10 Wharf Road, Gladesville
 West Ryde Precinct
 Top Ryde City
 Putney Hill
 146 Bowden Street
 305 Blaxland Road

Infrastructure delivered under agreement

New plaza and road
 Community centre, plaza, relocated road
 Multifunction facility, works in park
 Open space, roads, stormwater works
 Cash for stormwater works
 Park embellishment

ITEM 4 (continued)

A developer providing these items as “works in kind” in lieu of S94 Contributions would generally seek to have them recognised as equivalent to S94 Contributions at the full cost of providing them. However, in this case, Council has negotiated a credit significantly below the value of the works. The table below identifies the proposed works and benefits, their value, and the credit proposed (see **ATTACHMENT 7** for details):

Table 3 – Section 94 Credits Proposed

Infrastructure Works/Benefit - Required under s94 Plan	Value of Work	Value agreed by Council (Credit)
Central Park Land & Works	\$13.3m	\$7.6m
Linear Park Land & Works	\$7.6m	\$3.0m
Open Space (lot 103)	\$5.1m	\$1m
Stormwater amplification	\$2.5m	\$2.5m
Pedestrian/cycleways	\$2.9m	\$1.4m
Infrastructure Works/Benefit - Additional		
Community Facility Land & Works	\$10.3m	\$7.8m
Bushland Reserve Land & Works	\$1.1m	\$700k
Public Art	\$2.5m	\$500k
Open Space (lot 108)	\$2.7m	\$800k
Pedestrian Bridge (Dehli Rd)	\$6.5m	Nil
Maintenance (Parks 5yrs, Civil 2yrs)	\$400k	Nil
Works/Benefit TOTAL	\$54.9m	\$25.3m
Additional S94 Payable after above credit (estimated)	\$24.2m	
TOTAL BENEFIT (S94 + Proposed Agreement)	\$79.1m	

In summary, in the absence of an agreement Council would receive approximately \$49.5m in Section 94 Contributions in relation to the development of the M2 site. Should Council adopt the proposed agreement, Council would instead receive a total benefit of \$79.1m, consisting of works, assets, maintenance and Section 94 Contributions.

For more detail refer to the North Ryde M2 Site Planning Agreement – Summary of VPA Proposal (**ATTACHMENT 1**).

Council’s Public Works team has reviewed the detailed infrastructure cost estimate provided by UGNSW (undertaken by WT Partnerships). Public Works has also reviewed the specifications and designs contained in 190 detailed plans also provided by UGNSW, to ensure that the proposed works will be to standards acceptable to Council. In the absence of a final maintenance schedule, which will be developed upon confirmation of the works to be provided (pursuant to the agreement) UGNSW and Public Works have provided an estimate of the maintenance costs based on the scale and nature of the infrastructure.

ITEM 4 (continued)

Application of the S94 Credits

To avoid burdening Council with complex methodologies to apply the \$25.3 million of S94 credits to the developable lots, under the agreement the \$25 million credit is applied to four areas that will be developed in the initial stage of the project. These areas are lots 104, 105, 204 and 205, see **ATTACHMENT 6**. The application of the remaining credit balance will be agreed later between UGNSW and Council.

Community Assets

The proposed Community Centre is shown on the developer's concept design plans to consist of a ground floor space for community uses and an upper level with landscaped roof access operating as a childcare centre (**ATTACHMENT 2**).

Council has issued an Indicative Functional Brief (**ATTACHMENT 3**) that UGNSW has included in its tendering documentation for the early stage of development and Council will work with the developer to ensure the final design is acceptable to Council and within the \$7.8 million allocated by UGNSW for this 2,500m² facility.

Potential Future Income

The contributed land on lot 108, 2,075m², is a site for which Council needs to consider options. These may range from paid parking facilities to sporting facilities of some type. It is possible (depending on the final use of the site) that this contribution will generate significant on-going revenue to Council over time.

At both locations it is proposed to produce financially viable outcomes to provide annual revenues whilst addressing community requirements.

Future S94 Contributions

As calculated in **ATTACHMENT 7**, the likely S94 Contributions from the development of the M2 site is \$49.5 million. Therefore, after allowing for the credits, Council can expect to receive from the developers of the lots within the site, \$24.2 million as the balance of S94 Contributions. In addition to this, the nearby Station North and Station South sites, are expected to attract \$6.3 million and \$13.7 million in S94 Contributions respectively, this is summarised in the table below:

Table 4 – Total Section 94 Contributions

Site (estimated number of dwellings)	Estimated Section 94 Contributions
M2 Site after credit (3000)	\$24,200,000
Station North Site (380)	\$6,270,000
Station South Site (830)	\$13,695,000
TOTAL	\$44,165,000

ITEM 4 (continued)

Council will be free to negotiate with the developers of the M2 site and the Station Precinct sites and could determine to receive those S94 Contributions in the form of cash or works in kind. This could, for example, be used to enhance pedestrian and cycle links or to provide other infrastructure or benefit to Council.

Additional Infrastructure Benefits

Beyond the benefits offered by UGNSW in its proposed Planning Agreement with Council, it should be noted that UGNSW was made fully aware by Council of the issues of the UAP development impacting upon the local major intersections.

Subsequently a separate Planning Agreement between the Minister for Planning and UGNSW is being negotiated to widen Delhi Road adjacent to the North Ryde railway station and to significantly improve the intersections of Wicks Road with Epping Road and Wicks Road with Waterloo Road, with funding of \$15.8 million. These funds are to be allocated to the improvement of the Epping Road/Wicks Road intersection, the Wicks Road/Waterloo Road intersection and to the widening of Delhi Road.

Financial Implications

In addition to the implications identified above, UGNSW has confirmed that it will reimburse Council to a maximum of \$30,000 for the legal costs of finalising the Planning Agreement document, which will be based upon Council's template. This amount is expected to cover Council's cost of appointing external legal advisers.

The financial arrangement of the Planning Agreement is such that Council will not assume any civil maintenance cost liability for at least two years and for five years for the open space following completion of the infrastructure. The maintenance or fitout modifications of the proposed Community facility cannot be assessed until the function and specification of that facility has been agreed and it has been built, which is probably at least two years away.

Options

That Council resolves not to accept the Planning Agreement offer

This is not recommended as Council would make itself liable to negotiate the funding and timing of \$49.5 million of works with the successful companies that tendered to UGNSW for each developable lot. Completion of the works and benefits to the public could therefore take several years to finalise.

Additionally, as this approach is unlikely to be acceptable to UGNSW they would be likely to appeal to the Minister for Planning, who has the power to enforce the arrangement against Council's wishes.

ITEM 4 (continued)

That Council resolves not to proceed with the exhibition of the North Ryde M2 Site Planning Agreement

This is not recommended as the Environmental Planning Act 1979 requires Planning Agreements to be exhibited for 28 days and as it would deny the public the opportunity to comment upon new facilities, the community centre and parks designed to cater for the increased residential population supported by the Urban Activation Precinct plan, Council would be in contravention of Regulations.

That Council resolves not to support the finalisation and execution of the Planning Agreement

This is not recommended as it undermines successful negotiations to date with UGNSW which has shown a willingness to cooperate with Council and evolve a mutually beneficial solution. Were Council to handle this matter without UGNSW “on side” the risks are that Council may not be able to secure the park and open space land or the accommodation for the Community Facility in a timely fashion as the work would depend on the income stream from the private developers of the individual lots and the site could remain in disarray for many years.

That Council declines to classify any land it may obtain through the Planning Agreement as “Operational”

This is not recommended as land acquired but not classified automatically becomes “Community” land three months after acquisition, which would severely limit Council’s future options to obtain benefits from the land, particularly in regard to the Community facility site and the open space of lot 108.

ITEM 4 (continued)

ATTACHMENT 1



North Ryde M2 Site Planning Agreement

Summary of VPA Proposal

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ITEM 4 (continued)

ATTACHMENT 1



Summary of VPA Proposal

North Ryde M2 Site Planning Agreement

The purpose of this document is to summarise the key terms of the proposed *North Ryde M2 Site Planning Agreement* ('VPA') under s93F of the *Environmental Planning and Assessment Act 1979* ('EPA Act').

Note that this document summarises the proposal put to Ryde City Council by UrbanGrowth NSW. The terms of the proposed VPA are not yet agreed.

Parties

- 1 The parties to the VPA ('Parties') are:
 - 1.1 Landcom, which is a corporation established under s5(1) of the *Landcom Corporation Act 2001*, trading under the name UrbanGrowth NSW ('Developer'), and
 - 1.2 The Council of the City of Ryde ('Council').

Land to which the VPA applies

- 2 The VPA applies to the Lachlan's Line Precinct at Macquarie Park being Lot 101 DP 1131776, Lot 2 DP 528488 and Lot 7 DP 1046090 ('Land').

Development to which the VPA applies

- 3 The VPA is proposed to be entered into in connection with the development for which staged development consent SDD_5093 ('Staged Consent') has been granted under s 89E of the EPA Act by the Minister for Planning ('Development').
- 4 The Development involves the following:
 - 4.1 A concept proposal including:
 - 4.1.1 subdivision of the Land into development lots;
 - 4.1.2 allocation of maximum gross floor area to the development lots; and
 - 4.1.3 infrastructure, civil works and landscaping;
 - 4.2 Stage 1 of the Development being development works in a number of phases including:
 - 4.2.1 site preparation works;
 - 4.2.2 superlot subdivision;
 - 4.2.3 civil and public domain works;
 - 4.2.4 creation of some development lots; and
 - 4.2.5 construction of a pedestrian bridge over Delhi Road.
 - 4.3 Stage 2 of the Development involves the further development of the development lots for urban purposes.

Purpose, status and effect of the VPA

- 5 The VPA is a planning agreement under s93F of the EPA Act and will take effect on the date it is signed by all the parties.

ITEM 4 (continued)

ATTACHMENT 1



- 6 The purpose of the VPA is to require the Developer to make development contributions in the form of contribution works, including the construction of a community facility, and the dedication of land and to reduce the contributions payable under s94 of the EPA Act in respect of Stage 2 of the Development.

The obligations under the VPA

- 7 Under the VPA the Developer will:
- 7.1 Undertake works to provide parks and open space, shared pathways and roads on the Land and dedicate and transfer the land on which those works are located to Council, in accordance with the Staged Consent, subject to proposed lot 103 being dedicated after the completion of the pedestrian bridge over Delhi Road.
 - 7.2 Install public artworks in locations in accordance with the Staged Consent or otherwise as agreed between the Parties.
 - 7.3 Construct and deliver a community facility on part of the proposed lot 104 in accordance with a detailed design and specification that has been approved by Council, which is to be to a value of up to \$7.8 million. The community facility is to be delivered after the subdivision and sale of proposed lots 104 and 105 which are to be created in Stage 1 of the Development. It is therefore envisaged that the community facility will be delivered by the purchaser of those lots, in connection with the development of the first building on those lots.
- 8 There is an option to make a monetary contribution of \$7.8 million instead of constructing the community facility, in certain circumstances.
- 9 The Developer will maintain open space for 5 years after completion, and will maintain civil works for 2 years.

Application of s 94, 94A and 94EF to the Total Credit Amount

- 10 The VPA does not exclude the ability of Council to impose conditions under s94 and s94A of the EPA Act on any subsequent development consent for the Development.
- 11 The development contributions made by the Developer under the VPA (as set out under clause 6 above) are to be taken into consideration by Council in determining a development contribution under s94 of the EPA Act in respect of Stage 2 of the Development, by reducing the amount of development contributions required to be paid.
- 12 The total credit amount to be applied to reduce s94 contributions for Stage 2 is \$26,284,732.00 (subject to Council's approval) (**Total Credit Amount**). The maximum amount that may be applied in respect of lots that will be further developed and subdivided for urban purposes is as follows:
- 12.1 Proposed Lots 104 and 105 - \$15 million;
 - 12.2 Proposed Lots 204 and 205 - \$10 million; and
 - 12.3 Any balance of the Total Credit Amount will be allocated at the Developer's sole discretion and/or as agreed with Council. .

Registration of the VPA

- 13 The Parties agree to register the VPA on the title to the Land. Registration has the effect that the VPA is binding on, and is enforceable against, the owner of the land from time to time as if the owner had entered into the VPA itself.
- 14 The VPA is to be registered within 20 business days of the VPA being entered into.

Restriction on the Developer assigning its interests or novating the VPA

ITEM 4 (continued)

ATTACHMENT 1



- 15 The Developer must not:
- 15.1 assign or novate its rights or obligations under the VPA; or
- 15.2 sell or transfer the Land or any interest in the Land,
to a third party unless the prior written consent of Council is obtained.
- 16 Council must not unreasonably withhold its consent in circumstances where the Developer has procured from the third party a deed under which it agrees to perform the obligations of the Developer under the VPA.
- 17 Once the VPA is registered on the title to the Land the Developer must notify Council of its intention to sell or transfer any part of the Land to a third party.
- 18 Council may require the third party to enter a deed requiring the third party to provide security to Council in respect of the performance of obligations under the VPA.
- 19 On execution of the VPA, Council is deemed to have consented to the sale of proposed Lots 104 and 105 (which are to contain the community facility), subject to the purchaser entering into a deed with Council.

Provision of Security

- 20 The Developer will only be obliged to provide security in the form of a Treasury Guarantee if any work cannot be completed by the time it is required to be completed under the VPA.
- 21 The Council may, as a condition of a novation deed, require security to be provided by any purchaser of part of the Land from the Developer.
- 22 The delivery of contribution works is linked to the issue of subdivision certificates, other than the community facility, which is to be delivered before the issue of an occupation certificate for the first building on proposed lot 104.

Enforcement of the VPA

- 23 The VPA provides that the parties can enforce the VPA in any court of competent jurisdiction and that nothing prevents the Council from exercising any function under the EPA Act or any other Act or law relating to the enforcement of any aspect of the VPA.

Resolution of disputes

- 24 The VPA provides for two mechanisms for the resolution of disputes, one being expert evaluation and the other being mediation.

Costs

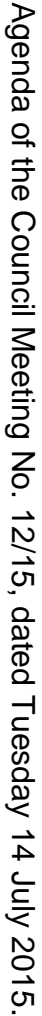
- 25 The Developer is to pay Council's costs of preparing the Deed, not exceeding an amount to be agreed between the Parties.

ITEM 4 (continued)

ATTACHMENT 2



ATTACHMENT 2



ITEM 4 (continued)

ATTACHMENT 3



COMMUNITY FACILITIES INDICATIVE FUNCTIONAL BRIEF UGNSW M2 SITE NORTH RYDE

PURPOSE

The purpose of this brief is to provide an indicative functional brief to UGNSW to help them to develop a detailed proposal for a \$7.8 million community facility to be given to the City of Ryde as part of the M2 UAP site. A detailed functional brief is only possible after the location, configuration and orientation of the premises is confirmed.

Preferred occupancy pattern is community oriented commercial well-being enterprises on one floor providing an income to City of Ryde. E.g. Child care centre, Medical Centre/Dentist Offices; and a multifunctional community space on an adjacent level for venue hire and use for fitness activities, community meetings and small events. A ground floor retail/F&B space is essential as part of this for ensuring commercial viability.

The community facility/building will be owned and managed by the City of Ryde, to provide centralised community oriented services for the residents in the area. The income from any commercial and retail tenancies will be used to subsidise the community facilities for hire in the building and general maintenance and running costs. The building design should give flexibility to Council in how to use and market the two floors.

INDICATIVE FUNCTIONAL BRIEF

Requirement	Details
Building location	<ul style="list-style-type: none">• Should be presented as a cohesive and integrated element of the plaza and open space and not overshadowed by neighbouring properties.• Should provide maximum flexibility and adaptability with minimal ongoing restrictions on the hours and frequency of operation due to proximity of neighbouring buildings.
Accessibility of the building	<ul style="list-style-type: none">• Close proximity to public transport and direct access from both pedestrian pathways and car-park areas with provision for comfortable pick-up and drop-off zones.• Safe movement and access routes to, through and around the facility with natural surveillance measures suitable for after-hours arrival and departure.
Building	<ul style="list-style-type: none">• A vital community space and destination in its own right that offers maximum visibility, welcoming space and a distinctive community identity



ITEM 4 (continued)

ATTACHMENT 3

Requirement	Details
Identity	<p>and sense of belonging.</p> <ul style="list-style-type: none"> • Signage on and around facility should be clear, distinctive, well located in identifying it and its purpose from a distance. The perimeter is to be well illuminated.
Building entrance	<ul style="list-style-type: none"> • Must have a strong street frontage, particularly on the ground floor, with at least 50% visibility of what happens inside through window positioning to promote usage and access. • Wide enough to allow and manoeuvre wheel chairs and double prams (at least 1400mm) and a wide air lock and cover for protection from prevailing winds and inclement weather.
Building internal environment	<ul style="list-style-type: none"> • Maximum natural light penetration into internal spaces, while precluding unwanted natural light (i.e. glare), with options to stop that penetration through simple mechanisms. • Sightlines and views from within should encompass long views to the outside area creating a sense of safety, community identity and connection.
Building shape and floor space	<ul style="list-style-type: none"> • The building cannot be of irregular shape nor have dark, narrow and long internal areas. • Gross Floor Area (GFA) is not to be less than 2,500 square metres.
Community Well-being enterprises / child care	<ul style="list-style-type: none"> • Should maximise net lettable space while providing flexibility to be let out as several well-being enterprises or being custom designed for a child care facility. • Needs to provide for multiple uses and configurations by allowing flexibility for subdivision or aggregation for several commercial tenancies using standard partition systems. • Further specifications possible only after a decision is made on use of facility.
Community venue hire space	<ul style="list-style-type: none"> • Should provide a flexible flat floor, column free, high clearance space suitable for community venue hire with space no less than 500sqm. • 120 people theatre style seating capacity, with ability to easily sub-divide into several configurations using operable walls, capable of operating concurrently. • Include kitchen facilities and internal toilets, storage areas and separate loading access.

ITEM 4 (continued)

ATTACHMENT 3

Requirement	Details
	<ul style="list-style-type: none"> • Incorporate technology through internal cabling for speaker system, ceiling projector, data points and a hearing induction loop.
Supporting amenities	<ul style="list-style-type: none"> • There should be a lobby/vertical access zone servicing all floors and easy access to separate toilets and utilities as part of public space. • There should be at least 10 reserved parking spots for the building tenants and ample parking for visitors including clearly marked spots for disability, parents and seniors. • Design of proposed service risers, conduits and loading should be such that they are neither visible nor audible and the clear height required for any space is not reduced. • The building should be a standalone facility with functional separation from neighbouring buildings through ensuring separate services connections.
Maintenance & environment sustainability	<ul style="list-style-type: none"> • Construction in accordance with the Building Code of Australia; WHS legislative requirements and Design for access and mobility and the Disability Discrimination Act. • The materials and equipment used should be durable, robust and easy to clean, and not require costly maintenance or high operational recurring costs. • Constructed with sustainable systems and materials for a small carbon footprint and low operating costs. Sustainability equal to 5 Green Star rating. • The nominated finishes, service systems, and technological control systems should have a minimum life span of at least 25 years without needing major maintenance. • The cable reticulation for power, lighting, computer/IT, audio visual cabling, network data should make provision for future expansion throughout all areas of the property.

FINAL FUNCTIONAL BRIEF

The City of Ryde Council would anticipate that based on the broad requirements above Urban Growth NSW would now finalise the actual site for this facility and develop a proposal for the new facility. This would include:

- Developing the character, functionalities scale and the collective footprint of the community well-being enterprises, retail and F&B space and community venue hire space;
- Schematic sketch designs including function relationships, typical layout plans and concept specifications for the facility, including spatial requirements/dimensions for the overall facility including

ITEM 4 (continued)

ATTACHMENT 3



general requirements of the main areas and ancillary rooms (such as plant and equipment, storage, toilets, kitchens).

- Parking and access strategies;
- Financial analysis including the capital cost, operating cost, life cycle maintenance costs, anticipated demand and projected operating income;
- The building's internal spaces specified for community use are to be provided to turnkey standard with fully operational fitout and shop-front. Those areas specified for commercial operation are to be cold shell standard with provision to connect to all building services. Cold shell spaces opening onto public areas are to be provided with a shop-front façade (albeit temporary) providing access, security and weatherproofing.

City of Ryde will then finalise the proposal and send UGNSW a reverse functional brief in response to this.

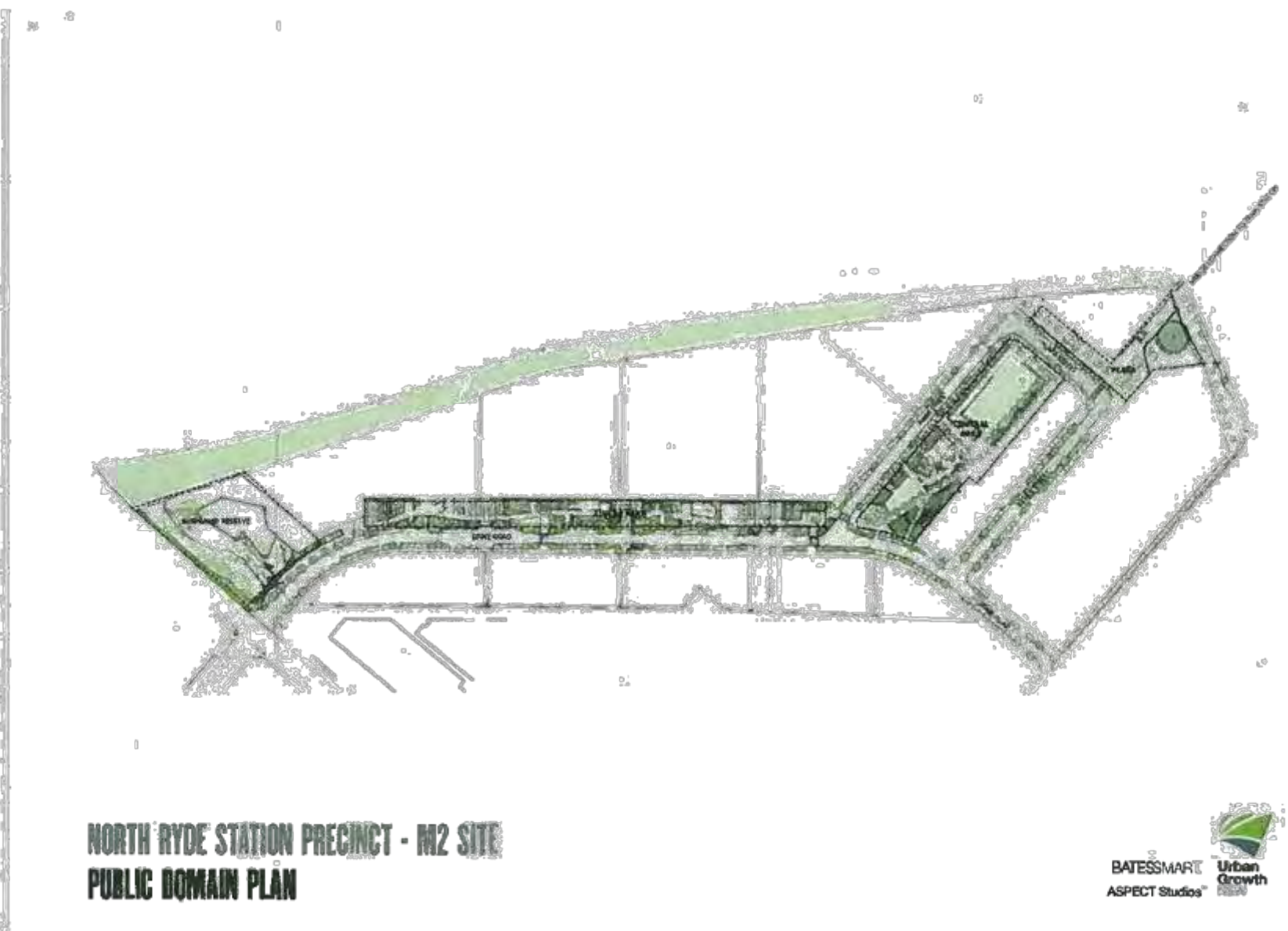
ITEM 4 (continued)

ATTACHMENT 4

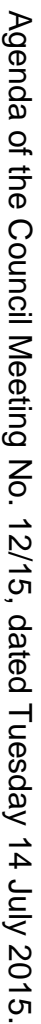


ITEM 4 (continued)

ATTACHMENT 5



ATTACHMENT 6



ITEM 4 (continued)

ATTACHMENT 7

Proposed Items	Description	Full Scope and WT Costs @ \$1,000 for land	S94 OS rates; \$1,000 for land & \$100 works	Part Scope and WT Costs @ \$350 for land
Community Facility Works	Design and construction	\$7,800,000	\$7,800,000	\$7,800,000
Community Facility	Land - 2,500m2	\$2,500,000	\$0	\$0
Central Park Works	Embellishments	\$5,681,279	\$573,600	\$5,681,279
Central Park Half Road Frontages	Design and construction	\$1,922,526	\$0	\$0
Central Park Land	Land - 6,736m2	\$5,736,000	\$5,736,000	\$2,007,600
Linear Park Works	Embellishments	\$3,059,193	\$376,500	\$3,059,193
Linear Park Half Road Frontages	Design and construction	\$773,938	\$0	\$0
Linear Park Land	Land - 3,765m2	\$3,765,000	\$3,765,000	\$0
Lot 101 (Bushland Reserve)	Embellishments	\$773,549	\$435,000	\$773,549
Lot 101 Half Road Frontage	Design and construction	\$156,464	\$0	\$0
Lot 101 Land	Land - 4,350m2	\$156,464	\$0	\$0
Public Art	Current estimate	\$2,500,000	\$500,000	\$500,000
Lot 103 Works	Embellishment	\$1,727,979	\$294,100	\$1,727,979
Lot 103 Half Road Frontage	Design and construction	\$444,210	\$0	\$0
Lot 103 Land	Land - 2,941m2	\$2,941,000	\$2,941,000	\$0
Stormwater 100yr Works	Design and construction	\$2,523,186	\$2,523,186	\$2,523,186
Lot 108 Works	Embellishment	\$87,189	\$207,500	\$87,189
Lot 108 Half Road Frontage	Design and construction	\$586,740	\$0	\$0
Lot 108 Land	Land - 2075m2	\$2,075,000	\$2,075,000	\$726,250
Pedestrian/Cycle Works	Design and construction	\$611,007	\$225,000	\$611,007
Pedestrian/Cycle Land	Land - 2250m2	\$2,250,000	\$2,250,000	\$787,500
Total		\$48,070,724	\$29,701,886	\$26,284,732
Total UGNSW Works only @ WT Rates		-\$28,060,520		
Aprox. S94 payments @ avg \$16.5K		\$69,465,000	\$21,394,276	\$39,763,114
M2 Site - 3,000 apartments		\$49,500,000		
Station North - 380		\$6,270,000		
Station South- 830		\$13,695,000		

PRECIS OF CORRESPONDENCE

1 ACKNOWLEDGEMENT OF LETTERS FROM COUNCIL FOLLOWING LIGHT RAIL SYMPOSIUM

Report prepared by: Executive Assistant to the Mayor
File No.: MYR/07/10/7 - BP15/792

CORRESPONDENCE:

Submitting correspondence from the Hon. Duncan Gay MLC, the Hon. Anthony Roberts MP, the Hon. David Elliott MP and the office of the Hon. Mark Speakman SC MP, dated May and June 2015, acknowledging receipt of Council's letter following the Light Rail Symposium held on 8 May 2015.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1** Letter from the Hon Duncan Gay MLC - acknowledging receipt of letter regarding the Light Rail Symposium
- 2** Letter from the Hon Anthony Roberts MP - acknowledging receipt of letter regarding the Light Rail Symposium
- 3** Letter from the Hon David Elliott MP - acknowledging receipt of letter regarding the Light Rail Symposium
- 4** Letter from the Office of the Hon. Mark Speakman SC MP - acknowledging receipt of letter regarding the Light Rail Symposium

Report Prepared By:

Linda Smith
Executive Assistant to the Mayor

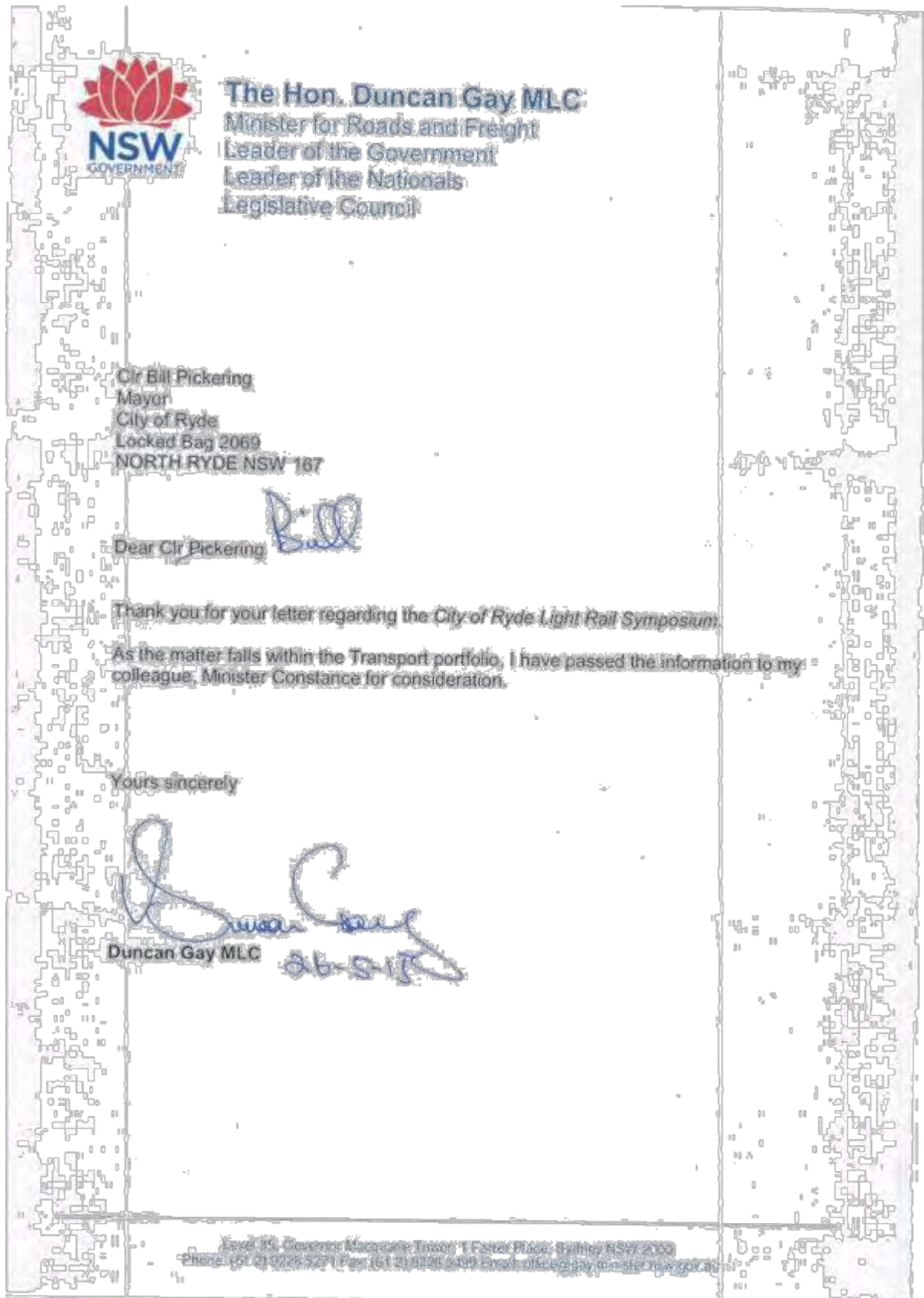
Report Approved By:

Amanda Janvrin
Section Manager - Governance

Roy Newsome
Group Manager - Corporate Services

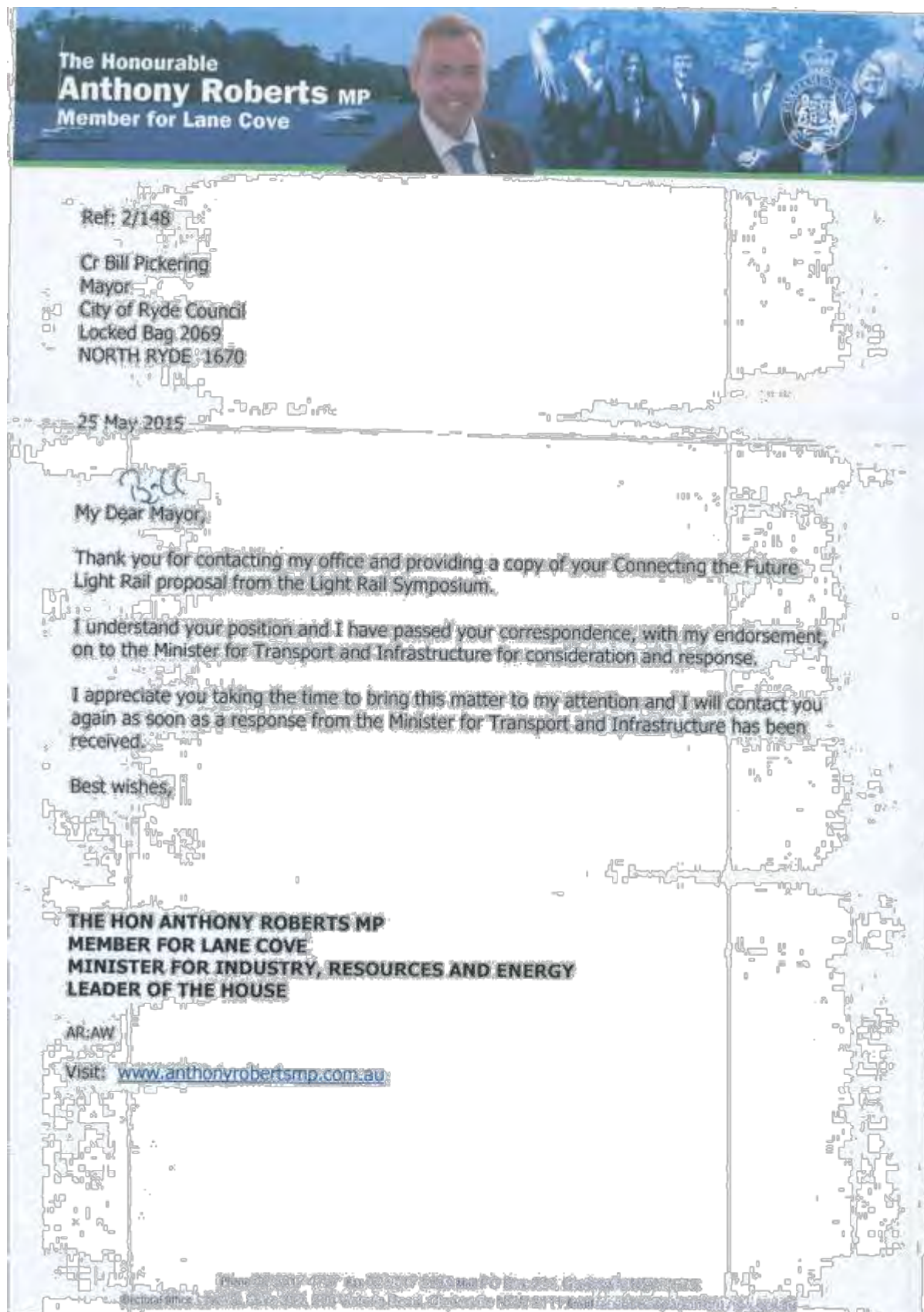
PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 1



PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 2



PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 3



The Honourable David Elliott MP

Minister for Corrections
Minister for Emergency Services
Minister for Veterans Affairs

Mr Bill Pickering
Mayor
Civic Centre
1 Devin Street
RYDE NSW 2112

Dear Mr Pickering,

Thank you for sending a copy of *Connecting the Future* and the Light Rail Symposium CD detailing reasons for a light rail connection from Parramatta to Macquarie Park.

Yours sincerely



David Elliott MP
MINISTER FOR CORRECTIONS
MINISTER FOR EMERGENCY SERVICES
MINISTER FOR VETERANS AFFAIRS

GPO Box 5141, SYDNEY NSW 2001
Phone: (02) 6574 6293 Fax: (02) 9333 5564 Email: david.elliott@member.nsw.gov.au

PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 4



Office of the Hon **Mark Speakman** SC MP
Minister for the Environment
Minister for Heritage
Assistant Minister for Planning

MD15/0042

Cr Bill Pickering
Mayor
City of Ryde
Locked Bag 2069
NORTH RYDE NSW 1670

Dear Councillor Pickering

Referral to Minister for Planning

I would like to acknowledge receipt of your letter to the Assistant Minister for Planning, Mark Speakman, about City of Ryde light rail symposium.

The Minister appreciates the time you have taken to forward your concerns and to provide a copy of the Connecting the Future booklet. As this matter is under the portfolio responsibilities of the Minister for Planning, the Hon Rob Stokes MP, I have referred your letter for his consideration.

Yours sincerely


BRAN BLACK
Chief of Staff
Office of Mark Speakman

1 JUN 2015

NOTICES OF RESCISSION

1 NOTICE OF RESCISSION: RYDE CIVIC HUB - OVERVIEW OF INTERNATIONAL DESIGN COMPETITION PROCESS - Councillor Jerome Laxale, Councillor Denise Pendleton and Councillor George Simon

File Number: CLM/15/1/4/7 - BP15/903

That Council rescind the previous resolution in relation to Item 4(2) – RYDE CIVIC HUB – OVERVIEW OF INTERNATIONAL DESIGN COMPETITION PROCESS, passed at the Council Meeting held on 23 June 2015, namely:-

- (a) That Council endorse the site known as Ryde Civic Hub to be the subject of an International Architectural Design Competition.*
- (b) That Council endorse the principles (outlined in this report) to inform the preparation of the brief for the International Architectural Design Competition, subject to the following amendments;*
 - i. Inclusion of the provision of a bus interchange facility within the site; and*
 - ii. Enhancing and improving the current pedestrian linkages and to explore new and additional options to further enhance the accessibility and intergration of pedestrian linkages to the surrounding precincts*
- (c) That Council endorse the appointment of a Competition Advisor to coordinate and advise Council on the delivery of the International Architectural Design Competition.*
- (d) That Council endorse the appointment of a Probity Advisor to provide the appropriate probity framework for this competition.*
- (e) That Council note the actions taken by the General Manager in the appointment of the Executive Officer – Civic Hub and an additional Support Officer.*
- (f) That Council endorse the program and timeframes (as outlined in this report) for the International Architectural Design Competition.*
- (g) That Council allocate a budget of \$710,000 to the International Architectural Design Competition, funded from the Civic Centre Reserve with the balance of \$61,000 being transferred from the Fit for the Future Reserve to the Civic Centre Reserve.*

CONFIDENTIAL ITEMS

5 REQUEST FOR TENDER - LGP - EX 005 - PROVISION OF SECURITY SERVICES

Report prepared by: Manager - Operations

Report approved by: Acting Group Manager Public Works

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.

File Number: PCM2015/2 - BP15/740

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