

**Meeting Date:** Tuesday 28 April 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 14 April 2015**

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**Report prepared by:** Section Manager - Governance**File No.:** CLM/15/1/4/2 - BP15/451

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**REPORT SUMMARY**

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

**RECOMMENDATION:**

That the Minutes of the Council Meeting 6/15, held on 14 April 2015 be confirmed.

**ATTACHMENTS**

- 1 MINUTES - Ordinary Council Meeting - 14 April 2015**

**ITEM 1 (continued)**

**ATTACHMENT 1**

**Council Meeting  
MINUTES OF MEETING NO. 6/15**

**Meeting Date:** Tuesday 14 April 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, Perram, Salvestro-Martin, Simon, Stott and Yedelian OAM.

**Apologies:** Nil.

**Staff Present:** General Manager, Acting Group Manager – Community Life, Group Manager – Corporate Services, Group Manager – Environment and Planning, Group Manager – Public Works, General Counsel, Acting Manager – Communications and Media, Manager – Human Resources, Manager – Community and Culture and Section Manager – Governance.

**PRAYER**

Reverend Nicholas Fried of the Eastwood Uniting Church was present and offered prayer prior to the commencement of the meeting.

**LEAVE OF ABSENCE**

Councillor Laxale requested a Leave of Absence for the period 16 April 2015 to 26 April 2015 inclusive.

Councillor Li requested a Leave of Absence for the period 18 May 2015 to 28 May 2015 inclusive.

Councillor Pendleton requested a Leave of Absence for the period 16 April 2015 to 23 April 2015.

Councillor Perram requested a Leave of Absence for the period 29 April 2015 to 6 May 2015.

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

- (a) That Councillor Laxale's Leave of Absence for the period 16 April 2015 to 26 April 2015 inclusive be approved.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (b) That Councillor Li's Leave of Absence for the period 18 May 2015 to 28 May 2015 inclusive be approved.
- (c) That Councillor Pendleton's Leave of Absence for the period 16 April 2015 to 23 April 2015 be approved.
- (d) That Councillor Perram's Leave of Absence for the period 29 April 2015 to 6 May 2015 be approved.

**Record of Voting:**

For the Motion: Unanimous

**DISCLOSURES OF INTEREST**

Councillor Pendleton disclosed a Significant Non-Pecuniary Interest in Notice of Motion 1 – Armenian Genocide Recognition, for the reason that she has close friendships with people of Armenian descent.

Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in Notice of Motion 1 – Armenian Genocide Recognition, for the reason that he is of Armenian ancestry and his grandparents were victims of the Armenian Genocide.

**TABLING OF PETITIONS**

No Petitions were tabled.

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

The following persons addressed the Council:-

Name	Topic
Vache Kahramanian (representing the Armenian National Committee of Australia)	<b>Notice of Motion 1</b> – Armenian Genocide Recognition
Areg Grigorian	<b>Notice of Motion 1</b> – Armenian Genocide Recognition
Peter Colthorpe	<b>Item 3</b> – Planning Proposal – Ryde Civic Centre Precinct
Jerry Papikian (representing Ryde Multicultural Centre)	<b>Notice of Motion 1</b> – Armenian Genocide Recognition
Alan Patrick	<b>Item 3</b> – Planning Proposal – Ryde Civic Centre Precinct
Deb Maio (representing Side by Side Advocacy)	<b>Item 5</b> – Social Inclusion Project – Progress Report
Gary Mazlounian	<b>Notice of Motion 1</b> – Armenian Genocide Recognition



**ITEM 1 (continued)**

**ATTACHMENT 1**

<b>Name</b>	<b>Topic</b>
Jimmy Ellender (representing Anne Bryce – CEO Achieve Australia)	<b>Item 5</b> – Social Inclusion Project – Progress Report
Dr Panayiotis Diamadis (representing a Genocide Scholar)	<b>Notice of Motion 1</b> – Armenian Genocide Recognition
Victor Mamourian	<b>Notice of Motion 1</b> – Armenian Genocide Recognition
Arin Makarian (representing Homenetmen Ararat / Hamazkaine Nairi / Armenian Relief Society Araz Chapter)	<b>Notice of Motion 1</b> – Armenian Genocide Recognition
Sheryl Barton	<b>Item 3</b> – Planning Proposal – Ryde Civic Centre Precinct
Diane Erickson	<b>Item 3</b> – Planning Proposal – Ryde Civic Centre Precinct
Jennie Minifie (representing Ryde Community Alliance)	<b>Item 3</b> – Planning Proposal – Ryde Civic Centre Precinct

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

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

That the speakers who submitted requests to address Council after the midday deadline and also an additional speaker on an Item not on the Agenda be allowed to address the meeting, the time being 8.30pm.

**Record of Voting:**

For the Motion: Unanimous

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

The following persons then addressed the Council:-

<b>Name</b>	<b>Topic</b>
Manoug Demirjian (representing the Armenian 'Nor Serount' (New Generation) Cultural Association)	<b>Notice of Motion 1</b> – Armenian Genocide Recognition
Jill Hartley	<b>Item 3</b> – Planning Proposal – Ryde Civic Centre Precinct

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

The following persons addressed the Council:-

<b>Name</b>	<b>Topic</b>
Rose Marie Lavery	Remembrance Book – 100 Years of ANZAC
Jim Piotrowski (representing the TWU)	Council's Waste Collection Contract undertaken by SITA

**ORDER OF BUSINESS**

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

That Council now consider the following Items, the time being 8.45pm:

- Notice of Motion 1 – Armenian Genocide Recognition.
- Item 5 – Social Inclusion Project – Progress Report.
- Item 3 – Planning Proposal – Ryde Civic Centre Precinct.

**Record of Voting:**

For the Motion: Unanimous

**NOTICE OF MOTION**

**1 ARMENIAN GENOCIDE RECOGNITION - Councillor Sarkis Yedelian OAM**

Note: Vache Kahramanian (representing the Armenian National Committee of Australia), Areg Grigorian, Jerry Papikian (representing Ryde Multicultural Centre), Gary Mazloumian, Dr Panayiotis Diamadis (representing a Genocide Scholar), Victor Mamourian, Arin Makarian (representing Homenetmen Ararat / Hamazkaine Nairi / Armenian Relief Society Araz Chapter) and Manoug Demirjian (representing the Armenian 'Nor Serount' (New Generation) Cultural Association addressed the meeting in relation to this Item.

Note: A photograph was tabled in relation to this Item and a copy is ON FILE.

Note: Councillor Pendleton disclosed a Significant Non-Pecuniary Interest in this Item for the reason that she has close friendships with people of Armenian descent.

Note: Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is of Armenian ancestry and his grandparents were victims of the Armenian Genocide.

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

Whereas 2015 marks the 10<sup>th</sup> anniversary of the City of Ryde passing a motion recognising the events of 1915-1923 as the Armenian Genocide, this Council joins with the Armenian-Australian community in marking the centenary of the Armenian Genocide by resolving to:

- (a) *honour the memory of the innocent men, women and children who fell victim to the first modern genocide;*
- (b) *condemn the genocide of the Armenians; and all other acts of genocide as the ultimate act of racial, religious and cultural intolerance;*
- (c) *recognise the importance of remembering and learning from such dark chapters in human history to ensure that such crimes against humanity are not allowed to be repeated;*
- (d) *condemn and prevents all attempts to use the passage of time to deny or distort the historical truth of the genocide of the Armenians and other acts of genocide committed during this century;*
- (e) *recall the testimonies of Australian WWI POWs who lay witness to the genocide of the Armenians;*
- (f) *acknowledge the significant humanitarian contribution made by the people of Australia to the victims and survivors of the Armenian Genocide;*
- (g) *call on the Commonwealth of Australia to recognise and condemn all genocides including the Armenian Genocide.*

**Record of Voting:**

For the Motion: Unanimous

**COUNCIL REPORTS**

**5 SOCIAL INCLUSION PROJECT- Progress Report**

Note: Deb Maio (representing Side by Side Advocacy) and Jimmy Ellender (representing Anne Bryce – CEO Achieve Australia) addressed the meeting in relation to this Item.

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

- (a) That Council note the outcomes achieved by the Social Inclusion Project, which will be incorporated into the recently launched NSW Disability Inclusion Plan.

**ITEM 1 (continued)**

**ATTACHMENT 1**

- (b) That Council, at this Council meeting, view the 15 minute Celebrate Diversity film titled “Belong – People, Place and Possibilities”.
- (c) That Council make the 15 minute Celebrate Diversity film titled “Belong – People, Place and Possibilities” available to the community on Council’s website and make reference to the film in the new residents pack.

**Record of Voting:**

For the Motion: Unanimous

Note: Council viewed a 15 minute Celebrate Diversity film titled “Belong – People, Place and Possibilities” later in the Meeting as outlined in these Minutes.

**ADJOURNMENT**

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

That the meeting be adjourned to allow a photograph be taken, the time being 9.03pm.

**Record of Voting:**

For the Motion: Unanimous

**MEETING RECONVENED**

The Mayor, Councillor Pickering reconvened the meeting at 9.06pm.

**COUNCIL REPORTS**

**3 PLANNING PROPOSAL - RYDE CIVIC CENTRE PRECINCT**

Note: Peter Colthorpe, Alan Patrick, Sheryl Barton, Diane Erickson, Jennie Minifie (representing Ryde Community Alliance) and Jill Hartley addressed the meeting in relation to this Item.

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

1. That Council not proceed with the current Planning Proposal seeking to re-zone the Ryde Civic Centre site and the General Manager immediately write to the Minister for Planning to formally withdraw the proposal.

**ITEM 1 (continued)**

**ATTACHMENT 1**

2. That pursuant to clause 260 of the Local Government (General) Regulation 2005, Council establish a 'Ryde Civic Hub' Committee (a formal Standing Committee of Council) to develop a new vision for the Ryde Civic Centre site.
3. That pursuant to clause 261 of the Local Government (General) Regulation 2005 the General Manager prepare a report to Council detailing the proposed Terms of Reference and functions of the Committee which shall include (amongst others);
  - a. To establish an international architectural design competition to provide an iconic architectural vision for the site, conducted generally in accordance with the NSW Government's Design Excellence Guidelines;
  - b. To prepare a public consultation strategy;
  - c. To prepare a new master plan for the site including a site specific Development Control Plan; and
  - d. To prepare a business case(s) to determine options for how the site could be developed whilst retaining the majority (or all) of the site in Council's ownership.
4. That all costs associated with the establishment and operation of the Ryde Civic Hub Committee be funded from Council's Fit for the Future 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, Perram and Simon

**MATTER OF URGENCY**

Councillor Simon advised that he wished to raise a Matter of Urgency regarding Council's Waste Collection Contract with SITA.

Note: The Mayor, Councillor Pickering accepted this Item as an Urgent Item.

**RESOLUTION:** (Moved by Councillors Simon and Salvestro-Martin)

That Council consider a Matter of Urgency regarding Council's Waste Collection Contract with SITA, the time being 9.29pm.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**MATTER OF URGENCY – COUNCIL’S WASTE COLLECTION CONTRACT WITH SITA**

Note: Jim Piotrowski (representing the TWU) addressed the meeting in relation to this Item.

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

Council notes with concern the current proposal by SITA to change the working arrangements of their employees to an independent contractor model that would mean less security for employees and potentially a diminished waste collection service for residents.

Council directs the General Manager to write to SITA and outline the following:

- (a) That Council call on SITA to retract any statements made to employees or other parties that Council supports or approves any arrangements to diminish the job security of garbage collectors with respect to the waste collection contract that is to commence on 1 May 2015;
- (b) That Council reaffirms its position that SITA is required to honour all of the terms of the contract including that no substantial changes be implemented to the current employment arrangements of SITA employees that would see their pay, conditions, or job security reduced;
- (c) That Council request a written undertaking from SITA that it will honour all of the terms of the contract as signed with Council when the waste collection services commence on 1 May 2015.
- (d) That Council authorise the General Manager to take any necessary action to ensure that the terms of the contract as signed with Council are enacted on 1 May 2015.

**Record of Voting:**

For the Motion: Unanimous

**COUNCIL REPORTS**

**1 CONFIRMATION OF MINUTES - Council Meeting held on 24 March 2015**

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

That the Minutes of the Council Meeting 5/15, held on 24 March 2015 be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

**2 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 4/15  
held on 31 March 2015**

**RESOLUTION:** (Moved by Councillors Maggio and Stott)

That Council determine Items 2 and 3 of the Works and Community Committee report 4/15, held on 31 March 2015 noting that Item 1 was dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**2 REVISED CONCEPT DESIGN - ROWE STREET EAST UPGRADE**

Note: Councillor Simon left the meeting at 9.40pm and was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Maggio and Stott)

- (a) That Council adopt the revised design as outlined in this report and extend works to deliver the upgrades to 100% of the street (estimated cost \$4million). The Committee is to note that additional funding to be from S94 reserve and scope adjusted as per available funds for this option.
- (b) That Council approve the public art gateway design treatment at Blaxland Road.
- (c) That Council approach the Road and Maritime Service and Transport for NSW to develop and fund a Local Area Traffic Management Plan for the Eastwood Town Centre area, incorporating the proposal for the increased capacity commuter car park proposed in Rowe Street (east).
- (d) That the outstanding matters of CCTV, lighting, and Traffic infrastructure be referred to the Eastwood Project Consultative Committee and addressed in future capital works projects to further upgrade Eastwood Town Centre.
- (e) That Council review the provision of loading zones which service the businesses along Rowe Street East.
- (f) That a report be presented to the next Works and Community Committee Meeting regarding the best cycle route from the intersection at the traffic lights of First Avenue and Blaxland Road to Eastwood Station.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 1 (continued)**

**ATTACHMENT 1**

Note: Councillor Simon returned to the meeting at 9:42pm.

**3 PITTWATER ROAD - BLACK SPOT PROJECT 2014/15 - ADDITIONAL FUNDING**

**RESOLUTION:** (Moved by Councillors Maggio and Stott)

- (a) That Council accepts the additional \$250,000 from the Roads & Maritime Services (RMS) for the Pittwater Road Black Spot project.
- (b) That Council makes the necessary budget changes to reflect the additional funding and corresponding project expenditure.

**Record of Voting:**

For the Motion: Unanimous

**3 PLANNING PROPOSAL – RYDE CIVIC CENTRE PRECINCT**

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

**4 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - 14 to 17 June 2015**

Note: A Memorandum from Council's Group Manager – Corporate Services dated 10 April 2015 containing supplementary information was tabled in relation to this Item and a copy is ON FILE.

Note: Councillor Simon left the meeting at 9.43pm and was not present for consideration or voting on this Item.

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

- (a) That Council approve the attendance of the Mayor, Councillor Pickering and the Deputy Mayor, Councillor Maggio to attend the National General Assembly of Local Government held in Canberra on Sunday, 14 June 2015 to Wednesday, 17 June 2015.
- (b) That Council nominate the Mayor, Councillor Pickering to be the voting delegate to represent the City of Ryde during debates on Motions presented to the Assembly.

**Record of Voting:**

For the Motion: Unanimous



**ITEM 1 (continued)**

**ATTACHMENT 1**

Note: Councillor Simon returned to the meeting at 9.45pm.

**5 SOCIAL INCLUSION PROJECT – Progress Report**

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

Note: At this point in the meeting, Council viewed a 15 minute Celebrate Diversity film titled “Belong – People, Place and Possibilities”.

**6 GENERAL MANAGER'S PERFORMANCE AGREEMENT - Draft  
Performance Agreement for Consideration of Council**

Note: A document outlining an addition to the General Manager's Performance Agreement in Item 5 of the Agreement was tabled in relation to this Item and a copy is ON FILE.

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

- (a) That subject to part (d), Council endorse the attached Draft Performance Agreement for the General Manager for the period April 2015-April 2016.
- (b) That this document be signed by both Council and the General Manager in accordance with the requirements of Clause 7.1 of the General Manager's contract of employment.
- (c) That upon signature of this document by both parties, the Performance Agreement is used as the basis for assessing the performance of the General Manager at the mid-point of the review period (October 2015) and again at the completion of the review period (April 2016).
- (d) That Council amends the Draft Performance Agreement to remove projects and associated funding to the extent required to avoid impacts on Council's Working Capital and resulting in amendments to the draft Budget and draft Delivery Plan.

**Record of Voting:**

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

Against the Motion: Councillors Pendleton and Simon

**ITEM 1 (continued)**

**ATTACHMENT 1**

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

**1 JOINT REGIONAL PLANNING PANEL RE-APPOINTMENTS - SYDNEY EAST**

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

That the correspondence be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**NOTICE OF MOTION**

**1 ARMENIAN GENOCIDE RECOGNITION – Councillor Sarkis Yedelian OAM**

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

**CLOSED SESSION**

**ITEM 7 - COR-RFT 01/15 - SUPPLY OF SWIMWEAR AND ACCESSORIES FOR SALE AT THE RYDE AQUATIC LEISURE CENTRE**

**Confidential**

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

**ITEM 8 - VERBAL UPDATE - LEGAL MATTER - 55 Blaxland Road, Ryde**

**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (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.

**ITEM 1 (continued)**

**ATTACHMENT 1**

**ITEM 9 - LEGAL MATTER - 50a Belmore Street, Ryde**

**Confidential**

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

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

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

**Record of Voting:**

For the Motion: Unanimous

Note: The Council closed the meeting at 10.52pm. The public and media left the chamber.

**7 COR-RFT 01/15 - SUPPLY OF SWIMWEAR AND ACCESSORIES FOR SALE AT THE RYDE AQUATIC LEISURE CENTRE**

**RECOMMENDATION:** (Moved by Councillors Stott and Maggio)

- (a) That Council accepts the submission from Zoggs Australia Pty Ltd for supply of swimwear and accessories at the RALC.
- (b) That Council advise the tenderers of Council's decision.

**Record of Voting:**

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

Against the Motion: Councillor Pendleton

**ITEM 1 (continued)**

**ATTACHMENT 1**

**8 VERBAL UPDATE - LEGAL MATTER - 55 Blaxland Road, Ryde**

Note: A verbal update with respect to the Land and Environment Court proceedings relating to Council's deemed refusal of a Development Application for a boarding house at 55 Blaxland Road, Ryde was provided to Council by Council's General Counsel in Closed Session.

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

That the Group Manager – Environment and Planning be delegated authority to instruct General Counsel to take action in this matter as endorsed by Council in Closed Session.

**Record of Voting:**

For the Motion: Unanimous

**9 LEGAL MATTER - 50a Belmore Street, Ryde**

Note: A verbal update with respect to the Land and Environment Court proceedings relating to Council's refusal of a building certificate application for unauthorised structures at 50a Belmore Street, Ryde was provided to Council by Council's General Counsel in Closed Session.

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

That the Group Manager – Environment and Planning be delegated authority to instruct General Counsel to take action in this matter as endorsed by Council in Closed Session.

**Record of Voting:**

For the Motion: Unanimous

**OPEN SESSION**

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

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 11.12pm.

**ITEM 1 (continued)**

**ATTACHMENT 1**

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

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 11.15pm.

CONFIRMED THIS 28TH DAY OF APRIL 2015

Chairperson

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**2      REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING  
5/15 held on 21 April 2015**

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**Report prepared by:** Section Manager - Governance**File No.:** CLM/15/1/4/2 - BP15/452

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**REPORT SUMMARY**

The Minutes of the Planning and Environment Committee Meeting 5/15 held on 21 April 2015 are to be circulated on Thursday, 23 April 2015 after the meeting has been conducted. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

A report detailing Items which were dealt with by the Committee within its delegated powers, together with any Committee recommendations will be circulated at the same time as the Minutes on Thursday, 23 April 2015.

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**3      REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 5/15  
held on 21 April 2015**

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**Report prepared by:** Section Manager - Governance**File No.:** CLM/15/1/4/2 - BP15/453

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**REPORT SUMMARY**

The Minutes of the Works and Community Committee Meeting 5/15 held on 21 April 2015 are to be circulated on Thursday, 23 April 2015 after the meeting has been conducted. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

A report detailing Items which were dealt with by the Committee within its delegated powers, together with any Committee recommendations will be circulated at the same time as the Minutes on Thursday, 23 April 2015.

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#### **4 PLANNING PROPOSAL 461-495 VICTORIA ROAD (BUNNINGS)**

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**Report prepared by:** Team Leader - Strategic Planning; Strategic Planner  
**File No.:** GRP/09/6/7 - BP15/93

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##### **REPORT SUMMARY**

In 2012 Bunnings lodged a Planning Proposal (PP) to rezone 461-495 Victoria Road to enable a Bunnings warehouse/bulky goods store. The effect of the Planning Proposal is to amend the existing LEP to permit garden centre land uses and to increase the height across the site from the existing permissible 10m to a maximum of between 12m and 15m on Victoria Road (approximately the same as the Kennards adjacent). The floor space proposed is already permissible under the LEP

In July 2013 Council approved a separate development application to widen Victoria Rd along the frontage of the Bunnings site to implement a bus lane and access to the Bunnings site at Tennyson Road. Construction by the Roads and Maritime Services (RMS) has commenced.

Community consultation on the PP occurred in June/July 2013, with approximately 85 submissions received. In October 2013 the consultation outcomes were presented to Council with a recommendation that the PP be deferred until a traffic impact study was completed. In November 2013 Council resolved the scope of the Traffic Study – to be funded by Bunnings and managed by City of Ryde. The scope of the traffic study set by Council included:

- The study area is bounded by Morrison, Pittwater, Higginbotham and Cressy Road.
- The traffic study must consider cumulative impacts of growth as a result of Bunnings and other potential development within the study area
- The traffic study must recommend preferred mitigation measures and assign responsibility for these to either Bunnings or others as appropriate.

The traffic study commenced in June 2014 with data collection and issues identification. A community workshop was held in August regarding the findings of the data collection stage and the proposed mitigation options that would be modelled in the next stage of the Traffic Study. The August 2014 workshop revealed that the greatest community concern was through traffic in local streets and that this would likely increase as a result of Bunnings - particularly on weekends and in the evenings. This community input informed the options to be tested by a traffic model. The outcome of the traffic modelling was presented to another community workshop held in November 2014.

The key recommendations of the Traffic Study are collectively known as the “preferred road network”. The following are to be implemented by Bunnings at no cost to Council:

- Partial or full closure of College Street at the boundary between the residential and the industrial land uses
- Right hand turn ban for traffic exiting the Bunnings site in Frank Street which is only required in the event of the partial closure of College Street



**ITEM 4 (continued)**

- Cressy Road widening to enable an additional lane at the Victoria Road approach in order to mitigate the impact of traffic diverted from College Street. (Note: This can be accommodated within the existing road reserve)
- Site access from Victoria Road to be implemented at stage 1 of the site development.

The Traffic Study was exhibited from 17 December 2014 to 31 January 2015. Of the 517 submissions to the traffic study; each raised 1 or more of the following issues:

Supports a full closure in College Street	288
Supports partial / one-way closure in College Street	148
Objects to any closure in College Street ("Do nothing option")	35
Concerns regarding speed & safety (excluding College Street)	103
Objects to a Bunnings development	10
Supports a Bunnings development	4

Note: The figures for these issues are not mutually exclusive

While the recommendation of the traffic study address the range of matters in the local road network, the key issues raised in the submission relate to closure of College Street. In consideration of the submissions and the operations of the surrounding road network the partial /one way closure of College Street is recommended because:

- It achieves for residents most of the benefits of full road closure of College Street
- Less traffic is diverted to Buffalo, Cressy and Monash Rds than with full closure
- The wait times at the Frank Street Victoria Road intersection are less than for full closure – i.e. less impact on business
- There are approximately 70 businesses in College that will suffer some loss of accessibility due to the closure of College Street.

It is also recommended to amend the DCP that was exhibited for 461-495 Victoria Road to strengthen controls to:

- Ensure that Council's preferred road network is implemented prior to Bunnings commencing operations;
- Protect resident's amenity; and
- Require an attractive, safe public domain

Finally, it should be noted that only 10 objections to a Bunnings redevelopment have been lodged. This low objection rate (approx. 2%) is noteworthy given the considerable community interest in the Bunnings planning proposal (e.g. 425 people visited the Bunnings Planning Proposal webpage a total of 633 times and 517 submissions received). It is recommended that Council endorse the Planning Proposal and consequent rezoning of 461-495 Victoria Road to proceed.

**ITEM 4 (continued)****RECOMMENDATION:**

- a. That Council exercise the delegation issued by the Minister for Planning and Infrastructure to make the planning proposal to amend the land use zone applicable to 461-495 Victoria Road from IN2 Light Industrial to B5 Business Development and the permissible height under Ryde Local Environmental Plan (LEP) 2014 applicable to the site from 10m to RL63, RL52 and RL 42 (stepping down from 12-15m on Victoria Road to approximately 7-17m on College Street).
- b. That in making the LEP amendment Council will adjust the exhibited map site boundaries to reflect the Victoria Road widening in accordance with recent subdivision approval to create Lot 300 DP 1194688, 461-495 Victoria Road, Gladesville.
- c. That Council adopt the following for inclusion in the Bunnings Gladesville Traffic and Parking Study:
  - i. Partial (one-way) closure of College Street to be implemented prior to Bunnings commencing operations (at no cost to council by Bunnings)
  - ii. Cressy Road carriageway widening to be implemented prior to Bunnings commencing operations (at no cost to council by Bunnings)
  - iii. Cressy Road (eastern side) full width footpath and safety fence from Victoria Road corner to Holy Cross College entry to be implemented prior to Bunnings commencing operations (at no cost to council by Bunnings)
  - iv. Tennyson Road and Frank Street site access to be implemented at stage 1 and operable on commencement of Bunnings operations (at no cost to council by Bunnings)
  - v. Ban right hand turns for vehicles exiting the Bunnings site in Frank Street prior to Bunnings commencing operations (at no cost to council by Bunnings)
  - vi. Traffic signals changes and site access at Tennyson Road to be implemented prior to Bunnings commencing operations (at no cost to council by Bunnings)
  - vii. Pedestrian and road safety audit and management plan be prepared that considers the high probability that parents will park at Bunnings to pick up school children or for access to sporting fields (at no cost to council by Bunnings)
  - viii. A parking optimisation plan for Frank Street and College Street between Frank Street and Orient Street be prepared to counteract any loss of parking due to the Bunnings development and implemented (at no cost to council by Bunnings)

**ITEM 4 (continued)**

- ix. Roundabout at Monash/Buffalo Road intersection
- x. Detailed study into the impacts of a right hand turn at Westminster Street and a right hand turn ban during the evening peak at Jordan Street from Victoria Road (at no cost to council - developer funded)
- xi. Detailed study into the traffic and parking impacts be undertaken for any proposed rezoning that includes land use changes and increased densities for sites adjoining Tennyson Road. The aforementioned traffic and parking impact study is to be modelled on the Bunnings Gladesville Traffic and Parking Impact Study in terms of its scope and deliverables. (at no cost to Council – developer funded)
- d. That a Roundabout at Monash/Buffalo Road intersection be included in the 2016/2017 City of Ryde Delivery Plan with the funds drawn from the Section 94 reserve.
- e. That Council refer the following matters to the Traffic Committee for consideration:
  - i. Speed management for the area bounded by Cressy, Pittwater, Higginbotham and Victoria Roads
  - ii. Parking optimisation for Eltham Street
- f. That Council adopt a site specific Development Control Plan for 461-495 Victoria Road Gladesville amended in accordance with the above changes in the Bunnings Gladesville Traffic and Parking Study.
- g. That Council delegate the General Manager to make amendment to the site specific Development Control Plan for 461-495 Victoria Road Gladesville to implement Council's resolutions prior to notifying the plan in accordance with the Environmental Planning and Assessment Act.
- h. That Council notify all community members who made a submission regarding the planning proposal of the outcomes and thank them for taking the time to become involved in local planning.

**ATTACHMENTS**

- 1 Bunnings Traffic and Parking Study Submissions Summary presented to Council 28 April 2015 - CIRCULATED UNDER SEPARATE COVER
- 2 Draft Bunnings DCP 6.5 for presentation to Council - CIRCULATED UNDER SEPARATE COVER

**ITEM 4 (continued)**

Report Prepared By:

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**ITEM 4 (continued)****History of Planning Proposal for 461-495 Victoria Road**

Gladesville comprises a mix of residential, commercial, light industrial and retail development, schools and recreational areas. In recent years, there has been redevelopment interest in the Victoria Road corridor from the Gladesville town centre westwards including a proposed rezoning at 461- 495 Victoria Road to enable a Bunnings outlet.

461- 495 Victoria Road – a 3.83 hectare former quarry - is proposed to contain a Bunnings Warehouse and adjacent Bulky Goods retail development.

The site is bounded by Victoria Road, Frank and College Streets and residential property. College Street spans the boundary between land zoned light industrial and land zoned low density residential under the provisions of the LEP.

In addition to the Bunnings site there are 7 sites fronting College Street and 3 sites fronting Frank Street that are within the light industrial zone. These are 27-53 College St, 4-6 Frank Street and 497 Victoria Road (Kennards).

There are approximately 25 residences fronting College Street within the low density residential zone. These are 1-25 College Street. Holycross College sports grounds are also a significant presence in College Street.

The existing planning controls applicable to the site under the provisions of Ryde Local Environmental Plan (LEP) 2014 are:

Land-use IN2 Light Industrial – including Funeral homes; Hardware and building supplies; Industrial training facilities; Landscaping material supplies; Light industries; Neighbourhood shops; Pubs; Warehouse or distribution centres; child care centres and other development not specifically prohibited.

Schedule 1 Additional permitted land uses include bulky goods premises (whole site) and business office premises in the now demolished building H

FSR 1:1 (as a result a development on the subject site of approx. 38,300sqm is currently permissible)

Height 10m (measured at any point from the existing ground level)

Note: the site is a former quarry and sits well below Victoria Road





**ITEM 4 (continued)**

- That a site specific addition to the Ryde Development Control Plan be prepared for 461-495 Victoria Road, Gladesville and publicly exhibited with the planning proposal.

Changes to the Ryde LEP

The Gladesville and West Ryde light industrial areas together comprise less than 5% of Ryde LGA and provide employment opportunities and services to the local community. In order to retain these valuable functions, the Ryde Local Planning Study 2010 recommended changes to the planning controls to ensure that the Gladesville and West Ryde strategic industrial lands are economically sustainable employment areas that continue to service the local community. In this regard it was considered important to introduce some flexibility in the land use table for complementary land uses along Victoria Road.

Upon adoption by Council of the Ryde Local Planning Study in late 2010, the Bulky Goods land use was added to draft Ryde LEP Schedule 1: Additional Uses applicable to 461-495 Victoria Rd and publicly exhibited as part of the comprehensive draft LEP for the LGA. The Draft comprehensive LEP eventually became effective in September 2014 - replacing LEP 2010 - and is known as Ryde LEP 2014.

Under LEP 2014 Bulky goods are permitted as a Schedule 1 Additional Use on the site and Hardware and building supplies are permissible uses within the IN2 Land Use zone applicable to the Bunnings site. Under the provisions of LEP 2014 and the IN2 Light Industrial Land Use Zone, Commercial premises (which includes retail and business premises) are prohibited uses. Garden centres, as a type of Commercial premises, are therefore prohibited under the existing LEP 2014.

Upon the gazettal of LEP 2014 the effect of the Bunnings Planning Proposal is to amend the existing land use from IN2 to B5 Business development which will permit the Garden centre land uses and to increase the height across the site from 10m to RL63, RL52 and RL 42 (stepping down from 12-15m on Victoria Road to approximately 7-17m on College Street).

As a result, the substantive matters in regards to the Bunnings PP are now

- the proposed additional height and
- the B5 land use zone amendment under which Garden centres will become a permissible land use

The Bunnings PP does not propose to amend the floor space permissible under the LEP (which is currently 1:1). It should be noted therefore that the quantum of floor space proposed by Bunnings FSR is currently permissible under Ryde LEP 2014 and that this would result in similar consequential traffic generation to that considered by this PP and traffic study.

**ITEM 4 (continued)**2013 DA for site access and widening Victoria Road

Concurrently, but separately to the planning proposal, Bunnings Properties Pty Ltd lodged a Development Application (DA) with Council. On 16 July 2013, Council's Planning and Environment Committee resolved to approve Local Development Application No. 2012/0412 at 461-495 Victoria Road, Gladesville subject to conditions. As a result, development consent was issued for:

- Demolition of an existing building corner Frank Street and Victoria Road
- Construction of a new vehicle crossing at the intersection of Victoria Road and Tennyson Road, and
- Construction of a new vehicle ramp from Victoria Road down to the ground level of the subject site and associated landscaping works
- Land subdivision (to permit the construction of a bus and deceleration lane on Victoria Road and the above-mentioned vehicle crossing and access ramp). The proposed boundary re-alignment included:

*"the dedication of the intersection to Council.... The intent of the dedication is to ensure that the intersection is located wholly on public land and the internal access ramp will be located wholly within the subject site. The development has also identified land that is to be acquired by RMS."*

It should be noted that this work has already commenced with the demolition of the Fernwood building and construction works to widen Victoria Road.

The associated subdivision has also been effected and this will result in minor amendment to Planning proposal. Specifically the Bunnings site is slightly reduced in size and therefore the extent of the proposed B5 land use zone reduced. Victoria Road is widened under the subdivision and as a result the SP2 Infrastructure land use zone will therefore be slightly increased in size.

2013 Gateway Determination

On 1 March 2013, the Department of Planning and Infrastructure (DOPE) issued a gateway determination and based on the nature of the Planning Proposal Council was also issued authorisation to exercise delegation to make the amending LEP. The gateway determination requested that Council:

- Amend the zoning of the land from IN2 Light Industrial to B5 Business Development; a zone that reflected the land uses proposed for the site (being Bulky goods, Garden centres and Hardware and Building supplies)
- Consult NSW Roads and Maritime Services, and that
- The timeframe for completing the LEP was to be 9 months following the date of the Gateway Determination i.e. by 1 November 2013.

Note: the Gateway has since been extended and the timeframe for completing the LEP amendment is now the end of June 2015.



#### ITEM 4 (continued)

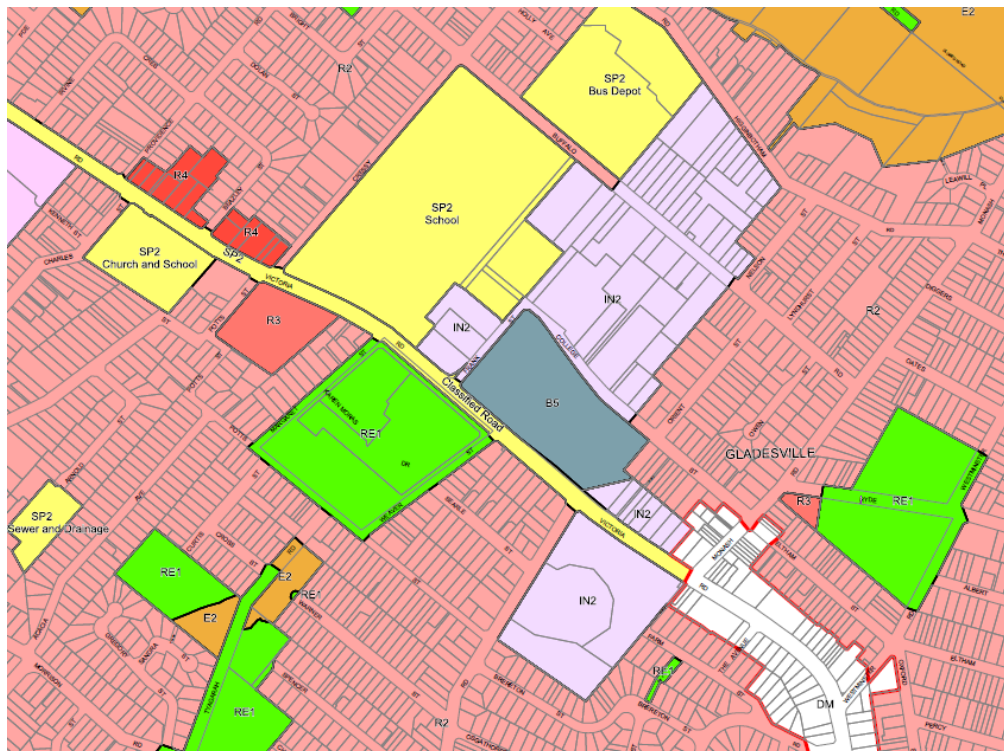
Under the provisions of Ryde LEP 2014 the objective of the B5 Business Development Zone is

*To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*

The B5 permitted land uses the following:

*Bulky goods premises; Business identification signs; Child care centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Passenger transport facilities; Respite day care centres; Roads; Warehouse or distribution centres*

The Gateway determination was reported to Council on 9 April, 2013. In response, Council resolved to endorse the planning proposal to change the zone of the land from IN2 Light Industrial to B5 Business Development and on this basis to proceed to community consultation. The following map shows the land use zones as exhibited.



*Map showing the LEP land use zones as exhibited. Note the blue grey area denoting the proposed B5 Business Development land use zone across the Bunning's site.*

**ITEM 4 (continued)**2013 Community Consultation on the Bunnings Planning Proposal

The planning proposal, draft site specific DCP and associated documentation was publicly exhibited in accordance with NSW legislation between 11 June and 11 July 2013. Two community information sessions were held on 12 June 2013 and 27 June 2013 respectively.

The exhibition material included the following supporting information:

- Urban Design Report
- Economic Assessment and Economic Need Assessment
- Assessment of Traffic and Parking Implications
- Preliminary Water Management Strategy
- Heritage Impact Assessment

In response to community consultation, 83 submissions were received, raising the following key matters:

- Traffic, parking and access
  - Validity of the traffic and parking study prepared by the proponents
  - Safety of school students and sports ground users
  - Cumulative traffic growth and existing traffic issues (e.g. rat running)
  - Increased demand for on-street parking
  - Suggestions for traffic management such as a road closure in College Street segregating business and resident traffic flows and access, etc.
  - Site access
  - RMS submission noted an inconsistency in the Draft DCP (a 2m setback required by written controls and a 6m setback required by control drawings along Victoria Road) and expressed a preference for a 6m setback in order to allow for maintenance access
- Appearance and Character
  - Visual impact, scale and size of proposal
  - Change of character from industrial to commercial activities - in particular extended business hours
- Amenity and Environment
  - Noise and privacy impacts due to extended business hours and during construction
  - Overshadowing
  - Stormwater impacts on downstream sites

**ITEM 4 (continued)**

- Economic and Social
  - Impact on existing retail centres and business
  - Impact on property values

At its meeting on 23 July 2013, Council considered a Notice of Motion raising concerns regarding traffic and tabling a petition containing 220 signatures and 3 submissions (duplicates of submissions received during the exhibition). In response Council resolved:

*That Council hold a further Community Consultation meeting specifically to address traffic concerns prior to the report of the exhibition coming to Council....The outcome of the consultation session is to provide a range of options addressing community concerns relating to the issue of traffic generation which will be considered when the planning proposal is determined by Council.*

The community workshop held on 29 August 2013 was attended by approximately 70 people who were asked to give more detail regarding their traffic related concerns. Should the planning proposal proceed the community identified the following traffic concerns:

- Traffic and congestion expected to be increased given additional vehicle movements
- Existing quiet weekends and evenings will be lost, due to increased traffic and on-street parking
- Existing parking problems will be worsened
- The function of the intersections in the area would worsen in particular Monash Road at Buffalo Road, College Street, Eltham Street and Victoria Road and Buffalo Road/Orient Street

The outcomes of the PP exhibition and the community workshop were reported to Council on 8 October 2013 with a recommendation to prepare a new traffic study.

At this meeting the Council resolved to defer their decision on whether or not the PP should proceed, pending the preparation and recommendations of an independent traffic and parking study to be managed by council and funded by Bunnings.

Following the Council abovementioned Council decision discussions were held with Bunnings. Bunning's wrote to Council on 1 November 2013 indicating their agreement to:

- Fund a traffic study (managed by Council officers) of the streets and intersections in the locality of the site
- Consultant procurement being subject to appropriate discipline and an upper cap being set at \$100,000

#### ITEM 4 (continued)

- Bunning's and Council entering into an agreement that stipulates that the purpose of the study is to:
  - Identify local traffic issues
  - Identify the likely impact of additional traffic generated by the Bunning's proposal
  - Consider mitigation measures and clearly distinguish between mitigation measures warranted as a result of the Bunning's development and what are remedial measures to address existing or current issues.
- The recommendations of the study are the consultant's recommendations and Bunning's are not bound to adopt or implement any of these recommendations.

On 26 November 2014 Council considered the Bunnings offer and the scope and terms of the independent Traffic and Parking Study and resolved:

- (a) *That the Acting General Manager enter into an agreement between Council and the Bunning's Group committing the Bunning's Group Ltd to fund a traffic and parking impact study - bounded by Morrison Rd, Pittwater Road, Higginbotham Road and Cressy Road.*
- (b) *That the Traffic and Parking Impact Study for 461-495 Victoria Road Gladesville, managed by Council, is presented to a community workshop in draft format as early as practicable in 2014. This community workshop is to be held in the same format as the community workshop of 29 August 2013.*
- (c) *That consideration of the Planning Proposal for 461-495 Victoria Road Gladesville be deferred until the Traffic and Parking Impact Study is complete.*
- (d) *That the NSW Department of Planning and Infrastructure be informed of Council's decision and an extension to the timeframe for consideration by Ryde Council of the Planning Proposal be requested.*



*Traffic Study Area*

**ITEM 4 (continued)****Traffic and Parking Impact Study**

Early 2014 a funding agreement with Bunnings was executed and then a traffic and parking study brief was developed with comment from the NSW Roads and Maritime Services (RMS).

Following a competitive process consultants Bitzios Consulting was appointed in June 2014.

A steering committee, drawing representation from Council's Procurement (for probity oversight), Urban Planning (for planning expertise) and Asset Systems (for traffic expertise) Units and RMS was established to guide the preparation of the study. At times, Council's Communications and Media Unit attended and advised the committee.

Scope of the Independent Traffic and Parking Impact Study

The Traffic and Parking Impact Study (Traffic Study) for 461 Victoria Road was based on future development intentions for the site indicated by Bunnings in the Planning Proposal as follows:

Bunning's outlet	15,255m <sup>2</sup>
Tenancy (bulky goods)	23,085m <sup>2</sup>
TOTAL	38,340m <sup>2</sup>

The aims of the Traffic Study were to determine:

- The traffic and parking impacts of the Planning Proposal and whether they are within acceptable limits
- Potential mitigation measures that could be implemented and their benefits
- Examine and evaluate community concerns raised regarding traffic generated by the proposed development
- Impacts of parking and recommend appropriate parking strategies to be applied.

The required Traffic Study deliverables included traffic data collection, a traffic model and Traffic and Parking Impact Study Report. The traffic model was required to:

- Include every street in the study area
- Include data regarding current traffic demands, travel times and queues including weekdays and weekends
- Consider potential development growth and the cumulative impacts of that growth taken together with traffic impacts resulting from the proposed development of the subject site.
- Test the impact on local traffic patterns and performance of up to 15 traffic mitigation measures
- Be capable of allocating impact and mitigation responsibilities to specific developments/sites in the area,
- Effectively address the pinch points in Victoria Road



**ITEM 4 (continued)**

In June 2014 traffic data collection commenced and in order to ensure that cumulative development was considered Council staff provided to the consultant

- information regarding the development capacity of the Gladesville Corridor under the provisions of existing planning controls,
- information regarding other planning proposals (including those rejected by Council) and
- Recent Development Application activity.

On 28 August 2014 the findings of the data collection / issues identification stages of the Traffic Study were presented to a community workshop. The presentation and community responses / workshop outcomes were recorded and placed on Council's website as attendees requested to be able to circulate material to others. The outcomes were:

- The existing industrial businesses are generally closed by 6pm on weekdays and at the weekends. The hours of operation of Bunnings are likely to extend beyond the business hours of the existing industrial businesses. The greatest amenity impacts are likely to be felt at weekends and in the evenings.
- The existing Saturday AM traffic is less than shown in the traffic data collection
- The traffic generation from the Bunnings site is likely to impact surrounding areas throughout the week and also on weekends.
- Greater resident concern about off peak and week-end usage of local streets than peak period conditions
- Forecasted increases in traffic should consider conditions outside weekday peaks
- Pedestrian safety in surrounding streets must be considered
- The Traffic Study should address the impacts on Tennyson Road and the roads surrounding the Ryde Aquatic and Leisure Centre
- The proposal should consider limiting site access to Victoria Road only
- Trucks and delivery hours to the Bunnings site should be considered
- The Traffic Study should consider and model separating the industrial area traffic from residential area traffic
- The retail catchment of Bunnings needs to be identified

In response the Traffic Study was expanded to focus on the amenity impacts from traffic - on weekends and evenings - in addition to considering the network capacity impacts. In other words the traffic study was expanded from considering increased local traffic in terms of peak hour congestion, queue length and waiting times at traffic lights to also considering how it affected residents at times outside weekday peaks.

On 27 November 2014 Council held a second community workshop to discuss the draft traffic and parking impact study and its recommendations.

The preferred network was presented and reasons for the selection of the mitigation measures explained by the traffic consultant. At the community workshop an option for a partial/one way closure for a small portion of College Street was presented.

**ITEM 4 (continued)**

Discussion on the benefits of a possible partial or full closure of College St followed. As a result, it was requested that the consultants utilize the traffic model to also test the full closure of College Street and its impacts. This was done and both possible options - partial and full closure College St – were included in the Bunnings Traffic and Parking Study that was made available for community comment in December 2014. The exhibition of the study and outcomes of community comment are detailed later in this report.

**The Bunnings Gladesville Traffic and Parking Study**

Following is a precis of the executive summary

*The study was conducted in four stages, namely:*

- *Stage 1: Data Collection and Independent Validation;*
- *Stage 2: Model Development and Calibration;*
- *Stage 3: Options Development and Testing; and*
- *Stage 4: Plan Development, Consultation, Staging and Reporting.*

*Data Collection Findings*

*Victoria Road dominates traffic patterns in the area with over 40,000 vehicles per week-day. A large proportion of the traffic on Victoria Road is passing through the study area although its local catchment to/from the study area is significant.*

*Major trip attractors within the study area include the Ryde Aquatic Leisure Centre, Holy Cross College and businesses fronting Victoria Road.*

*The morning peak period is not as significant as the weekday evening peak period. Key congested morning intersections include Victoria/Cressy, Victoria/Monash and Victoria/Pittwater. In the evening peak, Victoria Road is heavily congested between Monash and Tennyson Roads where short queue storage areas and turn volumes affect capacities.*

*Congestion at intersections on Victoria Road has resulted in consequential “rat running” in local streets. As a result Ryde, Monash, Tennyson and Buffalo Roads together with College and Orient Streets have seen an increase in “through” traffic.*

*Cumulative Growth taken into account*

*In addition to the proposed Bunnings development, growth within the study area by 2031, is estimated to be:*

- *21,116 m2 new commercial/retail space; and*
- *2,347 additional residential dwellings.*

*Regional traffic growth through the study area was assumed to be 0.5% p.a. based on historic traffic growth rates on Victoria Road.*

**ITEM 4 (continued)***The Preferred Road Network*

*The preferred network achieves the objectives of reducing (and removing) some through traffic off residential streets whilst improving the major road network to accommodate the additional traffic as best as possible within the existing physical constraints. In other words the preferred network aims to cater for the right movements on the right streets.*

*Key elements of the preferred network include:*

- *College Street full closure with cul-de-sac west of Orient Street*
- OR
- *College Street partial closure permitting east bound traffic (dependent on community feedback)*
- *Two access points only for the Bunnings site with the primary access point at the Tennyson/Victoria Road intersection;*
- *Cressy Road widened near Victoria Road to allow an extra shared left/right turn lane for turns into Victoria Road;*
- *New signalised intersection at Monash/College/Eltham;*
- *Eltham Street one-way eastbound between Aldi and commercial development;*
- *Introduce signalised (non-filtered) right turn into Westminster Road from Victoria Road including a right turn pocket to store turning vehicles;*
- *Ban right turn into Jordan Street from Victoria Road during PM peak;*
- *New roundabout at Buffalo Road and Monash Road intersection;*
- *LATM measures in Orient Street; and speed management scheme in Higginbotham/Thompson corridor.*

*The one-way threshold point in College Street removes the ability for traffic coming from the east to head towards the Frank/Victoria intersection. The effect of this however is that more of this traffic is diverted to Cressy Road and the approach to the Cressy Road signals needs to be widened from one lane to two lanes. (The full closure of College Street results in even more traffic being diverted to Cressy Road.)*

*The new signalised intersection at Monash/College/Eltham (subject to RMS approval) allows side street traffic to turn into Monash Road on a green light. LATM treatments in Orient Street reduce the attractiveness of this route encouraging more traffic to use Buffalo, Monash and Cressy Roads.*

*Cressy Road shows the largest increase in traffic of all of the surrounding roads. Cressy Road is a higher order traffic carrying road and it is appropriate that additional traffic growth in the study area be accommodated on this road rather than on the lower order residential streets.*

*The Higginbotham-Thompson corridor shows reduced traffic speeds due to the proposed traffic management measures, although no reduction in traffic volumes is expected as a consequence of traffic management measures.*



**ITEM 4 (continued)**

*The new right turn arrow into Westminster Road allows some future pressure to be taken off the right turn into Monash Road from Victoria Road whilst the banning of right turns into Jordan Street in the afternoon peak only has significant advantages for through traffic on Victoria Road.*

*Importantly, the preferred network ensures that traffic either driving to or leaving the Bunnings site will not do so via College Street or Orient Street as these direct movements are prohibited with the works proposed. Furthermore, the preferred network is predicated on the Bunnings site primary access being via the a new fourth leg to the Tennyson Road/Victoria Road intersection and off Frank Street to then access Victoria Road.*

*Whilst there are some increases in traffic to the south of Victoria Road, these are mostly associated with Morrison Road and Tennyson Road. Morrison Road in particular has had growing volumes for some time now as a consequence of increasing traffic and delays on Victoria Road. These effects are not associated with the Bunnings Site development and require broader consideration of the Victoria Road corridor.*

*Tennyson Road increases in traffic by 2031 but most of this growth is associated with the proposed development at 2-14 Tennyson Road and any mitigation of impacts associated with this additional traffic should be related to that development.*

***It should be noted that any full road closures, any new traffic signals or changes to parking regulations will require RMS approval prior to their implementation.***

*Traffic and Parking Study Conclusions*

*The Gladesville area already experiences some amenity issues associated with through traffic using local streets primarily as a consequence of congestion on the major road network and the lack of a deterrent to use these local streets. Modelling has identified that with additional development in the study area, including the Bunnings Site development, these issues will be exacerbated unless a traffic management scheme is put in place.*

## ITEM 4 (continued)

*The preferred network to address capacity and amenity issues within the geometric and property constraints, and the responsible entities for these elements (and timing) are:*

	Preferred Network Element	Responsibility	Reasoning	Staging
1	College Street closure separating the industrial complex and residential complex	Bunnings Site	To stop Bunnings traffic accessing the site via Orient-College-Frank	(*) Stage 1 of Bunnings Site development
2	Cressy Road widened to two lanes to allow double right turn into Victoria Road	Bunnings Site	A consequential impact of Item 1	(*) Stage 1 of Bunnings Site development
3	Proposed Bunnings access point at Tennyson Road	Bunnings Site	Required for primary access	(*) Stage 1 of Bunnings Site development
4	New signalised intersection at Monash/College/Eltham	Future Development	Due to local development growth	As development occurs
5	Eltham Street one-way eastbound between Aldi and commercial development	Future Development	Due to local development growth	As development occurs
6	No parking on Monash Road (eastern side) south of Eltham Street during all peaks	Future Development	Due to local development growth	As development occurs
7	Introduce signalised (non-filtered) right turn into Westminster Road from Victoria Road	Future Development	Due to local development growth	As development occurs
8	Ban right turn into Jordan Street from Victoria Road during PM peak	Future Development	Due to local development growth	As development occurs
9	New roundabout at Buffalo Road / Monash Road intersection	City of Ryde	Cumulative impact, existing issues and safety concerns	Subject to CoR programing
10	LATM measures in Orient Street	City of Ryde	Cumulative impact, existing issues and speed management	Subject to CoR programing
11	Speed management scheme in Higginbotham/Thompson corridor	City of Ryde	Cumulative impact, existing issues and speed management	Subject to CoR programing

(\*) Prior to issue of any "staged" or "interim" occupational certificate.

*Note: Item 1 refers to College St Option A - partial/ one way closure and Option B – full closure.*

*With these network improvements in place, many of the current and expected future amenity issues in the study area will be overcome whilst the impacts of additional development on the operations of the major road network will be effectively managed.*

#### ITEM 4 (continued)

Tables 1 and 2 following consider the delay to get through intersections in and around the Bunnings site. For example, Tables 1 and 2 indicate that travel times in Frank St/College St and Cressy Rd will be reduced as a result of the preferred road network being implemented, even with Bunnings development growth. For example the current week day delay at the intersection of Victoria Road and Frank Street (northern approach) between 8 and 9am is 56 seconds. The delay if either the partial or one way closure College Street is implemented after Bunnings commences operations is estimated by the traffic model to fall to 35 seconds and 43 seconds respectively. In Cressy Road the delay at the intersection with Victoria Rd is currently 45 seconds. This is expected to fall to 39 and 35 seconds respectively if the partial or one way closure College Street.

**Table 1:**  
**Saturday traffic volumes & delays data (current 2014 traffic + Bunnings)**

Refer Fig ES22 - Traffic Study Executive Summary and Appendix G Preferred Network Model Results

Location	Frank St at Victoria Rd		College St		Monash Rd at Victoria Rd		Cressy Rd at Victoria Rd	
	Vehicles Per day	Delay (secs) 10-11am	West Vehicles Per day	East Vehicles Per day	Vehicles Per day	Delay (secs) 10-11am	Vehicles Per day	Delay (secs) 10-11am
Option								
2014	2,300	38	2,300	1,600	11,100	45	5,900	52
Do nothing	3,900	46	5,400	2,000	15,200	45	7,000	51
One way closure + preferred network	8,600	40	500	800	13,700	48	8,800	54
Full closure + preferred network	8,300	45	10	300	13,700	41	10,600	42

<sup>1</sup> Do Nothing includes Bunnings and other traffic growth by 2031 (but no network upgrades) which increases the green time allocated to some side street traffic signals by 2031, hence reducing intersection delays for these approaches.

## ITEM 4 (continued)

**Table 2:**  
**Week day traffic volumes and delays data (current traffic + Bunnings)**

Refer Fig ES19 - Traffic Study Executive Summary  
Model Results

and Appendix G Preferred Network

Location	Frank St at Victoria Rd		College St		Monash Rd at Victoria Rd		Cressy Rd at Victoria Rd	
	Vehicles Per day	Delay (secs) 8-9am	West	East	Vehicles Per day	Delay (secs) 8-9am	Vehicles Per day	Delay (secs) 8-9am
Option								
2014	2,000	56	2,000	1,900	9,700	41	6,300	45
Do nothing	4,500	42	5,000	4,100	8,500	41	6,200	42
One way closure + preferred network	3,700	35	600	600	9,000	52	7,400	39
Full closure + preferred network	3,000	43	10	300	9,100	53	7,500	35

<sup>1</sup> Do Nothing includes Bunnings and other traffic growth by 2031 (but no network upgrades) which increases the green time allocated to some side street traffic signals by 2031, hence reducing intersection delays for these approaches.

The following recommendations have been made regarding parking in the study area:

- Any new development in the study area be required to provide its full parking requirement in accordance with the DCP parking rates of City of Ryde
- Parking rates for new developments not be reduced as part of any short-to-medium term review of the DCP;
- New parking duration restrictions be put in place in areas adjacent to and surrounding proposed commercial and retail developments as the development occurs;
- Line-marking parking bays throughout the study area, where on-street parking is provided via a parking lane and is heavily occupied. This achieves a cost-effective use of street space; and
- Further investigation be undertaken into accommodating additional on-street, 45 degree angled parking on the road space generated by the proposed Eltham Street one-way scheme (subject to the impending trial of the one-way scheme being successful).

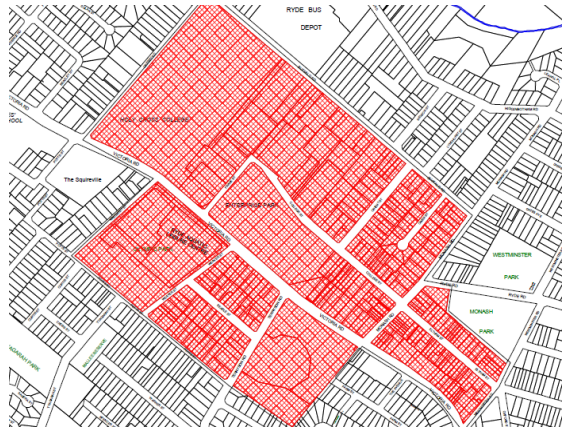
## ITEM 4 (continued)

### Community Consultation

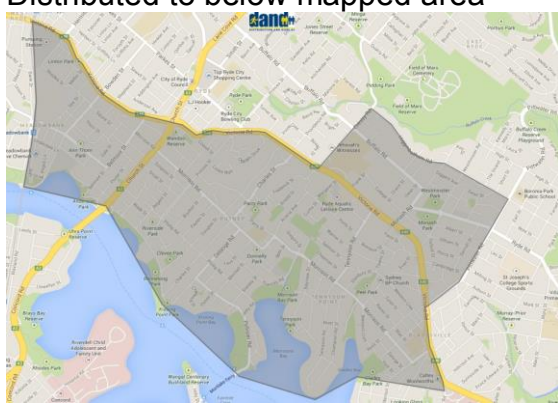
Community consultation and community participation for this PP has included the following:

- 2 x information sessions
- 3 x community workshops
- 2 x exhibition periods (2013 and 2014/15)
- 6 x e-Newsletters
- 1 x community newsletter regarding traffic matters in Galesville generally (distributed to large area from Pittwater Road in the east to the northwestern rail line, Meadowbank in the west; the river to the south and Victoria/Higginbotham in the north.)

Refer table 3 for list and details of consultation activities

Table 3: List and Details of Consultation Activities	
Date and Event type	Outcomes
11 June – 11 July 2013  Planning Proposal placed on community consultation	<p>Ads in newspapers &amp; mail out to below area</p>  <p>Resulted in 84 submissions</p>
12 June 2013 and 27 June 2013  Information sessions	<p>Attended by 45 people</p>
7 August 2013  Workshop invitation – letter	<p>All who made submissions &amp; mail out as per planning proposal map above (approximately 600 letters)</p>
29 August 2013  Community Workshop - traffic issues	<p>Attended by approx. 70 people</p>

**ITEM 4 (continued)**

<p>21 February 2014</p> <p>Newsletter updating locals on traffic related matters including:</p> <ul style="list-style-type: none"> <li>• Eltham Street one-way trial,</li> <li>• Advising of a survey regarding a potential one-way closure of Meriton Street in order to reduce traffic on Morrison Road and</li> <li>• The Bunnings traffic study status and how to find out more.</li> </ul>	<p>Distributed to below mapped area</p> 
<p>August 2014</p> <p>e-Newsletter</p>	<p>All who made submissions &amp; had contacted council as a result of previous letter box drops and mail outs.</p>
<p>28 August 2014</p> <p>Community workshop regarding stage 1 traffic study</p>	<p>Attended by approximately 39 people (Council staff, consultants, councilors brought it up to 54 people)</p>
<p>16 September 2014</p> <p>e-Newsletter</p>	<p>79 recipients</p> <ul style="list-style-type: none"> <li>• 79% opened the newsletter and</li> <li>• 68% clicked on a hyper-link to more information</li> <li>• 2 bounced</li> </ul>
<p>16 September 2014</p> <p>The Bunnings Planning Proposal web page was re-established at the request of community members who attended the August workshop so that they could share information with friends and colleagues. All workshop presentations, minutes and Traffic Study work in progress was uploaded. This webpage has been continuously updated since</p>	<p>Visitation from 16 September 2014 to 26 February 2015 follows:</p> <p>425 people have visited the Bunnings Planning Proposal webpage a total of 633 times overall.</p>
<p>11 November 2014</p> <p>e-Newsletter</p>	<p>78 recipients</p> <ul style="list-style-type: none"> <li>• 83% opened the newsletter and</li> <li>• 24% clicked on a hyper-link to more information</li> <li>• 1 bounced</li> </ul>
<p>25 November 2014</p> <p>e-Newsletter</p>	<p>78 recipients</p> <ul style="list-style-type: none"> <li>• 82% opened the newsletter and</li> <li>• 51% clicked on a hyper-link to more information</li> <li>• 2 bounced</li> </ul>



**ITEM 4 (continued)**

27 November 2014  Community workshop regarding traffic study modelling results and preferred network	Attended by 39 members of the community (Council staff, consultants, councilors brought it up to 55 people)
18 December 2014  e-Newsletter	87 recipients <ul style="list-style-type: none"> <li>• 67% opened the newsletter and</li> <li>• 39% clicked on a hyper-link to more information</li> <li>• 1 bounced</li> </ul>
17 December 2014 – 26 February 2015  The Draft Bunnings Gladesville Traffic and Parking Study web page was established to support community consultation and enable people to view the study.  The page still exists and the information is still available but the auto-form for submissions was taken down on closure of the exhibition	Visitation from 17 December 2014 to 26 February 2015 follows:  166 people visited the Draft Traffic Study web page a total of 207 times overall.
17 December 2014 - 30 January 2015  Community consultation regarding the Draft Bunnings Gladesville Traffic and Parking Study.  Note: Notwithstanding the closing date submissions received up to 9 February 2015 are analyzed and reported to Council. Thereafter submissions are noted.	517 submissions received
22 January 2015  e-Newsletter	87 recipients <ul style="list-style-type: none"> <li>• 62% opened the newsletter and</li> <li>• 29% clicked on a hyper-link to more information</li> <li>• 1 bounced</li> </ul>

**Submissions to the Traffic and Parking Study**

The Bunnings Traffic and Parking Study recommended 3 mitigation measures that are attributable to a potential Bunnings Development and would be required to be implemented at no cost to Council by Bunnings.

#### ITEM 4 (continued)

These are:

- College Street - partial closure permitting east bound traffic
- OR
- College Street – full closure with cul-de-sac west of Orient Street
- Two access points only for the Bunnings site with the primary access point at the Tennyson/Victoria Road intersection
- Cressy Road widened near Victoria Road to allow an extra shared left/right turn lane for turns into Victoria Road.

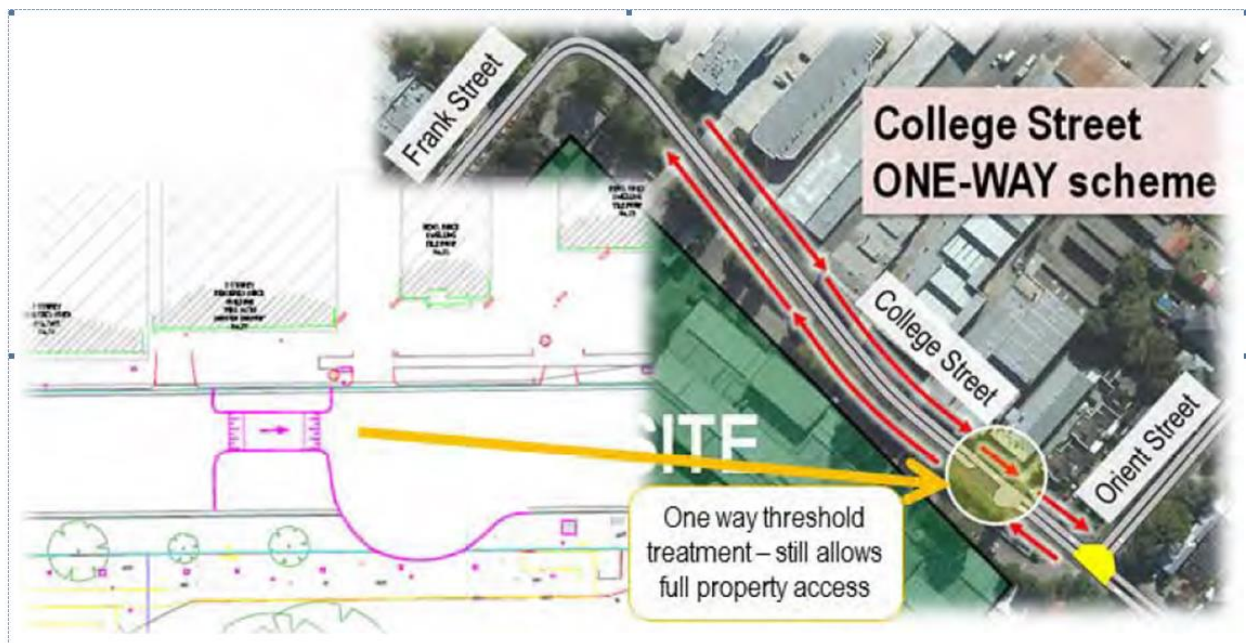


Figure 1 Partial Closure College St Option (located at approximately the boundary of the industrial and residential development. The final location will be subject to detailed design)



## ITEM 4 (continued)

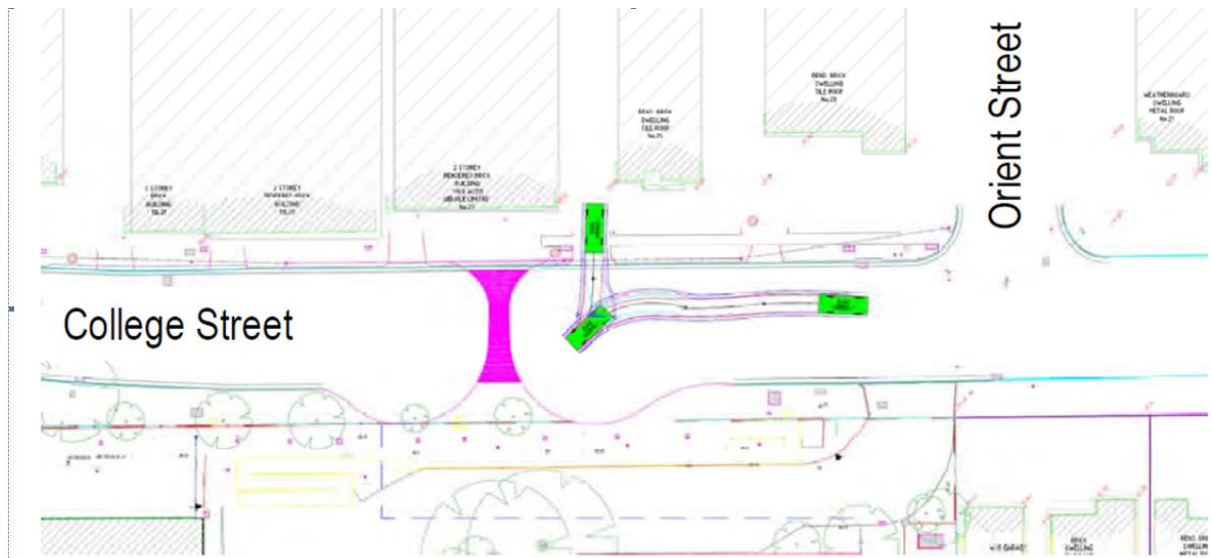


Figure 2 Full Closure College St Option (located at approximately the boundary of the industrial and residential development. The final location will be subject to detailed design)

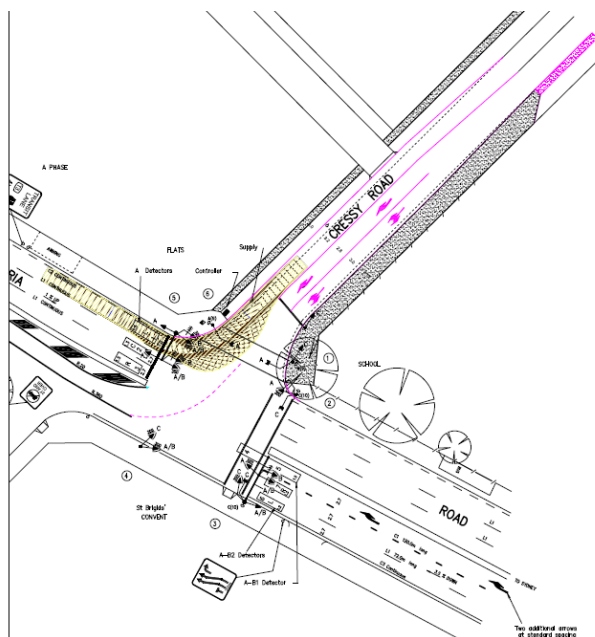


Figure 3 Possible widening of Cressy Rd diagram may be achieved in the existing road reserve. The plan allows for improved bus turning  
Note: the dotted line is the existing carriageway

#### ITEM 4 (continued)

The study noted that Option A and B with respect to College St were subject to community feedback. The selection of a potential full or partial closure of College Street was therefore a key question and most submissions focused on this issue.

The key issues raised in submissions were:

Table 4: Supports partial / one-way closure of College Street because:	
Issue	Comment
Residential amenity	<p>Council's traffic consultant has advised that Option A delivers most of the benefits of Option B with respect to protecting resident's amenity and reducing traffic in residential streets.</p> <p>This option has less impact on road network users than full closure as connectivity eastbound is retained and because less traffic is diverted to collector roads such as Cressy Rd and Monash Rd.</p>
Has less impact on business and the Holycross College than the full closure of College St	<p>Business has strongly opposed the full closure of College St. However, business has indicated that partial closure of College St - while still resulting in inconvenience to staff and deliveries - is the preferable of the two options.</p> <p>This is borne out by the traffic study which indicates that travel times in Frank St are less for partial than full closure of College St</p>
It provides benefit to weekend sports ground users	<p>Holy Cross sports grounds, which are accessed from College St, are used on weekends for community cricket, soccer and rugby union. The partial closure will reduce traffic in College St helping to protect sports ground users' amenity and safety.</p>
Both the full and partial closure of College St divert traffic to Cressy Rd. The partial closure option results in less traffic being diverted to Cressy Road than full closure College St.	<p>It is acknowledged that traffic will be diverted to Cressy Rd under both Options A and B. Cressy Road is a higher order traffic carrying road and it is appropriate that additional traffic growth in the study area be accommodated on this road rather than on the lower order residential streets.</p> <p>As a result Holy Cross College has expressed a preference for partial closure</p>
It provides benefit to school students; subject to pedestrian safety measures being implemented in Cressy Rd	<p>Holy Cross College students who travel by bus (the majority) use the Cressy Rd school entry. As a result of additional traffic and a narrowed verge, Holy Cross requested pedestrian safety measures (safety fence and full width footpath) from the Cressy Rd school entry to the Victoria/Cressy intersection.</p> <p>This can be readily accommodated within the existing road reserve and would be implemented at no cost to Council by Bunnings as part of the works to expand the Cressy Rd carriageway, should Council support the PP to proceed.</p>
Emergency vehicle access	<p>The RMS noted that emergency vehicles may use the one way section in both directions if necessary. For this reason the one way closure is preferred to the full closure of College St</p>

#### ITEM 4 (continued)

**Table 4:**

**Supports partial / one-way closure of College Street because:**

Issue	Comment
Loss of Street trees	College St has substantial attractive street trees along the Bunnings site boundary. The one-way closure is less likely to require the removal of any street trees.
Number of submissions	148


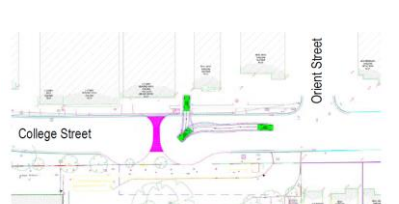
**Table 5:**

**Supports full closure of College Street because:**

Issue	Comment
Amenity impacts for residents are better managed – particularly on the weekends and evenings when the existing industrial area is quiet	<p>The Gladesville area already experiences amenity issues associated with through traffic using local streets primarily as a consequence of congestion on the major road network and the lack of a deterrent to use these local streets.</p> <p>Modelling has identified that with additional development in the study area, including the Bunnings Site development, these issues will be exacerbated unless a traffic management scheme is put in place; including either full or partials closure of College St.</p>
Safety of residents and weekend sports ground users is improved over all other options	A traffic management scheme is recommended to improve residents and sports ground users safety.
Rat running is in local streets and is reduced in College and Orient street it will be eliminated	This is borne out by the traffic study analysis
Delivery / heavy vehicles will be contained to the industrial area.	Noted
Number of Submissions	288

**Table 6:**

**Objects to full closure of College Street because:**

Issue	Comment
Safety will be compromised - emergency vehicles will not be able to access College Street	In their submission the RMS commented that <i>“Emergency access may be better served by partial closure of College St (in preference to full closure) given that emergency vehicles could access the estate by driving through the pinch point in the wrong direction if absolutely necessary.”</i>
<p>The road closure will not accommodate truck turn-arounds because these cannot be achieved in the existing road reserve.</p> <p>Trees may be removed for the road closure</p>	 <p>Figure 8.4: One-Way Scheme at College Street Preferred Option A</p>  <p>Figure 9.1: College Street Closure Concept / Preferred Option B</p>

#### ITEM 4 (continued)

**Table 6:**  
**Objects to full closure of College Street because:**

Issue	Comment
B double trucks will not be able to turn around in College St	<p>The assumption that the College St road closure options will not accommodate truck turning circles is erroneous and an example of misinformation within the “business pro forma” submission.</p> <p>Both Option A and Option B preliminary designs indicate that the nature strip and possibly Bunnings land may be required to achieve a turn around. Refer page xxiv Executive Summary Draft Bunnings Gladesville Traffic and Parking Study for above diagrams.</p> <p>Should either option be adopted by Council, the detailed design will be required to meet relevant Australian Standards for vehicle circulation by Council’s existing engineering development controls. This will be considered at the DA stage.</p> <p>It is acknowledged that 1 (possibly 2) trees may need to be removed for either a full or partial road closure. Again this is a matter of detailed design (with the benefit of survey drawings) at the DA stage.</p> <p>The RMS has advised that neither College St nor Orient St is an approved B-double route. Cressy Rd is approved for 19m B-doubles.</p>
<p>Deliveries and staff will find partial or full closure of College St inconvenient</p> <p>Existing business in College St will close</p>	<p>No evidence has been provided on the level of inconvenience that will occur and the impact this will have on the viability of a business.</p> <p>Staff met with an author of a “business form submission” and he explained that these remarks were based on anticipated increased travel times. In his view increased travel times will generate a cost to business which may impact on viability; eventually resulting in business closures and loss of jobs.</p> <p>The assumption that one-way or full closure of College St will increase travel times is erroneous. The following data is derived from Appendix G of the Traffic Study (see also Table 2 of this report). Currently the average delay at the Victoria/Frank St intersection (north approach) is 56 seconds between 8am and 9am on week days. With partial (one way) and full closure this will fall to 25 seconds and 36 seconds respectively, while at the Monash/Victoria Rd intersection (north approach) the travel delay will increase by about 5 seconds for both partial and full closure College St options.</p>
If existing businesses close jobs will be lost	<p>The proposed development will make a major contribution to employment generation and retention in the local area.</p> <p>Employment on the site is currently around 50 employees. Employment in the proposed Bunnings store will be approximately 150 new jobs and the bulky goods tenancies around 340 new jobs.</p>

#### ITEM 4 (continued)

**Table 6:**  
**Objects to full closure of College Street because:**

Issue	Comment
More traffic will be displaced to Cressy Rd than the partial/one-way closure of College St	<p>The Traffic Study modelling indicates that greater numbers of vehicles will be diverted to Cressy Rd with full closure of College St. Cressy Road is a higher order traffic carrying road and it is appropriate that additional traffic growth in the study area be accommodated on this road rather than on lower order residential streets.</p> <p>Potential increased traffic on Cressy Rd has resulted in recommendations to widen Cressy at the Victoria Rd intersection.</p>
Tenants will choose not to locate in College St	<p>No evidence has been provided for statements that tenants will leave the area or that business will close due to a partial or full closure of College Street.</p> <p>Land owners from College Street have advised Council over a period of a number of years that it is increasingly difficult to attract new tenants to the area. There is some evidence therefore that factors, other than the Bunnings proposal or through traffic, influence tenant decisions to locate in College Street including, for example;</p> <ul style="list-style-type: none"> <li>pricing</li> <li>availability of suitable building stock</li> <li>proximity to major transport links</li> <li>business clusters and so on</li> </ul> <p>Several existing College St land owners have previously met with Council staff to request rezoning that will permit bulky goods retailing. They have been advised that (in contrast to the Bunnings site) this is not consistent with Council's adopted Ryde Local Planning Study. The Bunnings site was considered suitable for bulky goods land uses due to its Victoria Road frontage.</p>
Impacts on local business	<p>There are four hardware stores in the area – 2 in Gladesville, 1 in Cox's Rd and another in West Ryde. All are between 80-1,100sqm and do not provide parking. These stores focus on meeting convenience hardware shopping. Bunnings caters for a different market segment and the desire for a hardware "shopping trip" at a large store.</p>
The Gladesville Industrial Area is well established and developed to its full potential.	<p>The Gladesville Industrial Area has and will continue to experience change both as a result of broader economic and local issues. Change will be experienced both in the type of business operating in the area and also in the type of built form attractive to tenants (e.g. strata light industrial units)</p> <p>While many sites in the Gladesville industrial area are developed to their full potential, the Bunnings and other sites are below the permissible floor space under existing planning controls and as a result could reasonably be expected to redevelop. As a result the Gladesville industrial area may still experience some growth.</p>
Residents buying into the area were aware of the industrial land uses and should expect consequential traffic and amenity impacts.	<p>Residents buying into the area prior to 2012 could not have predicted a Bunnings and Bulky Goods retail outlet and the consequential traffic volumes. Bunnings lodged an application to rezone the site in 2012 and this change to the planning controls is still under consideration.</p>
Number of Submissions	121

#### ITEM 4 (continued)

35 submissions object to any road closure in College Street for the same reasons as outlined above in Table 6

Table 7: Raises concerns regarding pedestrian safety, parking and speed	
Issue	Comment
Pedestrian safety / crossing Buffalo Rd, College St, Monash Rd, Higginbotham Rd, Thompson Rd	The traffic study consultants observed speeding and recommended the development of a speed management scheme in the Thompson/Higginbotham corridor, with the timing of delivery subject to council programming. It was intended that pedestrian safety would be addressed as part of this scheme.
Speeding vehicles in Buffalo Rd, College St, Monash Rd, Higginbotham Rd, Thompson Rd, Percy St, Westminster	Given the number of submissions raising these concerns and the substance of the concerns it is recommended that the proposal for a speed management scheme is referred to the Traffic Committee as follows: The area to be considered for a speed management scheme to be bounded by Higginbotham, Cressy, Pittwater and Victoria Consultation with State Transit Authority, RMS and local police regarding bus operations, pedestrian safety and speeding issues to be undertaken
Parking demand is high – request for increased parking / 3hr limit	Parking optimization plan for College St and Frank St to be submitted with DA for Bunnings development. Scheme to be implemented by Bunnings at no cost to council.
Number of Submissions	103

Table 8: Object to a potential Bunnings development because:	
Issue	Comment
Objection based on traffic impacts and increased traffic	This is acknowledged – however the mitigation measures will improve conditions in lower order local streets and divert traffic to higher order collector or regional roads better able to cope with traffic increases
Objection based on overshadowing	The height controls in the proposed LEP maps and the setbacks in the proposed site specific DCP aim to protect sunlight access for minimum periods for neighbours and the public domain in College St
Privacy	Objection is based on overlooking into neighbouring residential sites. Setbacks within the DCP have been designed to protect neighbours amenity. These are proposed to be strengthened in the DCP
Will be the largest retail centre in Gladesville resulting in impacts on local business	The scale of the centre is acknowledged. It should be noted that the quantum of floor space proposed is already permissible on the site. With respect to the impact on local business no evidence is provided. However, it should be noted that Bunnings will be a destination business while existing local business offer a different retail experience (usually with a greater level of personal service)
Number of Submissions	10



**ITEM 4 (continued)**

The Summary of Submissions table is **ATTACHMENT 1 - CIRCULATED UNDER SEPARATE COVER**

**Holy Cross College Submission**

The Holy Cross College submission is made on behalf of the

- 600 families of students.
- Holy Cross Sports Board representing community based sports organizations -- Holy Cross Rhinos Rugby League Club, the Holy Cross Crusaders Cricket Club and the Holy Cross Soccer Club) who utilize playing fields for weekend sport.
- Patrician Brothers resident on site.

Holy Cross College note that the road closure options in College Street will result in additional traffic utilizing Cressy Road and are concerned for the safety of students who journey to school by bus or walk and as a result access the school from the mid-block entry in Cressy Road:

- Supports Bunnings' planning proposal subject to concern for the wellbeing and safety of Holycross students and sports grounds users being addressed.
- Supports one-way closure of College Street (not full closure)
- Raises no objection to widening of Cressy Road subject to
  - No encroachment on the Holy Cross land
  - Constructing a full width concrete footpath (kerb to Holycross boundary) to allow students to walk abreast.
  - The full width footpath to extend from the Cressy Road Holycross school entry to Victoria Road
  - Consideration be given to implementing a protective fence along the kerb from the Cressy Road school entry to the corner of Victoria Road
  - Retaining the old street tree on the corner of Victoria Rd – significant as the last remaining of the original plantings along Cressy Road
  - The school requests that additional pedestrian safety measures are introduced to Frank Street / College Street to cater for weekend sports ground users and that consideration also be given to how spill over parking for weekend sports ground users might be accommodated.

**Roads and Maritime Services Submission**

RMS representation on the steering committee for the traffic study has assisted the development of both the study brief and the project outcomes.

**ITEM 4 (continued)**

The gateway determination issued for the PP required that RMS was consulted regarding the PP. The RMS was also consulted regarding the traffic study and responded as follows:

The RMS is primarily concerned with the impact of development on the State Road Network including Victoria Road and the local roads that connect to Victoria Road particularly Cressy Road, Monash Road and Tennyson Road. The RMS view is that the road hierarchy should be maintained and that traffic should be accommodated on the regional and collector roads best placed to deal with it.

Partial or full closure College Street: - both options will force existing and newly generated traffic onto the State Road Network. The extra traffic that either proposal diverts to Victoria Road is considered acceptable.

Cressy Road widening: - If either partial or full closure of College Street is deemed necessary, the RMS requires that the widening of Cressy Rd is implemented concurrently at no cost to the RMS. This will form a specific condition of consent on any future Bunnings Development Application.

Emergency access: - may be better served by partial closure in preference to full closure as emergency vehicles can access the estate by driving through the pinch point in the wrong direction in an emergency.

Tennyson/Victoria Road intersection: - RMS agreed to access to the Bunnings site at the Tennyson/Victoria Road intersection as part of the approved DA for the widening of Victoria Road to enable a bus lane.

However, RMS is concerned about increases to traffic to the south of Victoria Road and advises that further consideration needs to be given to Tennyson Road improvements to accommodate future development and increased densities for the site with frontage to both Victoria and Tennyson Roads. and to sites with frontage to Tennyson Road including the site at 2-14 Tennyson Road – should it proceed.

It is considered that the proposed right hand turn ban proposed at Jordan Street during the PM peak may increase traffic in Tennyson and Morrison Roads.

New traffic signal s at Eltham/College and Monash: - The traffic study recommends traffic signals to manage the traffic flow from and into the side streets following an anticipated increase in traffic in Monash Road.

RMS does not support this option due to the short distance between the intersection and the Monash/Victoria Road intersection and because it may encourage rat running through Orient Street if it is easy to turn at College/Monash.



**ITEM 4 (continued)**

New roundabout at Buffalo/Monash: - RMS supports this proposal especially considering the current poor site lines at the intersection. This option should be implemented as soon as possible and in connection with the closure of College Street.

LATM measures in Orient Street and speed management in Higginbotham and Thompson Streets: - RMS raises no objection to these proposals.

Right hand turn at Westminster from Victoria Road: - Previously RMS has approved a fourth leg to this intersection as part of a lapsed DA – thus the possibility of amending the current arrangement is feasible. Detailed analysis of the intersection performance and a sufficiently sized turning bay will be required prior to RMS acceptance. Note: additional land may be required (from the Primrose Hill site for the turning bay).

Right hand turn ban from Victoria into Jordan in the PM peak: - RMS raises concern that drivers unfamiliar with the arrangements may disobey the peak hour ban creating a dangerous situation. Detailed assessment will be required before a final decision is made regarding this proposal.

Eltham Street One Way: RMS consented to the trial and awaits the outcome of investigation into its effects.

**Bunnings Submission (lodged by Don Fox Planning on their behalf)**

The submission focuses on the closure of College Street and supports the partial one way option for the following reasons:

- The partial closure achieves the Study objective to minimise the impacts of development traffic in local residential areas, particularly in off-peak times.
- The full closure unreasonably burdens the existing business community by reducing accessibility and on-street car parking supply, which is contrary to the Study objectives.
- The partial closure achieves an equitable outcome for the existing residential and business community.
- The full closure and the need for a cul-de-sac will require the removal of more street trees having an adverse streetscape outcome.
- The full closure diverts more traffic onto other roads in the locality including Cressy Road which is also residential street. This outcome is contrary to the Study objective to minimise the impacts of development traffic in local residential areas.
- The existing residential area of College Street and Orient Street has existed for many years adjacent to the industrial area and it is an inequitable outcome for the full closure to unreasonably impact other local businesses and residential development along Cressy Road.

**ITEM 4 (continued)**

- Reduced vehicle accessibility for the industrial area could reduce its marketability for local businesses undermining the Council's objective of protecting employment generating land.
- The Study objective of improving pedestrian safety and convenience can still be achieved with a partial closure.
- The full closure has the potential to reduce casual surveillance and anti-social behaviour.

**Submissions to the Planning Proposal – exhibited 2013**

The Planning proposal was publicly exhibited in 2013. The bulk of submissions related to traffic matters and resulted in the preparation of the abovementioned traffic study.

Some submissions addressed matters of amenity, privacy overlooking social and economic issues. These are detailed below and also form the basis of changes to the site specific draft DCP – **CIRCULATED UNDER SEPARATE COVER.**

Appearance and Character (Height, Bulk, Scale)

Concerns were raised regarding:

- Visual Impact,
- Scale and size of proposal
- Change of character of the area as a result of the change in zone from
- Industrial to commercial, specifically that this will allow retailing activities
- Impact on nearby heritage items (Holycross School)

Comment

The land parcel fronts busy Victoria Road and is significantly larger than many other light industrial land parcels in the vicinity. Any redevelopment of the site will require consideration of the impacts of potential scale and bulk. The Draft DCP contains provisions to guide development design to minimise potential visual impacts, and guidelines to modulate the facades and to assist to reduce the potential bulk and scale of the development. These matters will also be considered in depth as part of the assessment of any future development application.

Amenity and Environment

Concerns were raised regarding the proposal's potential to impact on residents' amenity in neighbouring streets:

- Noise and privacy impacts/overlooking, in particular disruption due to weekend operating hours,
- Overshadowing, and
- Stormwater (particularly as it impacts on downstream neighbours)

**ITEM 4 (continued)****Comment**

Because it was a quarry the site is unusual in its topography and scale compared with surrounding sites. The draft DCP contains provisions for setbacks, height controls to address overshadowing, overlooking and other amenity issues particularly the transition between development of this site and the adjoining residential areas,.

The Draft DCP also contains provisions to address potential acoustic impacts. It should be noted that these matters will also be considered in depth as part of the assessment of any future development application.

The land is subject to some slope instability (moderate risk), due to the steeply sloped portions, and to overland flow. The management of stormwater, overland flow consideration of the slope instability will be required to be addressed in detail with any future development application. Such environmental matters do not preclude the opportunities for redevelopment, but rather are constraints to be considered in any future design. Proposed management of stormwater on and from the site will be subject to assessment against Councils existing controls for stormwater contained within Development Control Plan Part 8.2 Stormwater

**Economic and Social**

Concerns were raised regarding potential economic and social issues caused by the proposal. The submissions raised concerns specifically regarding:

- Cumulative impact on existing retail centres,
- Direct impact on existing industrial and retail areas in Ryde,
- Impact on property values,
- Community Benefit impacts, and
- Social Issues, potential for increase in crime.

**Comment**

Local Planning Directions (s117 Direction) under the *Environmental Planning and Assessment Act 1979* apply in the making of LEPs. When Council prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary), Council is required to consider such matters as all relevant local planning directions, state policies and strategies.

In particular, section 117 direction 1.1 Business and Industrial Zones has been mentioned in submissions. The objectives of this direction are to:

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified strategic centres.*

**ITEM 4 (continued)**

The direction states that a planning proposal must:

- (a) give effect to the objectives of this direction,*
- (b) retain the areas and locations of existing business and industrial zones,*
- (c) not reduce the total potential floor space area for employment uses and related public services in business zones,*
- (d) not reduce the total potential floor space area for industrial uses in industrial zones, and*
- (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

As previously reported (9 April 2013) Correspondence from the Department dated 1 March 2013 accompanying the Gateway Determination advises that the planning proposal's inconsistency with this Direction is of "*minor significance*."

The land will remain employment land under the proposed rezoning. An economic assessment formed part of the planning proposal. The study concluded that the proposed land use and potential for redevelopment would contribute significantly to the retention and creation of employment in the Gladesville Light Industrial area in particular and in the Ryde LGA more generally.

In particular employment on the site is currently around 50 employees. Employment in the proposed Bunnings store will be approximately 150 new jobs and the bulky goods tenancies around 340 new jobs.

The land use will also contribute to the local economy with annual gross turnover on the site expected to be between \$27M and \$32M.

With regards to social issues, in particularly the potential for increased crime, these matters will be addressed during the development application stage.

#### ITEM 4 (continued)

Table 9:

Consolidated list recommendations and actions as a result of submissions to the PP & Traffic Study exhibition

Recommendations	Reason (including whether or not supported by RMS)	Actions
1. Partial closure of College St - is the preferred option and is to be implemented at no cost to Council should Bunnings proceed	<ul style="list-style-type: none"> <li>Do nothing in relation to the road network, is not supported as traffic congestion will impact greatly on College St business and residents.</li> <li>80% of the benefits of full closure with respect to residential amenity are achieved.</li> <li>Less traffic is diverted to other streets than under the full closure option</li> <li>There is less impact than full closure on local business deliveries</li> </ul> <p>RMS raises no objection and notes that this option may be preferred from an emergency vehicle access perspective.</p>	<p>Amend the Bunnings Gladesville Traffic and Parking Study to include the outcomes of the exhibition (add this report and the Council resolutions to the study report).</p> <p>It should be noted that the final location of any closure of College St (partial or full) will be determined as part of the DA process and require the development of detailed designs</p> <p>Amend the site specific Bunnings DCP to require implementation of Council's resolutions with respect to the Traffic and Parking Study.</p> <p>Council's requirements should be implemented with stage 1 of any development on the Bunnings site.</p> <p>Bring the DCP into effect together with the LEP amendment</p>

#### ITEM 4 (continued)

Table 9:

Consolidated list recommendations and actions as a result of submissions to the PP & Traffic Study exhibition

Recommendations	Reason (including whether or not supported by RMS)	Actions
<p>2. At no cost to Council,</p> <ul style="list-style-type: none"> <li>Cressy Road is to be widened to allow for 2 right hand turn lanes at Victoria Rd intersection generally in accordance with the Traffic Study, prior to Bunnings and College St road closure being operational</li> <li>A safety fence is to be erected in Cressy Rd along the kerb line and a full width footpath constructed from the Holycross College entry to the Victoria/Cressy intersection.</li> </ul>	<p>To address existing queues at the signals and accommodate traffic diverted from College St</p> <p>To improve pedestrian safety</p> <p>RMS requires the widening of the Cressy/Victoria Rd intersection concurrently with either the partial or full closure of College St</p>	<p>Amend the Bunnings Gladesville Traffic and Parking Study to include the outcomes of the exhibition (add this report and the Council resolutions to the study report).</p> <p>Amend the site specific Bunnings DCP to require implementation of Council's resolutions with respect to the Traffic and Parking Study.</p> <p>Council's requirements should be implemented with stage 1 of any development on the Bunnings site.</p> <p>Bring the DCP into effect together with the LEP amendment</p>
<p>3. Site access</p> <p>Tennyson Rd site access to be implemented in stage 1 of any development on the Bunnings site</p> <p>All parking on the Bunnings site to be accessed from both Frank and Tennyson Rd entry/egress points (at stage 1)</p>	<p>To facilitate site traffic access from Victoria Road in order to reduce traffic in local streets</p> <p>RMS has approved site access at the intersection of Tennyson /Victoria Rd and requires the signals changes to be implemented as soon as possible.</p>	<p>Amend the Bunnings Gladesville Traffic and Parking Study to include the outcomes of the exhibition (add this report and the Council resolutions to the study report).</p> <p>Amend the site specific Bunnings DCP to require implementation.</p> <p>Council's requirements should be implemented with stage 1 of any development on the Bunnings site.</p> <p>Bring the DCP into effect together with the LEP amendment</p>

**ITEM 4 (continued)**
**Table 9:**
**Consolidated list recommendations and actions as a result of submissions to the PP & Traffic Study exhibition**

Recommendations	Reason (including whether or not supported by RMS)	Actions
4. Site Access - No right hand turn at Frank St egress from Bunnings site	To ensure traffic leaving Bunnings does not go through local streets  RMS provided no comment	Amend the Bunnings Gladesville Traffic and Parking Study to include the outcomes of the exhibition (add this report and the Council resolutions to the study report).  Amend the site specific Bunnings DCP to require implementation.  Bring the DCP into effect together with the LEP amendment
5. Pedestrian safety in College and Frank Streets to be considered in any Bunnings development  Passive surveillance and pedestrian safety	To address needs of people walking in the area (especially those walking to and from Holycross sports grounds, work and public transport links)  RMS provided no comment	Amend the Bunnings Gladesville Traffic and Parking Study to include the outcomes of the exhibition (add this report and the Council resolutions to the study report).  The DCP will require that a Pedestrian and Road Safety Audit and Management Plan be prepared and submitted with a Development Application for the Bunnings site that: <ul style="list-style-type: none"> <li>Considers the high probability that parents will park at Bunnings to pick up College students, to access sporting fields and /or the swimming pool.</li> <li>Provides safe convenient access to and from the site for pedestrians</li> <li>Caters appropriately for future interactions between pedestrians and vehicles.</li> <li>Considers providing through-site links to facilitate public transport access</li> <li>Demonstrates that pedestrian ways are well lit and subject to passive surveillance</li> </ul>



**ITEM 4 (continued)**
**Table 9:**
**Consolidated list recommendations and actions as a result of submissions to the PP & Traffic Study exhibition**

Recommendations	Reason (including whether or not supported by RMS)	Actions
6. Eltham St one way – implementation to be subject to a Council trial	<p>To address the amenity and safety of residents in Eltham St by reducing through traffic access commercial business areas and speeding.</p> <p>RMS consented to the trial and awaits the outcome of investigation into its effects.</p>	The trial is currently underway and being monitored by Council
7. No parking on Monash Rd south of Eltham St during peak periods	<p>To reduce traffic queues at the Monash/Victoria Rd intersection in the peak</p> <p>RMS provided no comment</p>	This matter will be referred to Council's Traffic, Transport and Development Management team for consideration for incorporation in a future Council Delivery Plan and implementation.
8. Explore an alternative to traffic signals at intersection College/Eltham/Monash	<p>The traffic study proposed signals to enhance pedestrian safety and to make it easier for traffic from side streets to get to and from Monash Rd</p> <p>The RMS objected to signals in this location due to its proximity to Victoria Rd.</p> <p>The traffic consultant – Bitzios - was asked to consider alternatives to signals in order to achieve the desired outcomes. Bitzios has advised that a roundabout is not recommended at this location due to proximity to Victoria Rd and argued the need for signals. If signals are not provided Bitzios suggest that left in/left out for College St at this intersection may need to be investigated.</p>	The operation of the College/Eltham/Monash intersection will be referred to Council's Traffic, Transport and Development Management team to monitor for the first twelve months after Bunnings commences operations on the site.

# ITEM 4 (continued)

**Table 9:**

**Consolidated list recommendations and actions as a result of submissions to the PP & Traffic Study exhibition**

Recommendations	Reason (including whether or not supported by RMS)	Actions
9. Traffic speed management and pedestrian safety scheme taking in Orient, Monash, Higginbotham, Thompson, Buffalo Rd (east) and nearby streets.	<p>The traffic study identifies speeding in the Higginbotham and Thompson corridor. However, submissions indicate that speeding is more widespread and impacts on pedestrian safety.</p> <p>The submissions were referred to the traffic consultant who supported broadening the area that was considered for speed management from Cressy Rd to Pittwater Rd.</p>	<p>Issues raised in relation speed management and associated pedestrian safety in the area including Cressy Rd, Pittwater Rd, Higginbotham Rd and Thompson Street will be referred to Council's Traffic, Transport and Development Management team to prepare a report for the for consideration of the Ryde Traffic Committee Including:</p> <ul style="list-style-type: none"> <li>• Signage</li> <li>• Speed limits</li> <li>• Preferred LATM options (if appropriate)</li> </ul>
10. Implement roundabout at Monash/Buffalo intersection	<p>The RMS gave support to this proposal to address current poor sight lines at this intersection suggesting also that this roundabout is implemented prior to Bunnings commencing operations due to increased traffic.</p> <p>Speeding in Monash Rd would also be addressed by implementing this roundabout</p>	<p>It is recommended that Council construct a roundabout at the intersection of Monash and Buffalo Rds. The works are to be included in Council's delivery plan for the 2016/17 financial year.</p>
11. Right hand turn at Westminster is to be subject to Victoria Road being widened and further detailed study	<p>The RMS gives conditional support, subject to further study and sufficient land being made available to accommodate the right hand turn vehicle storage</p> <p>.</p>	<p>Amend Ryde DCP Part 4.6 Gladesville and Victoria Road Corridor - Primrose Hill Key Site controls to require</p> <p>The right hand turn at Westminster to be the subject of further detailed study (at no cost to Council) as part of the traffic study required for redevelopment of the Primrose Hill Site.</p> <p>additional land for the Victoria Road widening, should the right hand turn be supported</p>

**ITEM 4 (continued)**
**Table 9:**
**Consolidated list recommendations and actions as a result of submissions to the PP & Traffic Study exhibition**

Recommendations	Reason (including whether or not supported by RMS)	Actions
12. Right hand turn at Jordan St banned in the PM peak period is to be the subject of further detailed study	The RMS gives conditional support, subject to further study confirming that traffic diverted to collector roads in the area is acceptable	<p>Advise Hunters Hill Council of the Traffic Study so that it may be taken into account in any redevelopment of the Coles Gladesville site.</p> <p>Amend Ryde DCP Part 4.6 Gladesville and Victoria Road Corridor – Coulter Street Key Site controls to require</p> <ul style="list-style-type: none"> <li>The right hand turn ban at Jordan St during peak times to be the subject of further detailed study (at no cost to Council) as part of the traffic study required for redevelopment of the Site.</li> </ul>
13. Tennyson Rd detailed study	<p>Localized peak period congestion on Victoria Rd between Monash and Tennyson is already experienced.</p> <p>The RMS has raised concern that the efficient operation of the Tennyson/Victoria Rd intersection may be further exacerbated by increased densities south of Victoria Rd including in relation to increased densities in and around Tennyson Rd.</p> <p>Detailed study is required to identify the impacts of increased densities and any mitigation measures that may be needed.</p>	<p>Any proposed density increases in Tennyson Rd are to be the subject of a detailed traffic study that has similar scope and boundaries to the independent traffic study for the Bunnings site. This is to be at no cost to Council. As part of the traffic study responsibility for any mitigation measures is to be attributed.</p> <p>The RMS submission, Council's resolution and this report are to be forwarded to DOPE for their information in relation to the Planning proposal for 2-14 Tennyson Rd (rejected by Council)</p>
14. Setbacks	RMS submission July 2013 requests that a discrepancy in the site specific Draft DCP regarding setbacks on Victoria Rd be clarified. A 6m setback as per Figures 6.84 and 6.85 is preferred rather than the text based 2m.	A 6m building setback from the Victoria Road boundary is to be into the site specific DCP (refer Figure 2.3.1 Setback Control Drawing and Figure 2.3.6 in the DCP - CIRCULATED UNDER SEPARATE COVER to this report)

**ITEM 4 (continued)**
**Table 9:**

Consolidated list recommendations and actions as a result of submissions to the PP & Traffic Study exhibition

Recommendations	Reason (including whether or not supported by RMS)	Actions
15. Appearance and character to be considered in future Bunnings development	Submissions have raised concerns regarding appearance and character	Include in site specific DCP controls that require: <ul style="list-style-type: none"> <li>• Bunnings car parkin</li> <li>• g to be screened</li> <li>• Landscaped setbacks</li> <li>• Articulation and modulation</li> <li>• Architectural devices such as sun screens, windows</li> <li>• Signage may not dominate the facades</li> </ul>
16. Development controls to protect neighbour's privacy and sunlight access	Submission has raised concerns regarding privacy and sunlight access	Include in site specific DCP controls that require: <ul style="list-style-type: none"> <li>• Minimum 3hrs mid-winter solar access to be provided for existing habitable areas of residential development in Orient St and College St</li> <li>• Amenity to be protected in terms of overlooking and acoustic privacy - screening to be required</li> <li>• To require that car headlights from ramps loading docks and parking areas may not shine into neighbouring properties</li> </ul>

#### ITEM 4 (continued)

Table 9:

Consolidated list recommendations and actions as a result of submissions to the PP & Traffic Study exhibition

Recommendations	Reason (including whether or not supported by RMS)	Actions
17. High quality public domain to be implemented / valued public domain qualities to be retained	<p>Submissions raised concerns regarding trees and pedestrian safety, aesthetics and character of future built form.</p> <p>Existing street trees in College Street are to be retained to screen views to the Bunnings development and carpark and to also retain valued streetscape character</p> <p>Footpaths are to be provided that will enhance safety and walking experience</p>	<p>Include in site specific DCP controls to</p> <ul style="list-style-type: none"> <li>• Retain College Street street trees (including protection during construction)</li> <li>• Provide new street trees in Victoria Rd and Frank St to Road Authority satisfaction</li> <li>• Provide new footpaths to Road Authority satisfaction as follows: <ul style="list-style-type: none"> <li>○ 1.5m wide concrete with 600mm wide granite banding at 6m intervals</li> <li>○ full width footpath to be provided at bus stops, street corners and building entries on Victoria Road</li> </ul> </li> <li>• Require undergrounding of power cables round the site.</li> <li>• Require 9m tall Multi-Function Light Poles (with banners fittings) Victoria Rd</li> </ul>

#### Draft DCP Part: 6.5: 461-495 Victoria Road, Gladesville

Draft DCP Part: 6.5: 461-495 Victoria Road, Gladesville was publicly exhibited together with the Bunnings PP in accordance with Environmental Planning and Assessment Act for a period exceeding 28 days.

The DCP Part aims to guide the development of a high quality public domain and built form around and on the site because:

- The site is sizeable, prominent, and highly visible (due to significant passing traffic) on Victoria Road, Gladesville
- The proposed scale of the development
- The proposed bulky goods and commercial retail use which will function as an attractor
- Proximity to the Holy Cross College – a heritage item - and possible impacts on the curtilage and children's' safety
- Proximity to Ryde Aquatic Leisure Centre – a significant recreation attractor in the area

**ITEM 4 (continued)**

The DCP has been designed to support the Ryde Local Environmental Plan (LEP) 2014 and to implement the Bunnings Gladesville Traffic and Parking Study, December 2014 (as amended by City of Ryde Council resolutions 14 April 2015)

Accordingly, a number of amendments have been made to the publicly exhibited DCP and recommended to be adopted by Council (**ATTACHMENT 2 - CIRCULATED UNDER SEPARATE COVER**). Taking into account submissions made to both the Bunnings traffic study and the PP; and consultation with staff including the Public Works Group, the following amendments have been made

**Public domain**

- Specifications for footpath types,
- Requirements for new streets trees, nature strip etc.
- Protection of existing street trees
- Requirements for cable undergrounding (all round the site) and multi-function light poles (Frank St and Victoria Rd)
- Requirements to implement the anticipated adopted traffic study recommendations as they relate to Bunnings (note: A resolution delegates the Group Manager the ability to amend the DCP in the event that Council change any of the recommendations of this report)
- Details for the public domain included in Schedule 1

**Built form**

- Design quality requirements – façade treatment, sun shading, acoustic treatments etc.
- Setbacks to neighbouring sites
- More detail is provided on the requirements for setbacks
- Façade treatments
- Screening for car park areas

**Site Landscaping**

- Requirements for landscaped setbacks

**Requirements at DA lodgment include:**

- Details of how Council's resolutions regarding traffic mitigation are to be implemented and a Statement of Commitment
- Includes a new traffic study for the proposed development
- Parking optimization plan to counteract the loss of existing parking as a result of the Bunning development
  - Pedestrian and road safety audit
  - Details of how the design quality requirements are met

For clarity the above amendments are highlighted in red throughout the DCP **ATTACHED** to this report.

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

Adoption of the recommendation will have financial impact with respect to the installation of a roundabout at the Monash/Bufalo Road intersection.

The IPART Benchmark 1.14 guide for the cost of a roundabout 6m in diameter (including splays, kerb returns etc. but excluding utilities costs) is \$331,000.

The RMS supports this roundabout based on current traffic conditions and further recommends that it is installed prior to Bunnings commencing operations when traffic volumes will increase.

This may be funded from s94 Developer Contributions Reserve

- Item TW009 - Roundabouts
- and/or
- Item TW010 - Traffic Management and Road Improvements

It is recommended that this roundabout is included in the 2016/ 2017 City of Ryde Delivery Plan to be funded from the s94 Reserve.

**Planning Proposal 2 College Street/10 Monash Road, Gladesville**

Council's consideration of the Draft Bunnings Gladesville Traffic and Parking Study has implications for another planning proposal for a much smaller site at the corner of College Street and Monash Road. With a combined site area of 1,359m<sup>2</sup> the site is located at the transition between the Monash Road village (B4 zone) and surrounding residential area (R2 zone).

10 Monash Road is zoned B4 Mixed Use and 2 College Street is zoned R2 Low Density Residential. It is proposed to rezone 2 College Street to B4 Mixed Use, enabling redevelopment of the two properties together as one mixed use development. The planning proposal was submitted on 7 June 2013 and supported by a concept showing 25 units (14 x 2 bedroom, 10 x 1 bedroom, 1 x 4 bedroom), ground floor retail space and car parking. Variations in maximum building height and floor space ratio are also proposed.

On 24 September 2013 Council considered the Monash Road/College Street planning and resolved as follows:

- (a) That Council note the Planning Proposal for 10 Monash Road and 2 College Street Gladesville*
- (b) That Council forward 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.*



**ITEM 4 (continued)**

- (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.*

A gateway determination was issued by the Department on 15 January 2014 requiring that *"A Parking and Traffic Model Study and Impact Assessment, undertaken by Council and Bunnings Group Ltd, should be publicly exhibited with the planning proposal."* The Department also considered that the Planning Proposal had a low impact on the area.

The Monash Road/College Street Planning proposal has commenced community consultation in accordance with the conditions of the Gateway Determination (to include the Bunnings traffic study) and also in accordance with Council's September 2013 resolutions which supported public exhibition. The outcomes of this consultation will be reported to Council as soon as practicable.

**Options**

Council is now being asked to decide whether or not the Bunnings Planning Proposal should proceed.

1. That Council determines that PP should not proceed, and advises DOPE, and Bunnings accordingly.

- This option is not supported as the Bulky Goods and Hardware and building supplies Land Uses are permissible on the site under the provisions of LEP 2014 (which came into effect in September 2014)
- Bunnings has not proposed a change to the FSR controls. The quantum of floor space that forms the basis of the traffic study is already permissible on the site, with possibly similar impacts on local streets if it were development by another party to its full capacity.
- The substantive matter with respect to the Planning Proposal is height. The proposed building height is similar to the Kennard's building at 497 Victoria Road. As a consequence it is in context with development in the locale

Therefore this option not recommended

**ITEM 4 (continued)**

2. That Council allow the Bunnings Planning Proposal to proceed, subject to DCP controls being put in place to require implementation of the traffic mitigation measures. This is because:

- there were 10 objections to the Bunnings development on the site. Almost all submissions addressed local traffic arrangements expressing a preference for either partial or full closure of College Street and/or requesting Council consider speed management and pedestrian safety in local streets
- the floor space is already permissible under LEP 2014
- the land uses proposed under the PP are also already permissible under LEP 2014 with the exception Garden centre.

Therefore it is recommended that Council proceed to exercise its delegation and make the amending LEP with respect to 461- 495 Victoria Road.

**Conclusions**

Council has received 517 submissions in response to an invitation to comment on the Draft Bunnings Gladesville Traffic and Parking Study and approximately 85 submissions to the exhibition of the Planning Proposal in June July 2013.

Council responded to the majority of submissions to the 2013 Bunnings Planning Proposal exhibition by undertaking a traffic and parking study. Other issues raised in 2013 related privacy impacts, overshadowing, views to the spire of Holy Cross College and impact on local business. These issues have been considered and have resulted in proposed strengthening of controls relating to amenity - such as privacy and overshadowing - in the site specific DCP – **CIRCULATED UNDER SEPARATE COVER** recommended to be adopted by Council.

In relation to the Traffic Study exhibited December 2014/January 2015 the key question addressed by almost all submissions was whether or not College Street should be partially closed (one-way eastbound) or fully closed in the vicinity of number 29. Based on submissions partial /one way closure of College Street is recommended together with the other elements of the preferred road network. Partial road closure is supported because:

- It achieves most of the benefits of full road closure of College Street for residents
- Less traffic is diverted to Buffalo, Cressy and Monash Roads than with full closure of College Street. Full closure of College Street will add a further 400 vehicles per day (or less than 1/min in the peak hour) to Cressy Road compared to partial closure.
- The wait times at the Frank Street Victoria Road intersection are less than for full closure. This will address some of the concerns of businesses in College Street
- It is preferred in terms of emergency vehicle access

**ITEM 4 (continued)**

- It is a balanced approach to competing interests in the vicinity of the Bunnings site
- There are approximately 70 businesses in College that will suffer some loss of accessibility (albeit minor) due to the closure of College Street. Access from all general directions will still be achievable.
- The full closure will reduce through traffic completely and therefore remove passive surveillance opportunities

It is also recommended to amend the DCP to strengthen controls to

- Ensure that Council's preferred road network is implemented
- Require review of the operations of the preferred network 12 months after Bunnings commences operations
- Protect resident's privacy, sunlight access and other amenities
- Require a high quality, attractive public domain to be implemented to enhance pedestrian safety and the pedestrian experience
- Parking optimisation plan College St lodged together with Bunnings DA

Other matters that are not pertinent to Bunnings will either be referred to the Traffic Committee for consideration or the subject of further detailed study.

Finally it should be noted that 425 people have visited the Bunnings Planning Proposal webpage a total of 633 times overall. The web page was established by Council in September 2014 to provide up-to-date information to the community.

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**5 PLANNING PROPOSAL - 366 - 372 LANE COVE ROAD, 124A, 126 EPPING ROAD AND 1 PAUL STREET, NORTH RYDE**

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**Report prepared by:** Strategic Planner**File No.:** LEP2015/1/7 - BP15/171

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**REPORT SUMMARY**

Council has received a Planning Proposal (PP) to amend controls within LEP 2014 as they apply to 366 – 372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street, North Ryde (known as the “the site”).

The Planning Proposal (submitted by Urbis on behalf of the owner of the site Franpina Developments Pty Ltd) seeks to change the zoning height and floor space controls applying to the site to facilitate the development of the site for a mixed use development containing 180 dwellings, 1 104m<sup>2</sup> of retail/commercial floor space and approximately 255 car parking spaces, 50 bicycle spaces and 7 motorcycle spaces. This will require:

- Amending LEP 2014 Land Zoning Map to B4 Mixed Use for the site
- Amending LEP 2014 Height of Buildings Map to increase the maximum height of buildings permitted at the site to 44.5m (12-13 storeys) and
- Amending LEP 2014 Floor Space Ratio Map to increase the FSR across the whole of the site to 2.5:1.

The site is currently zoned R2 Low Density Residential with a maximum height of 9.5m and FSR of 0.5:1. Under LEP 2014 *Schedule 1 Additional permitted uses* the property 124A Epping Rd can be developed for a medical centre, retail premises and business premises with the consent of Council. The site contains 6 dwellings and a specialist medical centre with car park.

A Proposed Concept Masterplan for the site was submitted with the PP. The Masterplan proposes a series of buildings of 3 – 12 storeys containing:-

- 180 dwellings,
- 1 104m<sup>2</sup> of retail/commercial floor space and
- 255 car parking spaces, 50 bicycle spaces and 7 motorcycle spaces

An assessment of the PP has been undertaken which included a review of:-

- The adequacy of the documentation provided
- The consistency of the PP against objectives and actions of state, regional and local planning policies and strategies
- The environmental, amenity and traffic and parking impacts

**ITEM 5 (continued)**

In carrying out the above an independent review of traffic, parking and access associated with the PP was undertaken by Bitzios Consulting who concluded the following:-

*Overall, the intensification of development on these sites at the scale proposed would be expected to significantly exacerbate existing traffic safety and amenity concerns in Lane Cove Road, in the Epping Road westbound on-ramp and in Paul Street. These are unlikely to be satisfactorily mitigated at the level of development proposed.*

Examples of traffic safety and amenity issues included:

1. Major safety concerns with traffic weaving from the double right turn from Lane Cove Road into Epping Road westbound to access the site within 60m of this congested intersection.
2. Significant safety concerns with development traffic leaving Paul Street to access Lane Cove Road.
3. Traffic safety and amenity impacts of traffic leaving via the Paul Street driveway filtering through Paul Street westbound and the local road system .
4. On street parking impacts.

The PP was forwarded to Roads and Maritime Services (RMS) who state that any Gateway Determination issued by Department of Planning and Environment (DoPE) should include a number of conditions including the following:-

- The retail/commercial element of the development being limited to no more than 1 500sqm to ensure traffic impacts are minimised and
- That Council must consult with and satisfactorily address any issues raised by Transport for NSW and Roads and Maritime prior to any public exhibition of the Planning Proposal.

The RMS also stated Council should be mindful that traffic wishing to travel east from the site will be required to cross three lanes of traffic along Lane Cove Rd when egressing Paul Street which is likely to cause additional traffic impacts within the local street system.

A review of the Planning proposal has also concluded:

1. The proposal pre-empted the development of a North Subregional Plan required under the State Governments *A Plan for Growing Sydney* which involves 11 Local Government Areas and which is currently under discussion. The longer term future for the area should be guided by *A Plan for Growing Sydney* and a subregional growth and infrastructure plan developed in consultation with the community, State agencies and Council.
2. The PP would represent an adhoc rezoning resulting in a precedent being set, where there has been an increase in density without a comprehensive assessment and delivery of the necessary infrastructure or the designed interface with the adjoining land.

**ITEM 5 (continued)**

3. The proposal is inconsistent with strategic direction of the Ryde LEP 2014 which zones the site and adjoining land for low density residential development.
4. The proposal is incompatible with Ryde Local Environmental Plan 2014 R2 Residential Low Density objectives and out of character in scale and bulk with the surrounding residential area.
5. The proposed built form controls are not appropriate in the locality due to the amenity impacts on the adjoining low density residential areas as a result of noise and disturbance, overlooking and visual intrusion.
6. The proposal would give rise to traffic generation and access constraints that would detrimentally impact on existing and future resident and the local road network.

Based on the Bitzios Consulting Report, RMS responses and the review of the PP it is recommended that the planning proposal should not proceed to a gateway determination as it is inconsistent with the strategic direction being implemented by Council, will result in increased traffic impacts on the locality and is likely to lead to adverse impacts on the amenity of the surrounding neighbourhood.

**RECOMMENDATION:**

That Council does not support the Planning Proposal for 366 – 372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street, North Ryde proceeding to a Gateway determination on the grounds that:

- The planning proposal will result in the intensification of development on the land at the scale proposed would significantly exacerbate existing traffic safety and amenity concerns in Lane Cove Road, in the Epping Road westbound on-ramp and in Paul Street.
- The proposal would give rise to traffic generation and access constraints that would detrimentally impact on existing and future resident and the local road network.
- The proposal pre-empts the development of a North Subregional Plan required under the State Governments *A Plan for Growing Sydney*. The longer term future for Macquarie Park should be guided by A Plan for Growing Sydney and a subregional growth and infrastructure plan developed in consultation with the community, State agencies and Council.
- The PP does not represent the orderly development of land in the area as no consideration has been made as to how the area as a whole is to be developed and what are appropriate controls to ensure consistent and appropriate interface with adjoining land.

**ITEM 5 (continued)**

- The PP would represent an adhoc rezoning resulting in a precedent being set, where there has been an increase in density without a comprehensive assessment and delivery of the necessary infrastructure e.g. schools, open space, road network.
- The proposal is inconsistent with strategic direction of the Ryde LEP 2014 which zones the site and adjoining land for low density residential development.
- The proposed development would be incompatible with Ryde Local Environmental Plan 2014 R2 Residential Low Density objectives and out of character with the surrounding residential area.
- The proposed density of development and built form controls are not appropriate in the locality i.e. a low density residential area due to the amenity impacts on the adjoining low density residential areas as a result of noise and disturbance, overlooking and visual intrusion.

**ATTACHMENTS**

- 1** Planning Proposal Epping and Lane Cove Roads - CIRCULATED UNDER SEPARATE COVER
- 2** RMS Submission - 13 March 2015
- 3** Bitzios Consulting - Traffic and Parking Review 366-372 Lane Cove Road Planning Proposal

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



**ITEM 5 (continued)****Discussion**

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

## Gateway Plan-Making Process

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

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

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

Council is the relevant planning authority for this proposal.

The report relates to step 1 of the Plan making process. The key areas addressed in this report in the assessment of the subject Planning Proposal are :

1. Site Description and Context
2. Current Planning Controls
3. Strategic Context
4. Proposed amendment to LEP 2014
5. Appraisal of the Planning Proposal

## ITEM 5 (continued)

### 1. SITE DESCRIPTION AND CONTEXT

#### Site Description

The land the subject of the Planning Proposal is known as 366 – 372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street North Ryde being LOT 1 DP 1087457, LOT 11 DP 1013188, LOT 1 DP 1133943, LOT 1 DP 1134150, LOT 1 DP 1134153, LOT 1 DP 1134154 and LOT 5 DP 23568. The Planning Proposal was submitted by Urbis on behalf of the owner of the site Franpina Developments Pty Ltd.

The site has:-

- seven separate land holdings with a total site area of 6,654m<sup>2</sup>
- a frontage of 62m to Paul Street, (approx.)
- a frontage of 76m to Epping Road,(approx.)
- a frontage of 85m to Lane Cove Road (approx.)

The site is located on the south west corner of Lane Cove Road and Epping Road. (Figure 1 Site)



Figure 1 Site (Urbis – PP page 14)

The site contains six single storey dwelling houses and a specialist medical centre with car park (Urbis PP Page 13-14). The seven sites are under two ownerships.

#### Topography/Vegetation

The site has a gradual fall from south to north and at the rear of 1 Paul Street and on the lot, 126 Epping Rd there is an area of trees identified in the Office of Environment and Heritage (OEH) 2013 Mapping as urban /exotic native (see figures 2 and 2A).

## ITEM 5 (continued)

Fig 2 – EOH Map layer – Ryde Maps

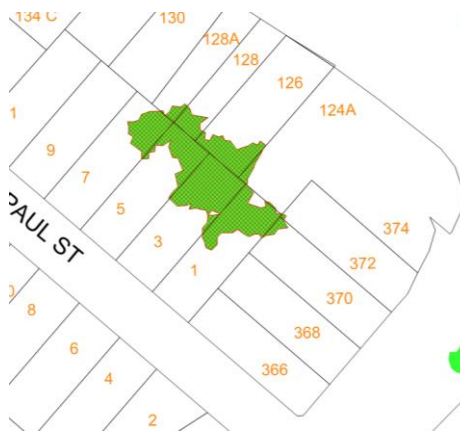


Fig 2A – Aerial – Ryde Maps



### Stormwater/Flooding

Part of the subject site is located within Macquarie Park Floodplain Risk Management Study & Plan and is identified as being affected by flooding. (see figure 2B)

A Flood Impact Assessment and Risk Management Report has been submitted with the PP.( Urbis PP **Appendix C**).



(Figure 2B Ryde Maps Flood Risk land)

The Report states, inter alia:

*"It should be noted that Council flood information predicts that the 1% AEP flood extents will inundate part of the development site. These levels vary throughout the development site. Based on the existing site conditions this flood level is envisaged to enter the development site and inundate approximately 60% of the site. "*

The report notes that the Preliminary Concept scheme generally meets the requirements of City of Ryde's Development Control Plan (DCP).(Urbis PP page 14-15)



## ITEM 5 (continued)

### Context

#### Immediate Context

The subject site is located on the south western corner of Epping Road and Lane Cove Roads with a northern frontage to the Epping Rd grade-separated intersection or flyover. (Figure 2C Ryde Maps 2012 Aerial)



The surrounding area is described as follows:

- **North:** North of Epping Road is Pinnacle Business Park which contains commercial buildings up to eight storeys. The buildings are occupied by companies including Seiko and Sonic.
- **East:** To the east on the opposite side of Epping Road is a Business Park containing commercial buildings occupied by companies including Foxtel, Canon and Philips. (Urbis PP pages 15- 16)
- **South East:** South east of Lane Cove Road contains the Allengrove development which comprises 1-9 Allengrove Crescent, 116a-122b Epping Road and 259-263 Lane Cove Road, North Ryde.

An application was made under the former Major Projects (or Part 3A) legislation to redevelop 1- 9 Allengrove Crescent and adjoining land. The application which was for residential flat buildings ranging from 8 to 4 storeys in height containing 196 units with basement car parking for 273 cars was referred to the Planning Assessment Commission (PAC) for determination in March 2012.

## ITEM 5 (continued)

On the 4 May 2012, Council received notice that the PAC had refused the application. The reasons for refusal were:

1. *It is not in the public interest to approve the proposed development because it would be inconsistent with the provisions of the Ryde Local Environmental Plan 2010 and would adversely impact on the orderly development of land in the City of Ryde.*
2. *The proposed development would be incompatible with the Ryde Local Environmental Plan 2010 R2 low density residential zone objectives and out of character with the surrounding residential area.*
3. *The proposed development would give rise to traffic generation and access constraints that would detrimentally impact on existing and future residents, and the local road network.*
4. *The proposed development would adversely impact on the amenities of residents by way of noise and disturbance, traffic, overlooking and visual intrusion.*

The NSW Land and Environment Court in November 2012 however granted concept approval for development of the site for residential flat buildings based on amended plans submitted by the applicant and with agreement from the DoPE through a S34 conference and mediation. The concept approval comprised indicative building envelopes for 7 buildings to a maximum height of five storeys, two basement levels of car parking, road works to support the development and landscaping. (refer to Figure 3).

Development Consent (LDA2013/0260) was issued on the 25 June 2014 by Council to construct a residential flat building comprising 5 buildings accommodation 179 dwellings over basement parking for 218 vehicles and associated landscape works on the site.

The development is currently under construction.



Source: Cantilever Associates, dated 19 August 2012

(Fig 3 MP 10\_0037 CONCEPT PLAN ENVELOPES – (Urbis PP page 16)

### ITEM 5 (continued)

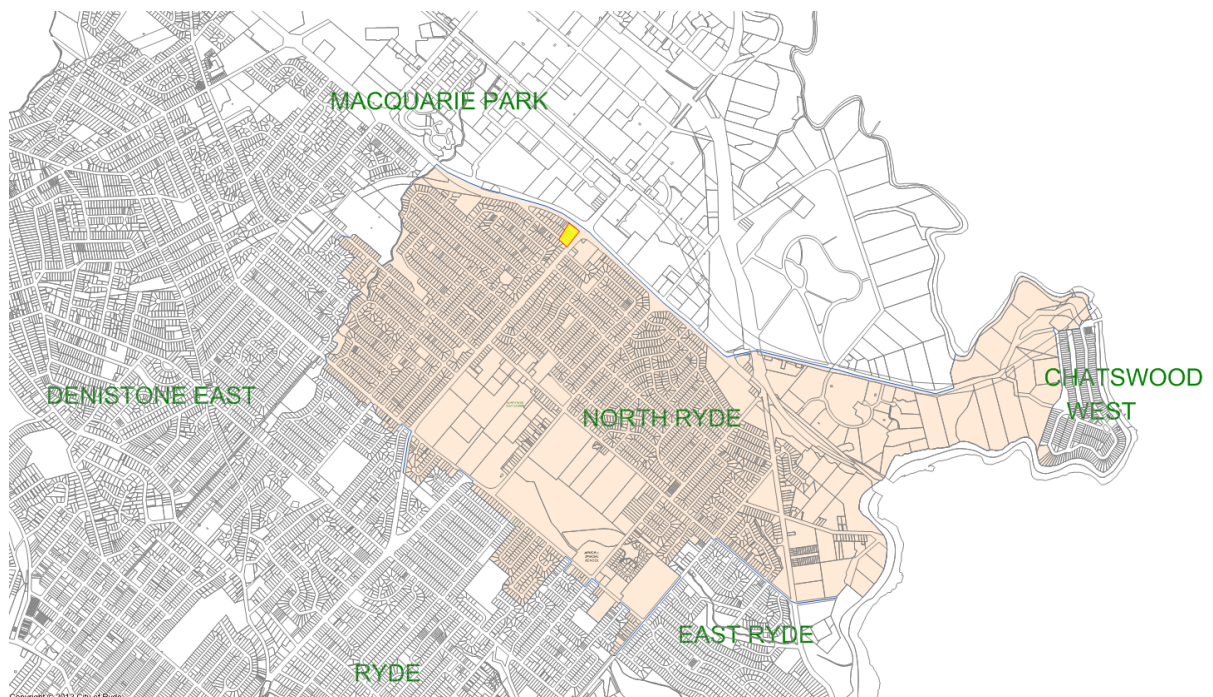
- **South and West:** To the south and west Land to the south and west is primarily zoned R2 Low Density Residential and has been developed in accordance with the zoning.

The property is located within approximately 400m of Macquarie Park Station, which provides connections from Hornsby to the City via Macquarie University service on the T1 North Shore and Northern Line. The site is also within 1.5km of Macquarie University and the Macquarie Park Shopping Centre. Bus stops are located outside the site on Epping and Lane Cove Roads which provide connections between Epping, Macquarie Centre, Marsfield and the city on routes 290, 293, 459, 506 and M41.(Urbis PP page 12)

#### *Broader Context*

The site is located in the suburb of North Ryde in the City of Ryde Local Government (LGA). North Ryde is located 15km north west of the Sydney CBD and is in close proximity to Macquarie Park.

North Ryde is characterised by predominately low density residential, with some commercial buildings, mixed use retail, and residential buildings particularly in the north east .The area includes North Ryde Golf Links, Macquarie Hospital, Riverside Corporate Par and Cox's Rd shopping centre (See figure 4) .



(Figure 4 – North Ryde Suburb)



**ITEM 5 (continued)**

Council on the 22 April 2014 refused a Planning Proposal for 111 Wicks Road, 29, 31 – 35 Epping Road Macquarie Park which proposed to rezone part of the site B4 Mixed Use and amend both height and floor space controls for the site to enable it to be developed in part for approximately 160 – 170 dwellings and a hotel containing 200 rooms.

A Pre - gateway review by the DoPE was requested by the applicant. The DoPE advised Council on the 26 February 2015 that the review had been refused on the following grounds:-

- The PP is inconsistent with the States' strategic direction for Macquarie Park corridor set out in the draft Inner North Subregional Strategy and A Plan for Growing Sydney.
- The PP is inconsistent with a number of section 117 Directions
- The PP is inconsistent with Ryde's Local Planning Strategy and
- The PP introduces heights that are not in keeping with surrounding development or proposed planning controls.

The Department stated the following:-

*The longer term future for Macquarie Park should be guided by A Plan for Growing Sydney and a subregional growth and infrastructure plan developed in consultation with the community and Council. As the subregional planning is currently under development it would be premature to proceed with a review of the proposal at this time.*

A Planning Proposal for 271 Lane Cove Rd Macquarie Park to make similar amendments to LEP 2014 as proposed by the previous PP was also refused by Council and referred to DoPE for a Pre – Gateway Review. The DoPE advised Council on the 17 December 2014 that the review was refused on similar grounds as outlined above.

**2. CURRENT PLANNING CONTROLS****Zoning and Land Use**

The subject site is zoned R2 Low Density Residential under the Ryde LEP 2014 . An extract of the zoning map is shown in Figure 5. Land use permitted under the zoning includes:-

Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dual occupancies (attached); Dwelling houses; Group homes; Health consulting rooms; Home-based child care; Hospitals; Multi dwelling housing; Places of public worship; Recreation areas; Residential care facilities; Respite day care centres and Secondary dwellings.



## ITEM 5 (continued)

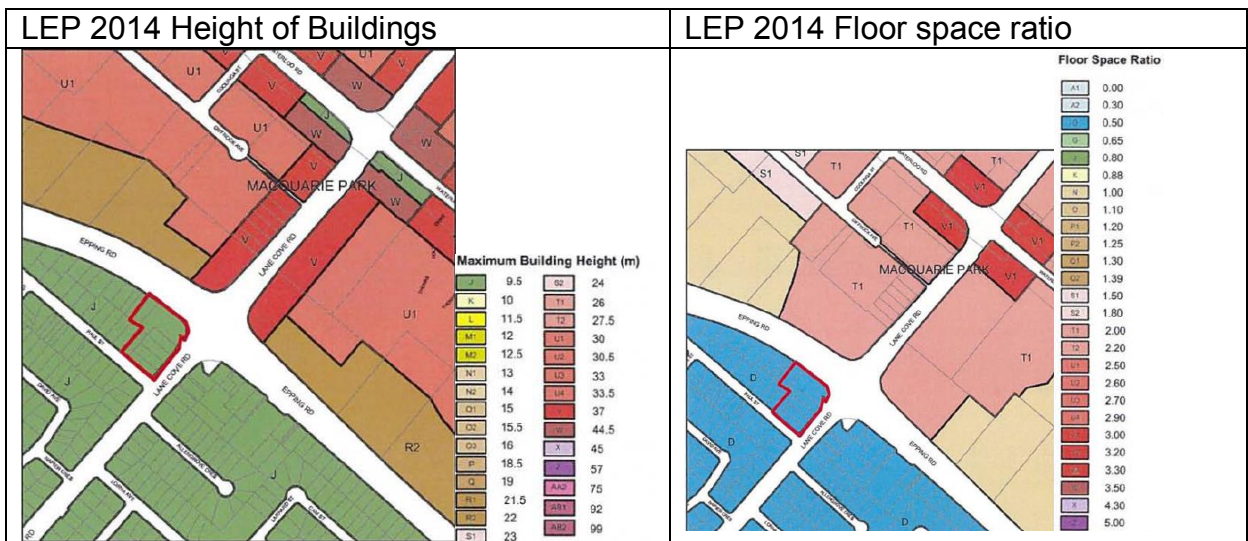


Figure 5 - LEP 2014 Land Zoning Map (Urbis PP page 31)

## Building Height and FSR

### Ryde LEP 2014

Under Ryde LEP 2014 the maximum height of a building permitted on the site is 9.5m and the maximum floor space ratio permitted is 0.5:1(see figure 6)



(Figure 6 Urbis PP page 32)

### Ryde Development Control Plan (DCP) 2014

The Ryde DCP 2014 provides for a number of environmental, engineering, stormwater and development controls for the site relating to its low density residential use. These controls are considered to be more relevant at the development application stage rather than the rezoning process for this site.

## ITEM 5 (continued)

### 3. STRATEGIC CONTEXT

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

- A Plan for Growing Sydney – December 2014
- Inner North Subregion Draft Subregional Strategy
- City of Ryde Local Planning Study;

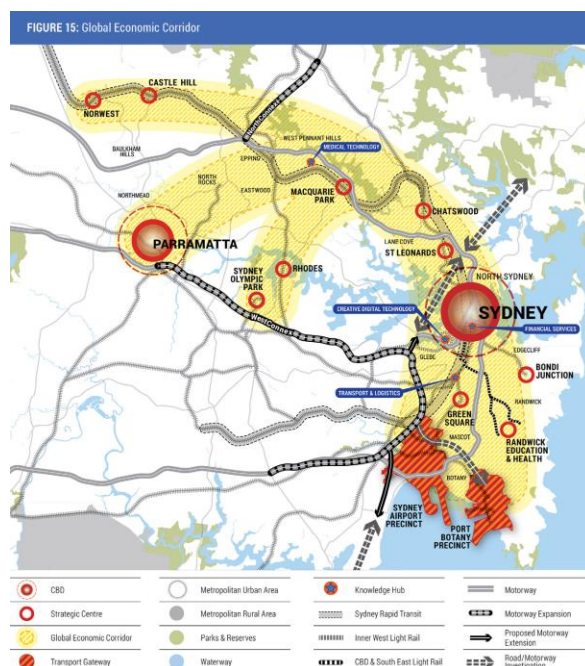
#### Plan for Growing Sydney – December 2014

The Plan which guides land use and planning decisions for the next 20 years identifies the Government's vision for Sydney as a strong global city, a great place to live.

To achieve this vision, the Government has set down goals that Sydney will be:

1. a competitive economy with world-class services and transport;
2. a city of housing choice with homes that meet our needs and lifestyles;
3. great place to live with communities that are strong, healthy and well connected; and
4. a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The Plan identifies areas of Ryde as being within the Global Economic Corridor .The Plan states the Corridor generates over 41 per cent of the NSW Gross State Product (GSP) and is unique in Australia due to the extent, diversity and concentration of globally competitive industries.( page 44)



(Figure 6A A Plan for Growing Sydney pge 45)

**ITEM 5 (continued)**

Under the Plan the Sydney area has been divided into 6 subregions. The City of Ryde is located in the North Subregion which also contains Hornsby, Hunters Hill , Ku ring gai , Lane Cove , Manly, Mosman, North Sydney, Pittwater, Warringah and Willoughby Local Government areas. The Plan states the following:-

*Subregional planning is the link between the big picture planning directions set out in this Plan and detailed planning controls for local areas. It will also deliver planning outcomes across local council boundaries, where coordination between State agencies and/or local government is required. (page 106)*

Priorities for each subregion are identified for the North subregion these include:-

*A competitive economy .*

- Improve transit connections throughout the Global Economic Corridor to better link centres and transport gateways.
- Investigate cross-regional transit links between Macquarie Park and Parramatta.
- Improve subregional connections, particularly from the Northern Beaches to Global Sydney and to the Global Economic Corridor.
- Identify and protect strategically important industrial-zoned land.

*Accelerate housing supply, choice and affordability and build great places to live*

- Work with councils to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal) and train services

*Protect the natural environment and promote its sustainability and resilience*

- Protect and enhance national and regional parks including strategic additions to enhance bushland connectivity
- Promote early strategic consideration of bushfire, flooding and coastal erosion in relation to any future development in the subregion
- Work with councils to implement the Greater Sydney Local Land Services *State Strategic Plan* to guide natural resource management. ( pages 124 – 126)

It should be noted that although discussions have commenced with the other 10 councils in the North Subregion no subregional Plan has yet to be developed.

Inner North Subregion Draft Subregional Strategy

The draft Strategy highlights the following targets for the Ryde LGA:

- Employment capacity target of 21,000 additional jobs by 2031; and
- Residential target of 12,000 new dwellings by 2031.

**ITEM 5 (continued)**

The Strategy observes that the sub-region has experienced one of the highest rates of re-zonings of employment lands to other uses, namely changes at Macquarie Park from an industrial area to a specialised centre and the Meadowbank area to a mainly residential landuse.

City of Ryde Local Planning Study (LPS):

The Ryde Local Planning Study was prepared to:

- guide the future growth of Ryde through a range of planning initiatives and strategies;
- inform the Ryde LEP 2014; and
- review and respond to directions from the State Government as identified in the Metropolitan Strategy for Sydney and the Draft Inner North Subregional Strategy, particularly relating to housing and employment targets.

The Study examined the capacity of Council's existing planning controls to implement the recommendations of the then relevant State Government Plan the *Metropolitan Plan 2036* and the growth targets of the Inner North Subregion – Draft Sub regional Strategy. The study concluded that capacity existed within Ryde's existing controls to deliver the jobs and dwelling growth targets.

The LPS comprises 7 studies the most relevant to the PP being the Centres and Corridors study.

The Centres and Corridor Study made:

1. recommendations to be incorporated into the comprehensive LEP - DLEP 2014,
2. recommendations to inform amendments to Development Control Plan 2014, and
3. recommendations relating to further studies and actions.

The only direct recommendation from that study that relates to the subject PP is that a further study investigating sites fronting Epping Road for mixed land uses and higher densities of residential development to allow transitional fringe development to the Macquarie Park Corridor and University and the low density residential area (LPS Strategic Directions page 9 – 21).

That study has not been undertaken.

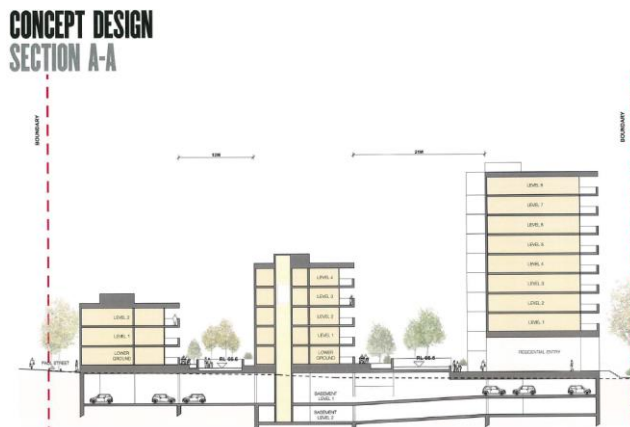
**4. PROPOSED AMENDMENTS TO RYDE LEP 2014**Proposal

The Planning Proposal seeks to change the zoning, height and floor space controls applying to the site to facilitate the development of the site for a mixed use development that contains:-

- 180 dwellings (65 x1 bedrooms 106 x2 bedroom and 9 x 3 bedroom dwellings)
- 255 car parking spaces , 50 bicycle spaces and 7 motorcycle spaces
- 1 104m<sup>2</sup> retail and commercial uses



**ITEM 5 (continued)**



**6.0  
VIEWS IN CONTEXT**



(Figure 7 Preliminary Concept Plan pge 20 &26)

The applicant states the following with respect to key features of the design:-

- **Height:** The Preliminary Concept design masses building height towards the Epping Road and Lane Cove Road intersection to properly address the corner location and to be consistent with taller buildings to the north ....Heights step down to the south, west and south west corner to transition to the lower density residential zone. Heights would increase from two storeys to a maximum of 12 storeys.
- **Retail and Commercial Uses:** The corner of Epping and Lane Cove Road will accommodate 1,104m<sup>2</sup> of retail/commercial/medical uses ..These uses will activate the street levels and cater for the new population near transport nodes and provide opportunities to work closer to home.
- **Access:** The Preliminary Concept Design reduces the number of vehicle crossings from seven to two, which will significantly improve the streetscape appearance and reduce conflict between pedestrians and vehicles. One ingress/egress driveway is located in the north-west corner of the site off Epping Road on ramp, which is grade separated. A second ingress/egress driveway is off Paul Street, a secondary road.

## ITEM 5 (continued)

- Open Space: The building configuration has been designed to maximise deep soil, soft landscaping and communal open space. The concept provides in the order of 2,695m<sup>2</sup> landscaping (pervious area), which is 40% of the site ... The landscaping includes 18% of deep soil. (Urbis PP page 33)

**Table 1 Summary of Proposed and Existing Development**

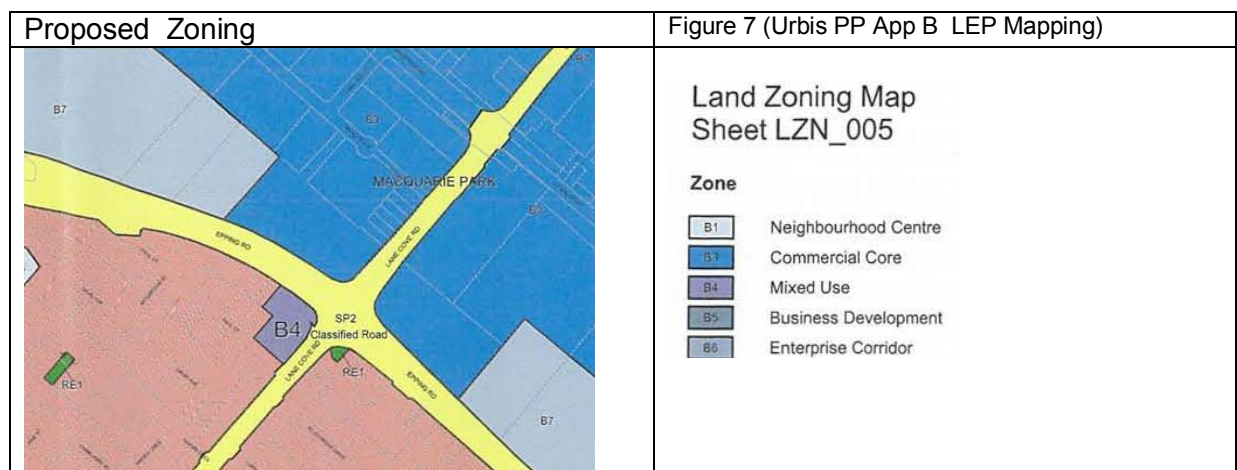
ELEMENT	EXISTING	PROPOSED
Land Use	One and two storey specialist medical centre with car park containing 35 spaces. 6 single storey dwelling houses (Urbis PP page 5-6)	180 dwellings 255 car spaces 50 cyclist spaces 7 motorcycle spaces 1104m <sup>2</sup> retail and commercial
Zoning	R2 Low Density Residential	B4 Mixed Use
Height	9.5m	44.5m (12 storeys)
Floor space ratio	0.5:1	2.5:1 GFA of 16,643m <sup>2</sup>

It should be noted that if the changes to zoning, floor space and height are supported a Development Application would be required to be submitted to Council for the development of the site which may be not be in accord with the concept plan presented with the PP.

### Proposed amendments to Ryde LEP 2014

The PP seeks to:-

- Amend LEP 2014 Land Zoning Map for the site to B4 Mixed Use Development (see figure 7)
- Amend LEP 2014 Height of Buildings Map for the site to allow a maximum height of 44.5m (see figure 8)
- Amend LEP 2014 Floor space ratio Map for the site to 2.5:1 (see figure 9)



## ITEM 5 (continued)

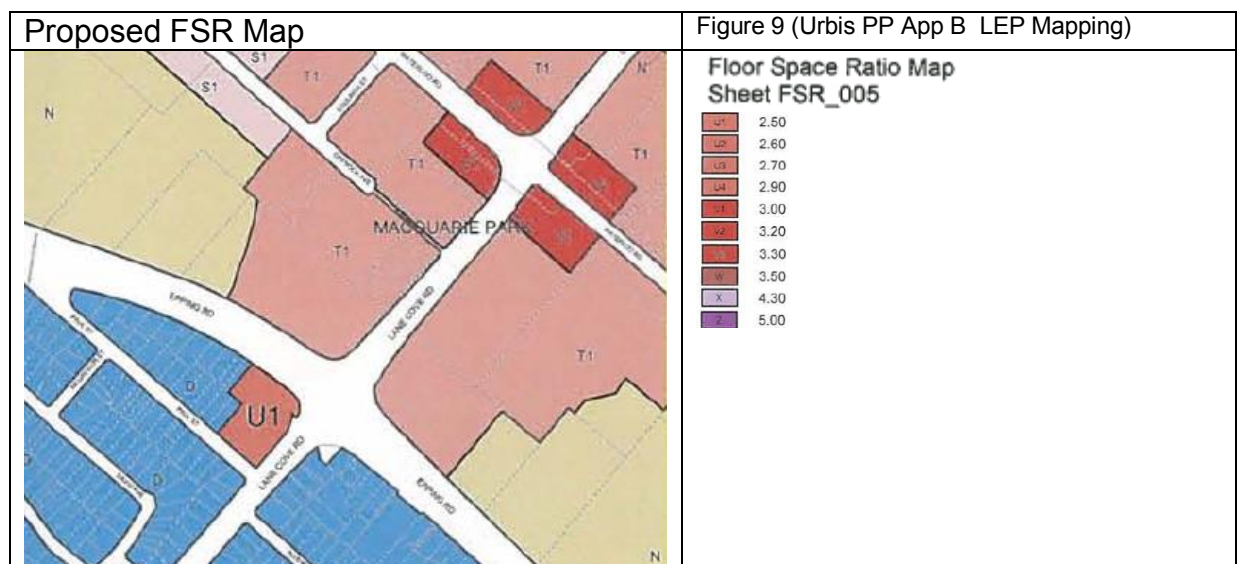
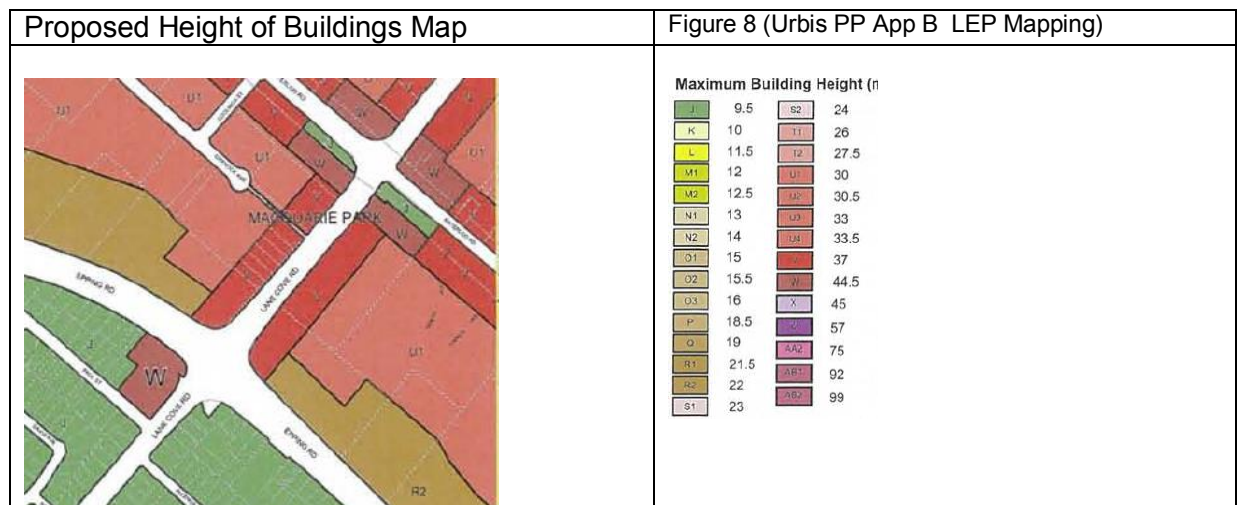


Figure 8 – Proposed FSR and Height (Urbis PP Appendix B)

### Objectives and Intended Outcomes

The applicant states:-

The primary objective of the planning proposal is to provide quality medium to high density mixed retail/commercial and residential development in an appropriate and accessible location.

The rezoning and increased density will create a high quality mixed use development that, alongside the redevelopment of surrounding lands, will make a meaningful contribution to the growth of North Ryde and the broader Ryde LGA.(Urbis PP page 37).



**ITEM 5 (continued)**

The intended outcomes of the PP as stated by the applicant include:-

- Consistency with State government policy to encourage growth within existing centres
- Consistency with State government housing targets
- Sound planning practice and transport focused development
- Timely delivery of the redevelopment of the site
- A high quality mixed use development that successfully integrates with the emerging context
- High quality built form on a prominent corner location
- Improved pedestrian safety
- Street activation
- Landscape Opportunities (Urbis PP page 37)

Justification/Need for a PP

The applicant has provided planning reasons for the justification or need for the planning proposal in Section 8 of the Planning Proposal (Urbis page 40).

In summary, the applicant provides the following key points for justification of the planning proposal:

- **Strategic Location** - The landholding is located in a very strategic location, being in close proximity and accessible to Macquarie Park, which is one of Sydney's largest employment areas and a rapidly developing high density residential living area...Macquarie Park has employment targets of 55,300 jobs by 2031. The proposal will contribute 180 new dwellings to accommodate expected workers and encourage work closer to home initiatives.
- **Proximity to Infrastructure and Services** - The property is located within approximately 400m of Macquarie Park Station, ....is also within 1.5km of Macquarie University and the Macquarie Park Shopping Centre. Bus stops are located outside the site on Epping and Lane Cove Roads which provide connections between Epping, Macquarie Centre, Marsfield and the city ..... The site's proximity to transport, infrastructure, employment and other services, make it ideal to accommodate more intensive use and development than the current planning controls allow.
- **Large Land Holding** - .....Fragmented land ownership and amalgamation of viable development sites is challenging. Therefore, sites like the proposed which can assist with providing new housing opportunities should be supported.
- **Housing** - The proposal will contribute to the achievement of the State Government's housing targets and connect residents with employment opportunities. ....The project will also increase diversity of housing supply.

**ITEM 5 (continued)**

- **Housing Affordability** - Housing affordability is recognised as a key issue identified in the NSW State Plan. ....The provision of additional housing types will assist with the supply and affordability of housing stock within the area.
- **Transition Areas** - Council Local Planning Study identifies the residential area to the south of Epping Road as having the potential for future transition areas. ...
- **Built Context** - The Department of Planning supported the eight storey height and density proposed on the Allengrove site in 2012. Although the development was scaled back by the PAC and Court, the Department considered the higher scale and density appropriate given the site adjoins the Macquarie Specialised Centre, is located in close to proximity to public transport, mitigated impacts from the surrounding road network and managed impacts on neighbouring properties. The subject site is better placed to minimise impacts as it is bordered by roads on three sides and will ensure privacy and sunlight is maintained to neighbouring properties.
- **Built Form and Amenity Impacts**- The proposal responds to adjacent dominant road infrastructure and balances the mass and form of taller commercial development to the north with appropriate stepping down and setting back from adjoining properties. The proposed 10 and 12 storey building envelopes on Epping and Lane Cove Roads are considered an appropriate design response to the site's gateway location at a major intersection and strategic proximity to Sydney's global economic corridor and public transport infrastructure.....

Support information

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

- *Transport Impact Assessment*
- *Concept Landscape Plan*
- *Preliminary Stormwater Concept*
- *Site surveys*
- *Preliminary Concept Design*
- *Flood Study*

The Planning Proposal (Urbis) is **CIRCULATED UNDER SEPARATE COVER.**

**ASSESSMENT OF THE PLANNING PROPOSAL**

The following provides an assessment and review of the Planning Proposal based on the areas required to be covered under *A guide to preparing planning proposals* issued by the DoPE.

Adequacy of Documentation

The documentation as submitted is satisfactory and addresses all necessary requirements.

**ITEM 5 (continued)**

It should be noted that as the PP is inconsistent with strategic direction of the Ryde LEP 2014 and would not be supported on that basis the additional information required around stormwater and traffic which would have been an additional cost for the applicant to provide was not requested.

Assessment of Need for the Planning Proposal

*Is this planning proposal the result of any strategic study or report?*

Planning Proposal states:- (Urbis – PP page 41 - 42)

Yes.

Council has prepared a Local Planning Study in response to the Metropolitan Strategy and Inner North Draft Subregional Strategy.....The study notes that the residential area to the south of Epping Road has the potential for future transition areas .The Study further notes that the southern side of Epping Road has relatively good access to the employment, retail, entertainment, and public transport opportunities within Macquarie Park, as well as nearby Lane Cove National Park and the regional road network.

Council's preferred option is to investigate the southern side of Epping Road to determine the location, extent and character of any potential future transition areas. This option will help address the housing needs of present and future residents of the City of Ryde in an area close to jobs, public transport, shopping, services, education and recreation opportunities.

The Council's resolution to investigate the area to the south of Epping Road acknowledges the strategic role and function that areas adjacent to Macquarie Park Corridor will contribute to....

The need for further investigations south of Epping Road has also been identified in the draft North Subregion of *A Plan to Grow Sydney*. .....The area will be investigated for potential future opportunities for housing as it is within walking distance of train stations.

Response

A key issue identified in the Centres and Corridors component of the Local Planning Study (LPS) is:-

- growth and change need to be managed better around the principle intersections within the City including Epping Road and Lane Cove Roads
- Business growth needs to be better integrated and a mix of residential development is required in close proximity to the town centres to accommodate students and workers.

A recommendation of the Local Planning Study is to investigate potential areas on the South side of Epping Road for mixed uses and more intensive residential development, to act as transition areas between the Macquarie Park business precinct and low density residential areas.

**ITEM 5 (continued)**

Council staff have not pursued this action for the following reasons:-

- The LPS was developed prior to:-
  - The development of the North Ryde Station Precinct which will result in an additional 3000 dwellings being created.
  - the State Government announcing their Urban Activation Precinct planning proposal which was exhibited by the Department of Planning and Environment from 26 June 2014 to 10 August 2014. It has been estimated that the UAP will result in a substantial increase in the number of dwellings permitted in the Macquarie Park Corridor.

It is currently estimated that with the Herring Road UAP Council will deliver an estimated 34 000 dwellings between 2014 and 2031 well in excess of the 12 000 which were required to be provided between 2004 and 2031 under the draft Inner North Subregion Draft Subregional Strategy. These State Government initiatives reduced the pressure for additional dwellings to be provided elsewhere in the vicinity of the Corridor.

- Council withdrew the project from the 4 year Delivery Plan.
- The Allengrove development which is being constructed opposite the subject site had significant community opposition and was not supported by Council or by the Planning and Assessment Commission (PAC).

It should be noted that the State Government recently released *A Plan for Growing Sydney*, a guide to land use planning for the Sydney area for the next 20 years, which divides Sydney into 6 subregions. Ryde is in the North subregion with 10 other Council areas. Under the Plan a subregional plan is required to be prepared for each region one of the aims of which is to improve liveability by identifying the locations for future housing and employment growth and by balancing growth with improvements to environmental and open space assets. Meetings with member councils of the northern subregion have recently commenced to discuss the required subregional plan.

It is considered that the PP pre-empts the development of a North Subregional Plan required under the State Governments *A Plan for Growing Sydney* and that the long term future for the area should be guided by *A Plan for Growing Sydney* and a subregional growth and infrastructure plan developed in consultation with the community and Council. In line with this it is considered that supporting the PP would result in a precedent being set whereby PPs are considered without assessment of required infrastructure such as open space, schools and road networks resulting in a lack of orderly development for the City.

**ITEM 5 (continued)**

As no strategic planning study is in place for lands on the southern side of Epping Rd the current controls under Ryde LEP 2014 remain relevant. The subject area is zoned R2 Low Density Residential zone, with a maximum height of 9.5m and maximum FSR of 0:1. The objectives of the R2 zone are:-

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a variety of housing types.

It is not considered that the nature of development proposed in the PP is in keeping with the objectives of the R2 zone.

*Is the planning proposal the best means of achieving the objective, or is there a better way?*

Planning Proposal states:- (Urbis– PP page 43)

The purpose of the Planning Proposal is to enable the development of high density mixed use to occur on the site. To achieve this, amendments to the zoning and development standards that apply to the site are needed.

Without an amendment to the planning controls the proposed Concept Plan for the site cannot be achieved and the associated public benefits would be lost. The site is a logical and appropriate place to concentrate future growth within the Ryde LGA, being within an area designated for potential future investigation and growth.

**Response**

The PP seeks to change the zoning of the site and increase the height and FSR for the site. This is only possible at this time through a PP. However it is considered that in view of the required North Subregional Plan which is currently under development that the PP should not be supported as it will pre-empt the findings of the research, community consultation and approach to be taken within that Plan.

As stated previously the DoPE advised Council on the 26 February 2015 that a Gateway Review for a PP for 111 Wicks Rd, 29, 31 – 35 Epping Rd Macquarie Park had been refused on the following grounds:-

- The PP is inconsistent with the States' strategic direction for Macquarie Park corridor set out in the draft Inner North Subregional Strategy and A Plan for Growing Sydney.
- The PP is inconsistent with a number of section 117 Directions
- The PP is inconsistent with Ryde's Local Planning Strategy and
- The PP introduces heights that are not in keeping with surrounding development or proposed planning controls.

**ITEM 5 (continued)**

The Department stated the following:-

*The longer term future for Macquarie Park should be guided by A Plan for Growing Sydney and a subregional growth and infrastructure plan developed in consultation with the community and Council. As the subregional planning is currently under development it would be premature to proceed with a review of the proposal at this time.*

A Gateway review of a Planning Proposal for 271 Lane Cove Rd Macquarie Park to make similar amendments to LEP 2014 was also refused DoPE on the 17 December 2014 on similar grounds as outlined above.

*Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Planning Proposal states:- (Urbis – PP page 43 - 44)

.....the proposal is directly consistent with the principles of a range of broader strategic planning considerations contained within the metropolitan strategy and the draft Inner North Subregional Strategy which support a transit-orientated and centres based approach to managing growth. As such the site represents a logical location to accommodate new housing and employment opportunities in close proximity to existing services and infrastructure consistent with this approach. It allows opportunities for the growing number of people working and studying in North Ryde and Macquarie to live and work/study in the same district, thereby reducing travel demand and associated car based pollution and congestion. The proposal has the potential to contribute a valuable and sustainable component of the future commercial and residential development of North Ryde.

**Response**

The State Government released *A Plan for Growing Sydney* the latest strategic direction with respect to the future growth of Sydney in December 2014.

Under the Plan the Sydney area has been divided into 6 subregions. The City of Ryde is located in the North Subregion which also contains Hornsby, Hunters Hill , Ku ring gai , Lane Cove , Manly, Mosman, North Sydney, Pittwater, Warringah and Willoughby Local Government areas. The Plan states the following:-

Subregional planning is the link between the big picture planning directions set out in this Plan and detailed planning controls for local areas. It will also deliver planning outcomes across local council boundaries, where coordination between State agencies and/or local government is required.

The Government will work with local councils for each subregion in Sydney to implement *A Plan for Growing Sydney*.



**ITEM 5 (continued)**

Subregional planning will promote good planning principles and the efficient use of land and infrastructure. It will improve liveability by identifying the locations for future housing and employment growth and by balancing growth with improvements to environmental and open space assets. It will facilitate the planning, design and development of healthy built environments

Subregional planning is the link between the big picture planning directions set out in this Plan and detailed planning controls for local areas.

Subregional plans will build on the actions set out in *A Plan for Growing Sydney*. Councils, the community, the Greater Sydney Commission and the NSW Government will work together to finalise and implement these plans. (page 106)

As no subregional plan has yet to be delivered in terms of the newly released *A Plan for Growing Sydney* it is considered inappropriate to rezone land without the required subregional plan having been developed or considered fully. It should be noted that meetings with member councils of the northern subregion have recently commenced.

As stated previously the DoPE advised Council on the 26 February 2015 that a Gateway Review for a PP for 111 Wicks Rd, 29, 31 – 35 Epping Rd Macquarie Park had been refused and further stated the following:-

*The longer term future for Macquarie Park should be guided by A Plan for Growing Sydney and a subregional growth and infrastructure plan developed in consultation with the community and Council. As the subregional planning is currently under development it would be premature to proceed with a review of the proposal at this time.*

The DoPE 's comments reinforces the need for a Subregional Plan to be in place prior to any PP for the area being supported.

*Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

Planning Proposal states:- (Urbis – PP page 44)

The proposal is consistent with Council's Local Planning Study ....

The site is within an area designated as a future transition area to the south of Macquarie Park on the basis that it has good access to employment, retail, entertainment and public transport opportunities as well as parks and road networks.

The proposal is consistent with the overarching aims and intent of the strategy in that:

- The housing needs of the current and future City of Ryde community will be met;
- It responds to the directions and actions of the Metropolitan Strategy and Draft Inner North Subregional Strategy; and
- Proposes a way to assist in meeting the 12,000 dwelling target set for the City of Ryde by the Draft Inner North Subregional Strategy.

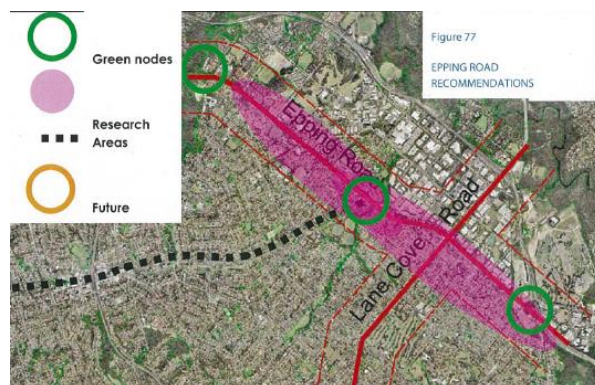


## ITEM 5 (continued)

### Response

The Local Planning Study comprises 7 studies the most relevant to the PP being the Centres and Corridors study(CCS).

A recommendation within the CCS is to investigate areas adjoining the southern side of Epping Road for mixed uses and more intensive residential development as a transition between Macquarie Park and low density residential areas.



(CCS page 2- 195)

The recommendation relates to Council investigating the possibility of changes to the southern side of Epping Road. As a result of the State Government announcing the Herring Rd Urban Activation Precinct planning proposal, the substantial increases to Council's estimated housing numbers that will be delivered by 2031 and which more than meet the number required by the State Government and the community expressed concerns over other developments such as the Allengrove the study did not take place.

As stated previously the area will be considered within the North Subregional Plan currently being developed.

*Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The Planning Proposal states:(Urbis PP page 44)

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs). The relevant SEPPs are identified below.

- SEPP (Buildings Sustainability Index: BASIX) 2004;
- SEPP (Infrastructure) 2007;
- SEPP 55 Remediation of Land;
- SEPP 65 Design Quality of Residential Flat Buildings.

### Response

It is considered that the PP does not contradict any applicable State Environmental Planning Policies, however further consideration of these Policies will occur with the detailed assessment of the Development Application.

## ITEM 5 (continued)

*Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

The relevant Section 117 directions are detailed below.

Direction	Assessment
<b>1.1 Business and Industrial Zones</b>  <i>(1) The objectives of this direction are to:</i> <i>(a) encourage employment growth in suitable locations,</i> <i>(b) protect employment land in business and industrial zones, and</i> <i>(c) support the viability of identified strategic centres.</i>	<p>The applicant maintains the proposal is consistent with the Direction as:</p> <ul style="list-style-type: none"> <li>- The proposed development will have a positive employment impact, by maintain a similar number of jobs to the existing and creating jobs during construction etc</li> <li>- The proposal will not undermine the integrity and core purpose of the Macquarie Park Strategic Centre as residential development will be focused outside the commercial core. (Urbis PP page 49)</li> </ul> <p>Response: It is considered the PP pre empts the development of the North Subregional Plan under <i>A Plan for Growing Sydney</i> and as such is not consistent with the Direction</p>
<b>3.1 Residential Zones</b> <i>1) The objectives of this direction are:</i> <i>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</i> <i>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i> <i>(c) to minimise the impact of residential development on the environment and resource lands</i>	<p>The applicant maintains that the proposal will:-</p> <ul style="list-style-type: none"> <li>- broaden the range of housing choices to provide for existing and future housing needs and</li> <li>- make efficient use of existing infrastructure and services.</li> <li>- provide opportunity for good urban design and</li> <li>- .The built form and building layout minimises the impact of residential development. (Urbis PP page 50)</li> </ul> <p>Response: It is considered that as the PP will result in increased pressure on existing infrastructure which is already stressed such as schools, community facilities, health, open space and the road network, it is not consistent with the Direction.</p>

**ITEM 5 (continued)**

Direction	Assessment
<p><b>3.4 Integrated Land Use and transport Objectives</b></p> <p><i>(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <p><i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i></p> <p><i>(b) increasing the choice of available transport and reducing dependence on cars, and</i></p> <p><i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i></p> <p><i>(d) supporting the efficient and viable operation of public transport services, and</i></p> <p><i>(e) providing for the efficient movement of freight</i></p>	<p>The applicant maintains the proposal is consistent with the direction for the following reasons:</p> <ul style="list-style-type: none"> <li>- The site supports the principle of integrating land use and transport.</li> <li>- The site exhibits good access to public and private transportation use</li> <li>- The proposal supports the efficient and viable operation of public transport services.</li> </ul> <p>(Urbis PP page 50)</p> <p>Response: It is considered that as the PP will have a significant impact on traffic flows/traffic times of the already failing Epping Rd/Lane Cove Rd intersection it is not consistent with the Direction.</p>
<p><b>Flood Prone Land</b></p> <p><i>(1) The objectives of this direction are:</i></p> <p><i>(a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</i></p> <p><i>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject and.</i></p>	<p>The applicant maintains the proposal is consistent with the direction for the following reasons:</p> <ul style="list-style-type: none"> <li>- Flood Analysis has been prepared that considers the relevant flood policies and the potential flood impacts both on and off the subject land and ensures that the development is commensurate with the flood hazard</li> </ul> <p>(Urbis PP page 50)</p> <p>Response: Council is unable to determine whether the PP is consistent due to lack of information submitted.</p>
<p><b>6.1 Approval and Referral Requirements</b></p> <p><i>(1) The objective of this direction is to ensure the LEP provisions encourage the efficient and appropriate assessment of development.</i></p>	<p>The PP is consistent with Direction 6.1 as it will not result in any additional requirement for concurrence, consultation or referral of a development application to a Minister or public authority or identifies development as designated development.</p> <p>Response: PP is consistent with the Direction</p>

**ITEM 5 (continued)**

Direction	Assessment
<b>6.2 Reserving Land for Public Purposes</b> <b>Objectives</b> (a) <i>To facilitate the provision of public services and facilities by reserving land for public purposes, and</i> (b) <i>To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</i>	The proposal does not seek to affect land zoned or reserved for a public purpose.  Response: PP is consistent with the Direction
<b>7.1 Implementation of the Metropolitan Plan</b> <b>Objective</b> (1) <i>The objective of this direction is to give legal effect to the planning principles; directions and priorities for subregions, strategic centre and transport gateways contained in A Plan for Growing Sydney.</i>	The applicant maintains the proposal is consistent with A Plan for Growing Sydney. (Urbis PP page 51)  Response: It is considered the PP pre empts the development of the North Subregional Plan under A Plan for Growing Sydney and as such is not consistent with the Direction

(Urbis PP pges 49 – 51)

**Environmental, social and economic impact**

*Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The Planning Proposal states:- (Urbis PP page 51)

The site is fully developed and comprises little vegetation. There are no known critical habitats, threatened species or ecological communities located on the site and therefore the likelihood of any negative impacts are minimal.

**Response**

Council's Acting Manager Open Spaces on the 13 March 2015 has advised the following:-

Open Space is satisfied that there will be no significant negative environmental impacts from the proposed development. Any old growth trees should be retained on site, and adequate long term protection for these trees be implemented as part of the development work undertaken.

**General Comments on the proposal:**

The area surrounding the proposed development has been identified as having a significant deficiency in public open space (Integrated Open Space Plan 2012).

**ITEM 5 (continued)**

The future residents of this proposed development will be further pressure on both Passive and Active Open Space. As the development does not provide additional Open Space, all demand for active recreation and sports will need to be catered for within the City's existing parks and reserves. Many of these facilities are already operating at or above capacity, and the addition of 180 new dwellings will put additional pressure on these sites that is unsustainable.

*Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

Planning Proposal states:- (Urbis – PP page 51 -55)

The following have been identified by the applicant as the most relevant environmental effects resulting from the planning proposal:-

1. Flooding

The Flood Impact Assessment and Risk Management Report prepared by Northern Beaches Consulting Engineers Pty Ltd concludes that *"the proposed development generally meets the requirements of City of Ryde's DCP"*

Response

Council's Team Manager Stormwater Infrastructure Integration advises the following:-

The sites 1 Paul Street, 124A-126 Epping Road are affected by medium risk flooding. The flood levels provided by Council are for the existing conditions.

The proposed development is likely to obstruct the flood way resulting in increased risk of flooding to adjacent properties. The flood modelling results for the proposed development conditions are not presented in the report.

Before approving the planning proposal a detailed Flood Study Report is required demonstrating that the proposed development will not increase the risk of flooding to upstream and adjacent properties.

It should be noted that as the PP is inconsistent with strategic direction of the Ryde LEP 2014 and would not be supported on that basis the required stormwater information which would have been an additional cost for the applicant to provide was not requested.

2. Traffic and Parking

Planning Proposal states:- (Urbis – PP Appendix E)

A Traffic Impact Assessment has been undertaken by GTA Consultants that describes the existing local traffic context and assesses the potential traffic implications of the proposed concept .In summary, the traffic analysis indicates that:

- The proposal, including health services/commercial and high residential uses, will generate in the order of 45-78 vehicle trips in the peak hours.



**ITEM 5 (continued)**

- Taking into consideration the existing development, which generates in the order of 30 peak vehicle trips, the proposal results in an additional 15 to 48 vehicle trips in the peak hours.
- The additional traffic generation would have negligible impact on Epping Road. Paul Street would likely experience a minor increase in traffic of between 17 and 34 trips in the peak. The safety or function of the surrounding road network is unlikely to be significantly impacted on.
- Paul Street may experience delays and queuing the assessment is conservative given that the commercial uses and health services would not be generating peak activity during typical weekday peak periods. Further, residents would also likely alter their departure routes, dependent on any such associated delay.

Given the low volume of additional traffic, there is not likely to be any significant impacts on the capacity and function of the surrounding roads and intersections. Furthermore the site is uniquely located to take advantage of extensive public transport services.

The proposal is likely to satisfy the car parking demand generated by the proposal.

**Response**

Council obtained an independent assessment of the GTA Consultants report from Bitzios Consulting. The review by Bitzios concluded that significant additional information was required to be provided to properly address the application however based on what was provided the following could be concluded.

**7.1 KEY FINDINGS**

Bitzios Consulting has reviewed the traffic and parking aspects for the proposed development. In general, there is insufficient information to properly assess the application, even at the PP stage. However, even with the information supplied, there are significant traffic safety and amenity concerns due to a development of this scale in this location with very poor access options.

***Overall, the intensification of development on these sites at the scale proposed would be expected to significantly exacerbate existing traffic safety and amenity concerns in Lane Cove Road, in the Epping Road westbound on-ramp and in Paul Street. These are unlikely to be satisfactorily mitigated at the level of development proposed.***

In particular significant traffic safety and amenity issues include:

1. Major safety concerns with traffic weaving from the double right turn from Lane Cove Road into Epping Road westbound to access the site within 60m of this congested intersection.



**ITEM 5 (continued)**

2. Significant safety concerns with development traffic leaving Paul Street to access Lane Cove Road particularly in peak times and peak shoulder times when risky manoeuvres may be attempted to cross congested through traffic to enter the right turn pockets for turning from Lane Cove Road into Epping Road eastbound.
3. Traffic safety and amenity impacts of traffic leaving via the Paul Street driveway and, because of difficulties accessing Lane Cove Road, filtering through Paul Street westbound and the local road system which is mostly only wide enough for one-way traffic. The likelihood of damaging parked vehicles would be significantly increased with this extra traffic in this narrow roadway.
4. On street parking impacts due to the loss of heavily-demanded on street parking in Paul Street to accommodate the access and unimpeded two-way operation between the access and Lane Cove Road. (Bitzios Consulting page 7)

The traffic assessment report undertaken by Bitzios Consulting is **ATTACHED**.

It should be noted that as the PP is inconsistent with strategic direction of the Ryde LEP 2014 and would not be supported on that basis by Council staff additional traffic information which would have been an additional cost for the applicant to provide was not requested.

The PP was also forwarded by Council to the Roads and Maritime Services (RMS) who advised on the 13 March 2015 that although they had no objection to the amendments proposed to the zoning, floor space and height controls on the site the following should form part of any Gateway report to the DoPE and be included as conditions within the Gateway Determination:-

- The retail/commercial element of the development being limited to no more than 1 500sqm to ensure traffic impacts are minimised
- The new RMS concept boundary plan along the Lane Cove Rd frontage of the property being taken into consideration with respect to the location of buildings and
- That Council must consult with and satisfactorily address any issues raised by Transport for NSW and Roads and Maritime prior to any public exhibition of the Planning Proposal.

The RMS also stated Council should be mindful that traffic wishing to travel east from the site will be required to cross three lanes of traffic along Lane Cove Rd when egressing Paul Street which is likely to cause additional traffic impacts with the local street system.

The RMS submission is **ATTACHED**.

In other studies the Lane Cove/Epping Rd intersection has been identified as operating at an F level of service i.e. unsatisfactory and requiring additional capacity and as having in the AM an 80 seconds intersection delay.

**ITEM 5 (continued)**Conclusion

It is considered that the location of the site adjacent to an intersection that currently is recognised as failing and the Bitzios conclusion that:-

*Overall, the intensification of development on these sites at the scale proposed would be expected to significantly exacerbate existing traffic safety and amenity concerns in Lane Cove Road, in the Epping Road westbound on-ramp and in Paul Street.*

The PP should not be supported as it will exacerbate an already failing traffic situation at the intersection of Epping and Lane Cove Rd and will result in adverse impacts on the local road system.

3. Overshadowing, Residential Amenity , Acoustic Environment, Visual and Acoustic privacy

Planning Proposal states:- (Urbis – PP page 52 -54)

Shadow diagrams have been prepared to assess the proposed impact on solar access to neighbouring properties between 9am and 3pm for the Winter Solstice (June 21). The subject site is bound by roadways to the east and south and will not significantly impact on solar access of adjoining dwellings. Dwellings within the development receive sunlight in accordance with SEPP 65.

The Concept demonstrates that the development can achieve high levels of internal amenity for future residents.

The site is affected by road noise associated with Epping and Lane Cove Roads. Mitigation measures will be required at detailed design stage to address noise for residential units. The buildings are setback between 4.5m and 7.5m from the site boundary to provide separation from the roadways.

Overall, it is considered that the site will not result in any significant environmental effects that would preclude the LEP amendment and the ultimate redevelopment of the site for high density mixed use, including residential development

Response

Council's Team Leader Strategic Planning advises the following:-

- The height and bulk of the proposed development are not in keeping with the scale of existing low density residential development on the southern side of Epping Rd. The development occurring on the Allengrove site does not set the acceptable development standards for the location.
- The proposed density of development and built form controls are not appropriate in the locality ie a low density residential area due to the amenity impacts such as noise and disturbance, overlooking and visual intrusion.
- Although in close proximity to public transport e.g. the rail network there are a number of significant physical barriers i.e. the Epping Rd/Lane Cove Rd intersection to accessing such facilities that may impact on the level of use from any development on the subject site.

**ITEM 5 (continued)**

*Has the planning proposal adequately addressed any social and economic effects?*

Planning Proposal states:- (Urbis PP Page 54 - 55)

The proposal will provide positive economic impacts including:

- This Planning Proposal supports the State government's current direction of increasing density and broadening land uses in proximity to public transport infrastructure.
- The Planning Proposal achieves the right balance of maintaining a strong employment focus while also recognising the benefits of providing residential development to take advantage of the locational and amenity benefits that the site offers. The proposal will not detract from the employment growth earmarked for Macquarie Park.
- The existing buildings within the site are nearing the end of their economic life. Optimising the potential to redevelop the site will assist State Government and Council to deliver the targets set out in the draft Metro Strategy but also, importantly will ensure that new housing and employment opportunities can be delivered with greater certainty.

The proposal will have positive social impacts including:

- The proposal locates high-density residential development in an accessible location, close to jobs and transport infrastructure.
- The proposal will assist in meeting housing and job targets set by the State Government with greater housing choice and local employment opportunities.
- The proposal will achieve a high-quality architectural and urban design outcome for the site in relation to its context.

**Response**

Points made by the applicant are noted however consideration of the site for higher density in isolation is not supported as:-

- there has been no comprehensive assessment of community, school and infrastructure needs to support the increased density in this area
- a precedent would be set which would impact on the future orderly and considered development of the area
- there are no development controls to ensure appropriate interface with the low scale adjoining development.

**State and Commonwealth interests**

*Is there adequate public infrastructure for the planning proposal?*

Planning Proposal states:- (Urbis PP Page 55)

A range of established services are available within close proximity of the site, including health, education and emergency services networks.

**ITEM 5 (continued)**Response

No detailed assessment has been undertaken of the existing infrastructure such as schools, community facilities, health, regional open space or required up grades to the road network however the expected 400 additional people generated by the PP will increase pressure on such facilities in the area.

As reported previously Council's Acting Manager Open Space Manager has stated with respect to local open space the following :-

*The area surrounding the proposed development has been identified as having a significant deficiency in public open space (Integrated Open Space Plan 2012).*

*The future residents of this proposed development will be further pressure on both Passive and Active Open Space. As the development does not provide additional Open Space, all demand for active recreation and sports will need to be catered for within the City's existing parks and reserves. Many of these facilities are already operating at or above capacity, and the addition of 180 new dwellings will put additional pressure on these sites that is unsustainable.*

It has also been noted previously in this report that the road network in this area is currently under great pressure with intersections such as Lane Cove Rd/Epping Rd failing. There is however no comprehensive approach by the State Government to address the issue of an existing congested road network which is facing significant increased pressure from the extensive residential/commercial development that is occurring in this area.

*What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Planning Proposal states:- (Urbis PP Page 47)

No consultation with State or Commonwealth authorities has been carried out to date on the Planning Proposal.

Response

The Planning Proposal was forwarded to the RMS for initial consideration on the 19 February 2015. The response of the RMS has been discussed elsewhere in the report. One of the comments in the RMS submission was that the following be made a condition of any Gateway Determination issued

- Council must consult with and satisfactorily address any issues raised by Transport for NSW and Roads and Maritime prior to any public exhibition of the Planning Proposal.

Should the proposal be supported by Council, it is assumed that the Gateway Determination will include the above condition and further consultation with the Roads and Maritime Service will be necessary.

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

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

**Consultation with relevant external bodies***Internal Consultation*

The Planning Proposal was referred to the relevant Council staff for comment on areas relating to traffic and parking, stormwater, contamination and open space.

*Public Works*

The comments of Council's Team Manager Stormwater Infrastructure Integration of the 19 March 2015 have been discussed previously in this report. The comments provided identified that before approving the PP a detailed Flood Study Report would be required demonstrating that the proposed development will not increase the risk of flooding to upstream and adjacent properties.

As the PP is inconsistent with strategic direction of the Ryde LEP 2014 and would not be supported on that basis by Council staff the required stormwater information which would have been an additional cost for the applicant to provide was not requested.

*Environmental Health*

Council's Team Leader Environmental Health advised on the 19 March 2015 the following:-

A preliminary site investigation report has been prepared for the site by Environmental Earth Sciences and concludes that the potential for contamination is low and that the site is suitable for the proposed mixed use development without the need for further investigation.

Based on the above there is no objection to proposed rezoning.

*Open Space*

The comments of Council's Acting Manager Open Space of the 13 March 2015 have been discussed previously in this report. The main issues identified are:-

- Open Space is satisfied that there will be no significant negative environmental impacts from the proposed development.
- Any old growth trees should be retained on site, and protected during development work.
- The area surrounding the proposed development has been identified as having a significant deficiency in public open space (Integrated Open Space Plan 2012).

**ITEM 5 (continued)**

- The future residents of this proposed development will be further pressure on both Passive and Active Open Space.

It is considered that due to their location the retention of the subject trees would not be possible in the development of the site.

*Community Consultation*

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

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

The applicant has indicated that community consultation is to be done in accordance with 'A Guide to preparing local environmental plans' and that under the guideline a 28 day exhibition period would occur.

As part of the community consultation Council would undertake the following:-

- A public notice in local newspaper(s).
- A notice on the City of Ryde Council website.
- Written correspondence to adjoining and surrounding landowners.

**Critical Dates**

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

A Pre Gateway review;

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

The subject Planning Proposal was received by Council on the 4 February 2015. A Based on the date of the submission of the PP the 90 day period for determining the proposal finished on the 4 May 2015.



**ITEM 5 (continued)***Pre – Gateway Review*

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

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

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

If the DG determines that the proposed instrument does not qualify for review the department notifies the proponent and council. If the review request progresses the proposed instrument is referred to the regional panel/PAC. A recommendation is provided to the Minister. The Minister will make the final decision with respect to the proposed instrument.

If the Minister decides to proceed with the PP:-

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

**ITEM 5 (continued)****Policy Implications**

The recommendation of this report is that the Planning Proposal should not proceed as:-

- The proposal pre-empted the development of a North Subregional Plan required under the State Governments A Plan for Growing Sydney. The longer term future for Macquarie Park should be guided by A Plan for Growing Sydney and a subregional growth and infrastructure plan developed in consultation with the community and Council.
- The PP does not represent the orderly development of land in the area as no consideration has been made as to how the area as a whole is to be developed and what are appropriate controls to ensure consistent and appropriate interface with adjoining land.
- The PP would represent an adhoc rezoning resulting in a precedent being set, where there has been an increase in density without a comprehensive assessment and delivery of the necessary infrastructure eg schools, open space, road network.
- The PP is not in accord with the State Governments comments relating to the Gateway Review they refused for 111 Wicks Rd, 29, 31 – 35 Epping Rd Macquarie Park where they stated:-

*The longer term future for Macquarie Park should be guided by A Plan for Growing Sydney and a subregional growth and infrastructure plan developed in consultation with the community and Council. As the subregional planning is currently under development it would be premature to proceed with a review of the proposal at this time.*

- The proposal is inconsistent with strategic direction of the Ryde LEP 2014 which zones the site and adjoining land for low density residential development.
- The proposal is incompatible with Ryde Local Environmental Plan 2014 R2 Residential Low Density objectives and out of character with the surrounding residential area.

**Options**

Council has the option to decide to:-

- proceed with the planning proposal to the next stage (gateway determination and community consultation) or
- to decide not to proceed as is the recommendation of this report. If Council decides not to proceed the applicant can lodge a request with the Department of Planning and Environment for a Pre –gateway

**ITEM 5 (continued)**

It is considered that should the Planning Proposal be approved that:

- traffic and access issues associated with the site will have a significant impact on Epping Rd/Lane Cove Rd Paul Street and surrounding residential areas.
- the strategic direction for the south side of Epping Rd Corridor will have been irreparable impacted upon and a precedent will be set which will make the refusal of future PPs for high density land uses along the southern side of Epping Rd very difficult . This could have a detrimental impact on the outcomes for the North Subregional Plan currently under discussion.

**ITEM 5 (continued)**

**ATTACHMENT 2**



13 March 2015

Roads and Maritime Services Ref: SYD15/00244/01  
Council Ref: N/A

The General Manager  
City of Ryde Council  
Locked Bag 2069  
North Ryde NSW 1670

**Attention: Sue Wotton**

**PLANNING PROPOSAL – (AMENDMENTS TO RYDE LEP 2014) REZONING FOR MIXED USE  
AT 366-372 LANE COVE ROAD, 124A & 126 EPPING ROAD AND 1 PAUL STREET, NORTH  
RYDE**

Dear Sir / Madam,

I refer to Council's correspondence dated 19 February 2015 regarding the subject Planning Proposal which was forwarded to Roads and Maritime Services for comment prior to Council forwarding the Planning Proposal to the Department of Planning and Environment for Gateway Determination.

The proposal seeks to amend Ryde Local Environmental Plan 2014 (Ryde LEP 2014) to facilitate the following changes at the abovementioned site:

- Rezone land from R2 – Low Density Residential to B4 – Mixed Use,
- Increase the maximum floor space ratio on the site from 0.5 to 2.5:1,
- Increase the maximum height permitted on the site from 9.5m to 44.5m.

Roads and Maritime have reviewed the submitted material and raise no objection to the abovementioned amendments to the planning controls associated with the Planning Proposal. However, the following requirements should form part of Council's Gateway report to the Department of Planning and Environment and be included as conditions within the Gateway Determination.

1. To ensure the traffic impacts of the proposal are minimised, Council must ensure that a site specific clause is inserted within the Ryde LEP 2014 which limits retail / commercial development of this site to no more than 1,500m<sup>2</sup> GFA or equivalent FSR for this use.
2. That Council consults with and satisfactorily addresses any issues raised as a result of consultation with Transport for NSW (TfNSW) and Roads and Maritime prior to the public exhibition of the Planning Proposal.
3. The Planning Proposal must be suitably amended to accommodate the proposed new concept boundary plan along the Lane Cove Road frontage of the site (see attached plan). Therefore, no objections are raised on property grounds subject to all new buildings or structures being clear of the proposed new concept boundary (unlimited in height or depth).

---

**Roads and Maritime Services**

27-31 Argyle Street, Parramatta NSW 2150 | PO Box 973 Parramatta NSW 2150 | [www.rms.nsw.gov.au](http://www.rms.nsw.gov.au) | 131 782

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**ITEM 5 (continued)**

**ATTACHMENT 2**

Note: Roads and Maritime's Infrastructure Property Section will separately contact Council in the future about amending this boundary within the Ryde LEP 2014.

Subject to the above matters being resolved, the following advice would be applicable:

4. Roads and Maritime notes that Council's DCP car parking requirements for high density residential are noticeably higher than the (Metropolitan Regional CBD Centres) High Density Residential parking requirements stated within the Guide to Traffic Generating Developments.

As this site is located within close proximity of the Macquarie Park Rail station, Roads and Maritime would advise Council to consider limiting residential parking to no more than;

- The (Metropolitan Regional CBD Centres) High Density Residential parking requirements stated within the Guide to Traffic Generating Developments; or
- The minimum requirements stated within the City of Ryde DCP Car parking requirements.

5. Council should be mindful that traffic wishing to travel east from the site will find it difficult to cross three lanes of traffic along Lane Cove Road when egressing the Paul Street intersection. This is likely to cause additional traffic impacts within the local street system.

Any further enquiries in relation to this matter can be directed to the Senior Land Use Planner – Andrew Popoff on telephone 8849 2180 or via email to: [Andrew.Popoff@rms.nsw.gov.au](mailto:Andrew.Popoff@rms.nsw.gov.au)

Yours sincerely,

  
Greg Flynn  
Manager Strategic Land Use  
Network & Safety, Sydney



**ITEM 5 (continued)**

**ATTACHMENT 2**





**ITEM 5 (continued)**

**ATTACHMENT 3**

**366-372 Lane Cove Road TIA Review**



**Issue History**

File Name	Prepared by	Reviewed by	Issued by	Date	Issued to
P1978.001T 366-372 Lane Cove Road TIA Review.doc	J. Nuttall, F. Lau	D. Bitzios	D. Bitzios	10/03/2015	Swotton@ryde.nsw.gov.au
P1978.001T 366-372 Lane Cove Road TIA Review.doc	F. Lau	D. Bitzios	D. Bitzios	16/03/2015	Swotton@ryde.nsw.gov.au

**366-372 Lane Cove Road TIA Review**

**1. INTRODUCTION**

<b>Location</b>	366-372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street
<b>Application for</b>	Planning Proposal for mixed residential and commercial development.

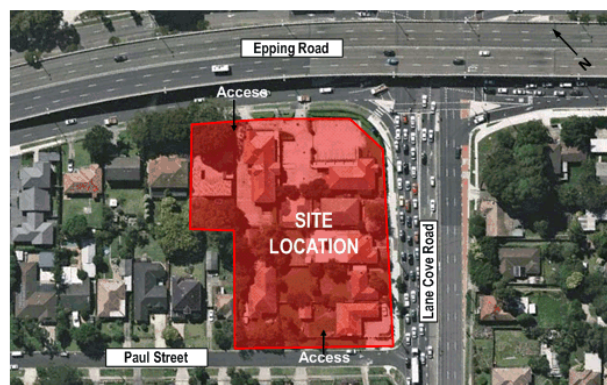
Bitzios Consulting has been commissioned by the City of Ryde to complete an independent review of the traffic and transport components of a Planning Proposal to rezone a R2 low density residential development to a B4 mixed use development as well as relaxation in development controls for a proposed mixed-use development located at 366-372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street, North Ryde. This document summaries our review of the traffic and transport aspects including:

- the development application material;
- proposed access locations considering traffic safety and efficiency;
- parking supply, parking layout and any potential traffic circulation issues;
- traffic generation and distribution assumptions;
- impacts on the external road system and particularly on Paul Street; and
- management measures for pedestrians and cyclists and access to nearby rail stations and activities (e.g. Macquarie University and Macquarie Centre).

**2. APPRECIATION OF THE APPLICATION**

**2.1 BACKGROUND**

The planning proposal seeks approval for the construction of a multi-storey, mixed use development comprising of 180 units (65 one-bedroom, 106 two-bedroom and 9 three-bedroom) and a 1,104m<sup>2</sup> commercial / health services precinct. The development also proposes the provision of 255 car spaces and 50 residential bicycle spaces to cater for the site's parking demands. Planned accesses to the site are via the Epping Road on-ramp (left-in left-out arrangement) and via Paul Street. The site boundary is shown in Figure 2.1.



**Figure 2.1: Development Site Location**

## ITEM 5 (continued)

## ATTACHMENT 3

### 366-372 Lane Cove Road TIA Review



#### 2.2 DEVELOPMENT CONTEXT

The proposed development is located within the jurisdiction of North Ryde Council. It is located within a R2 - low density residential planning zone. The DA seeks to change the planning zone to B4 - mixed use. A relaxation in development restrictions, the maximum floor space ratio and the maximum height are being sought on the basis of its close proximity to the adjoining "commercial core" zone and that Macquarie Park has been identified as a "strategic centre" within the global economic corridor under 'A plan for a Growing Sydney' (Department of Planning and Environment 2014).

#### 3. DOCUMENTS REVIEWED

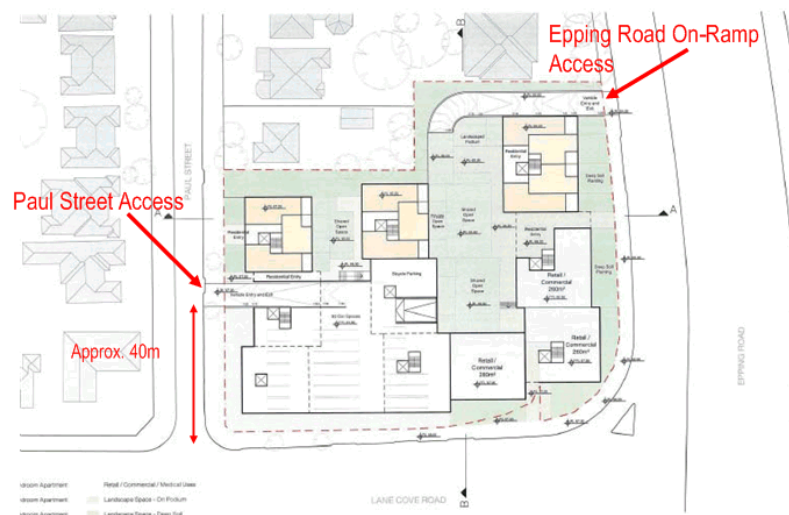
Key documents which have been referenced to and considered in the undertaking this review include:

- Request to Prepare Planning Proposal, Nos. 336-372 Lane Cove Road, Nos. 124a & 126 Epping Road & No. 1 Paul Street, North Ryde, by Urbis, February 2015;
- City of Ryde, Development Control Plan 2014 (RDCP);
- RMS Guide to Traffic Generating Developments;
- AS2890.1 Off Street Car Parking;
- AS2890.3 Bicycle Parking Facilities; and
- AS2890.6 Off street parking for people with disabilities.

#### 4. REVIEW FINDINGS

##### 4.1 VEHICULAR ACCESS

The proposed development includes two accesses, a left-in left-out connected directly to the Epping Road on-ramp and a second access connected to Paul Street, which is approximately 40m from the Paul Street / Lane Cove Road intersection (a left-in left-out arrangement). Access arrangements are presented in Figure 4.1.



\*Extract from Request to Prepare Planning Proposal, Nos. 336-372 Lane Cove Road, Nos. 124a & 126 Epping Road & No. 1 Paul Street, North Ryde, by Urbis, February 2015

**Figure 4.1: Development Accesses**

**ITEM 5 (continued)**

**ATTACHMENT 3**

366-372 Lane Cove Road TIA Review

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**4.1.1 Epping Road On-Ramp Access**

Part of the proposed site is currently occupied by a medical centre which has left in/out access to the Epping Road on-ramp. The entry to the medical centre is located approximately 15m from the left turn with care lane from Lane Cove Road into the Epping Road on-ramp.

There is also a double right turn from Lane Cove Road (north) to the Epping Road on-ramp with some potential for weaving and braking within the right turn lanes to access the medical centre driveway.

The left in/out arrangement is proposed to continue to be used for access to basement levels 1 and 2 for residential access and is proposed to be located at the western end of the combined site, some 55m from the extent of the Lane Cove Road/Epping Road intersection.

**4.1.2 Paul Street Access**

Paul Street is a local residential street. Whilst it is only 6.5m - 7.0m wide, it includes marked parking on either side (which is heavily occupied) allowing approximately 3m for two way traffic. Bicycle Awareness Zone (BAZ) markings are also on the pavement.

The Planning Proposal provides access to/from Paul Street for service vehicles, the commercial/health services parking area and residential parking (basement level 1).

In peak times, traffic queues back from the Epping Road / Lane Cove Road intersection well past Paul Street essentially making access from Paul Street to the double right turn lane at the intersection (across 3 through lanes) impossible (see Figure 4.2).



**Figure 4.2: Paul Street / Lane Cove Road Intersection (View from Paul Street)**

**4.2 TRAFFIC ANALYSIS**

The TIA had assessed the development traffic during weekday AM peak hour but it did not indicate the hours of the survey and no raw data was included. No PM peak hour traffic assessment was completed. The TIA also did not include the assessment of the Lane Cove Road / Epping Road intersection which would be directly impacted by the additional development traffic.

Additionally, as part of the applicant's justification for leniency regarding planning restrictions the report stated that the site located within a high growth area in which several current and future developments are intended.

The assessment did not take into consideration of the potential traffic generated by the development in opening year and a ten-year horizon after opening year (in accordance with RMS Guide to Traffic Generating Developments) and to include the approved current and future development traffic to assessed the impact from the proposed development.

**ITEM 5 (continued)**

**ATTACHMENT 3**

366-372 Lane Cove Road TIA Review

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**4.3 TRAFFIC GENERATION AND DISTRIBUTION**

The generation rates used in the TIA were adopted from the RMS updated technical direction for Traffic Generating Developments. The average rates for Sydney were used which include surveys at Chatswood, St Leonards and Cronulla, which have completely different transport and land use characteristics to residents in Macquarie Park. The site's situation is more comparable to Rockdale and Parramatta with rates of approximately 0.3 vehicles per unit in the AM peak. This would effectively add 68 AM peak hour trips to the traffic already in the area with nearly half of the addition via Paul Street.

The TIA presumes a residential traffic percentage split of 70/30 and a commercial split of 50/50 for the Epping Road on-ramp/ Paul Street driveways. These splits are not clearly identified as the Epping road on-ramp does not provide an efficient way to travel south or east of the site (towards Sydney CBD) where it is presumed a large portion of traffic will be travelling.

Further information is needed to nominate the traffic distribution to and from the site, particularly regarding how a vehicle wishing to travel south of the site would achieve this. Given the peak hour intersection performance of Paul Street / Lane Cove Road, it is not considered viable that a vehicle wishing to travel south is able to access the right turning lanes from the intersection. Therefore the development may encourage rat running through local streets as both driveway exits will only conveniently facilitate northbound and westbound traffic.

**4.4 ACTIVE TRANSPORT**

The site is within close proximity to public transport facilities and is located within a well-connected network of pedestrian and cyclist facilities. The suggested 50 residential bicycle parking facilities is considered sufficient to meet the demands of the development in its current form. It is unclear the amount of bicycle parking facilities that would be provided for the commercial / health services development.

The PP should also provide clarification regarding the class of bicycle parking facilities which are to be provided and to confirm that they meet the design standards specified in AS2890.3. It is also suggested that the PP quantify the additional bicycle racks which are to be provided and demonstrate the location of these on updated plans, to ensure that they will fit, even at the PP stage. The subsequent DA should indicate how the development intends to separate visitor parking from secured residential and staff parking. Additionally the development also falls short of providing end of journey bike facilities which are required under section 2.7 of the DCP.

**4.5 PARKING REQUIREMENTS AND PARKING LAYOUT**

**4.5.1 Parking Provision**

The Planning Proposal included a total of 255 parking spaces which is in accordance with the City of Ryde Development Control Plan (RDCP). However, it is unclear of the number of parking bays allocated to each type of development (i.e. commercial / health services and the residential). Furthermore, the Planning Proposal includes a discrepancy between Appendix E, Traffic Impact Assessment (TIA) and Appendix G, Preliminary Concept Design Plans regarding the allocation of parking bays.

As is common at Planning Proposal stage, the parking bay dimensions were not provided in the plans and no swept path analysis were provided. The TIA also suggested seven motorcycle parking spaces would be provided however this is not indicated on the plans.



## ITEM 5 (continued)

## ATTACHMENT 3

366-372 Lane Cove Road TIA Review

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### 4.5.2 Parking for Persons with Disability (PWD)

Contrary to advice given in the TIA, the Preliminary Concept Design plans do not show any allocated PWD bays onsite. Table 9.2.01 of the RDCP requires that the development provides one PWD space for each adaptable unit with at least one bay for residential visitors. As the DCP also requires 10% of the dwellings to be adaptive, a total of 19 PWD bays are required for residents and visitors. Further, the commercial / health services type development will require an additional 2 PWD spaces to comply with the DCP. These should be designed in accordance with the standards and RDCP guidelines and the dimension shown in concept plans.

### 4.5.3 Refuse and Servicing Vehicle Access and Loading Bay

The TIA suggested that access to lower ground car park has been designed in accordance with Australian Standard for access by service vehicles up to 9-10m in length. However, the dimension of the ramp / access was not shown in the plans and the location and dimension of the loading bay was also not shown in the plans. Further, swept path to for a service vehicle to enter and exit in a forward direction would need to be assessed.

### 4.5.4 Ramp

The gradient of the ramps and design dimensions were not provided or shown in the plans attached to the Planning Proposal. The compliance of the ramps was not assessed due to lack of information at this stage of the Planning Proposal.

### 4.5.5 Head Height

Neither the report nor the Preliminary Concept Design provides head height or clearance measurements. These should be provided in order to demonstrate that the development meets height requirements especially in relation to ramp and service vehicle access as well as PWD bay height clearances. Further information would be required for an assessment of these aspects but this could be held over until the DA stage.

## 5. ACCESS ASSESSMENT

The access intersections SIDRA analyses provided by GTA are largely irrelevant to the access safety issues prevalent in this area. There are significant concerns with access to a development of this scale, in this location. These concerns are:

- the access off the Epping Road westbound off-ramp is too close to the Epping Road / Lane Cove Road intersection and has safety issues associated with it. There would be a high probability of weaving occurring from the double right turn from Lane Cove Road north to access the site and this would be undesirable in this congested location. Furthermore, accesses off an on ramp should ideally be removed with redevelopment where possible, not retained as speed expectations of accelerating vehicles (up the on ramp) and decelerating vehicles (into the access) are very different;
- additional traffic in Paul Street is highly undesirable as this traffic would find it difficult to exit onto Lane Cove Road at peak times and may attract unsafe manoeuvres to access the double right turn lane to head east in peak shoulder periods;
- Given the congestion in Lane Cove Road, traffic leaving the development may be encouraged to use Paul Street, McGregor Street (couldn't find it on the map for spelling) and other local streets to filter through to the major road system. This additional traffic on Paul Street (and other local streets) is highly undesirable given the available one-way traffic width in this street. Furthermore, removal of any on street parking for access is likely to exacerbate existing resident concerns about lack of parking in this area.

Overall whilst it is accepted that the access driveways are likely to operate under capacity even with the use of higher residential traffic generation rates there are significant traffic safety concerns with the scale of redevelopment of the sites in this location and the traffic that they would generate onto access points with safety and amenity concerns.

**ITEM 5 (continued)**

**ATTACHMENT 3**

366-372 Lane Cove Road TIA Review

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**6. ASSESSMENT SUMMARY**

The key issues identified in the traffic component review of the planning proposal are provided in Table 6.1.

**Table 6.1 Review Summary Table**

Item	Issue
Access location and safety	<ul style="list-style-type: none"> <li>the dimension of the driveway / access are not provided;</li> <li>access via the Epping Road on-ramp may lead to weaving and queuing on the Epping Road on-ramp, which is high undesirable given the acceleration profiles of passing vehicles ;</li> <li>with the difficulty in accessing the right turn at Lane Cove Road / Epping Road intersection from the Paul Street / Lane Cove Road intersection, drivers may take a higher risk in crossing three lanes of traffic, which is highly undesirable;</li> <li>the Lane Cove Road / Epping Road intersection performance was not taken into consideration in the TIA and should have been; and</li> <li>the arrangement of both accesses and prevailing congestion is very likely to lead to use of local streets like Paul Street within the residential precinct adjacent to the development. These streets are not wide enough to accommodate extra traffic.</li> </ul>
Parking provision	<ul style="list-style-type: none"> <li>conflicting parking provisions are provided in the Preliminary Concept Design Plans and the TIA report;</li> <li>motorcycle bays not shown in plans;</li> <li>parking allocation and rates applied to commercial / health services precinct need to be identified; and</li> <li>no clear identification of the parking allocation to different uses.</li> </ul>
PWD Parking provisions	<ul style="list-style-type: none"> <li>no PWD bays identified in the plans (could be addressed at DA stage)</li> </ul>
Refuse and Servicing (could be addressed at DA stage)	<ul style="list-style-type: none"> <li>no service / loading bay is identified in the plans;</li> <li>design dimension were not shown; and</li> <li>no swept path analysis was provided.</li> </ul>
Ramps (could be addressed at DA stage)	<ul style="list-style-type: none"> <li>ramp dimensions were not provided; and</li> <li>no swept path analysis was provided.</li> </ul>
Traffic Analysis	<ul style="list-style-type: none"> <li>no access safety assessment was undertaken;</li> <li>no amenity impacts assessment was undertaken;</li> <li>Sydney average high density residential traffic generation rates used. Not appropriate for this site;</li> <li>the raw data from the traffic survey was not provided;</li> <li>no PM peak traffic survey or analysis was undertaken and should have been;</li> <li>the traffic directional and access splits were not clearly identified;</li> <li>no SIDRA assessment "with development traffic" was included for both opening year and ten year horizon; and</li> <li>approved developments adjacent to the assessed intersection should be included in the intersection assessment.</li> </ul>
Active Transport (could be addressed at DA stage)	<ul style="list-style-type: none"> <li>no end of journey facilities identified;</li> <li>bicycle parking allocation was not properly quantified or shown on plan;</li> <li>safe and convenient access to facilities not shown on plan;</li> <li>safe pedestrian routes not shown on plans; and</li> <li>no pedestrian sight triangles shown on plans.</li> </ul>



ITEM 5 (continued)

ATTACHMENT 3

366-372 Lane Cove Road TIA Review

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7. CONCLUSIONS AND REQUEST FOR FURTHER INFORMATION

7.1 KEY FINDINGS

Bitzios Consulting has reviewed the traffic and parking aspects for the proposed development. In general, there is insufficient information to properly access the application, even at the PP stage. However, even with the information supplied, there are significant traffic safety and amenity concerns due to a development of this scale in this location with very poor access options.

***Overall, the intensification of development on these sites at the scale proposed would be expected to significantly exacerbate existing traffic safety and amenity concerns in Lane Cove Road, in the Epping Road westbound on-ramp and in Paul Street. These are unlikely to be satisfactorily mitigated at the level of development proposed.***

In particular significant traffic safety and amenity issues include:

1. Major safety concerns with traffic weaving from the double right turn from Lane Cove Road into Epping Road westbound to access the site within 60m of this congested intersection.
2. Significant safety concerns with development traffic leaving Paul Street to access Lane Cove Road particularly in peak times and peak shoulder times when risky manoeuvres may be attempted to cross congested through traffic to enter the right turn pockets for turning from Lane Cove Road into Epping Road eastbound.
3. Traffic safety and amenity impacts of traffic leaving via the Paul Street driveway and, because of difficulties accessing Lane Cove Road, filtering through Paul Street westbound and the local road system which is mostly only wide enough for one-way traffic. The likelihood of damaging parked vehicles would be significantly increased with this extra traffic in this narrow roadway.
4. On street parking impacts due to the loss of heavily-demanded on street parking in Paul Street to accommodate the access and unimpeded two-way operation between the access and Lane Cove Road.

7.2 FURTHER INFORMATION REQUIRED

The review has revealed that the following additional information is required to properly assess the application:

- the dimensions of the accesses to provide a safe environment and queueing space, and to identify on street parking impacts in Paul Street;
- measures to minimise traffic generated by the proposed development using local streets;
- clarify the parking allocation and rates for different types of development;
- provide sufficient dimensions of all types of parking areas to at least assess if parking bay quantities can be accommodated;
- undertake a PM peak traffic survey and intersection analysis;
- include development traffic generation volumes in the assessment of intersections;
- assess intersections under a 10 year future scenario, incorporating future growth in the area;
- assess the Lane Cove Road / Epping Road intersection and Lane Cove Road / Paul Street intersection considering both intersections are already over capacity in peak periods;
- clarify the traffic distribution assumptions used in the assessment;
- provide sufficient design dimension plans for access driveway, aisles, parking bays, ramps and head heights to demonstrate the proposal is technically feasible;
- clarify the bicycle parking location and nominate the provision of end of trip facilities; and
- clarify the pedestrian access and pedestrian-vehicle separation management.

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**6 TOP RYDER COMMUNITY BUS**

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**Report prepared by:** Senior Sustainability Coordinator, Transport and Environment  
**File No.:** PM14/30238/3 - BP15/353

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**REPORT SUMMARY**

This report considers the ongoing viability of the Top Ryder Community Bus Service and updates the Council on potential external funding sources available to support the service.

Council at its meeting on 24 June 2014 resolved, inter alia, that service costs for a 4 day per week service be capped at \$150k p/annum indexed from 1 July 2014 and that Council continue to seek sponsorship and advise users that unless external funding becomes available that this service will cease from 1 July 2015.

Extensive effort in sourcing external funding has taken place over the past 9 months and a series of meetings were held with local businesses and local shopping centre managers to consider potential external funding sources.

It now appears likely that external funding of up to \$32,500 could be secured for 2015/16 substantially from a private business arrangement that would support the service subject to Council resolving to continue the service running next year. Appropriate contractual arrangements would need to be made, as required.

Two shopping centres have also indicated they would also be willing to pledge some sponsorship funding (up to \$10,000 each) to support the service, however, Council is unable to pursue these offers under its adopted Sponsorship Policy as both shopping centres are actively proposing development changes and are either in talks or have submitted development proposals. None of the other Centres have expressed any interest in supporting the service.

The current 4 day per week service which is estimated to transport over 38,000 passengers annually, under its reduced level of service which changed from 6 to 4 days per week in August 2014, will cost approximately \$185,000 in 2015/16 to deliver.

There will therefore be a funding shortfall of approximately \$150,000 should Council decide to continue the current level of service (4 days per week) and provided the external funding is realized.

Part of this shortfall (up to \$75,000) could be funded from the Council's Domestic Waste Levy (advertising and communications budget) to fully wrap and advertise on both buses as part of Council's Advertising and Communication Plan, leaving the balance of \$75,000 to be voted from General Revenue. The Waste Team considers this method of advertising as very effective messaging for its various domestic waste management and minimization programs. Similar consideration could be given to using promotions funding from the RALC to advertise the Wave Ryder attraction.

**ITEM 6 (continued)**

During discussions held with the shopping centres, it was suggested that a name change from the Top Ryder to the Shop Ryder would improve the level of passenger patronage and its attractiveness for future potential funding sources (because it will better reflect the fact that the bus service links a number of shopping destinations within Ryde, not just Top Ryde). Should Council resolve to keep the service running for a further 12 months, a name change is proposed.

Another potential funding source could be from Section 94A funding. If approved by the Minister, it is forecast that there would be sufficient funding to continue to subsidize a Top Ryder Bus Service if other external funding sources did not materialize. This would more than cover the ongoing costs of operation and maintenance of the Service, however, there is no certainty regarding the timing of any decision.

It is therefore recommended that the Council vote the necessary funds subject to a maximum cap of \$150,000 (subject to indexation) to keep the Top Ryder Community Bus running for a further 12 months to 30 June 2016 and to rename the service to the Shop Ryder Community Bus from 1 July 2015.

**RECOMMENDATION:**

- (a) That Council continue the current operating level (4 days per week) of the Top Ryder Community Bus Service for a further 12 months to 30 June 2016 at the cost of \$150,000 (subject to indexation).
- (b) That funding be provided using \$75,000 from Council's Domestic Waste Levy and \$75,000 from general revenue to deliver the service in 2015/16.
- (c) That in the event additional funding is received from external sources (either sponsorship, advertising, or fee for service), the funding required from General Revenue be decreased for the 2015/16 year accordingly.
- (d) That the name of the Top Ryder Community Bus Service be changed to the Shop Ryder Community Bus for the 2015/16 operating year.

**ATTACHMENTS**

- 1 Top Ryder Bus Service Survey Results 2015
- 2 2015 Shop Ryder Sponsorship Package - 15 December 2014
- 3 Ryde Hunters Hill Community Transport Top Ryder Partnership Outline 2015 - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL
- 4 External Funding and Partnership Opportunities - Top Ryder Community Bus - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL

**ITEM 6 (continued)**

Report Prepared By:

**Jenai Davies**

**Senior Sustainability Coordinator, Transport and Environment**

Report Approved By:

**Sam Cappelli**

**Manager - Environment, Health & Building**

**Dominic Johnson**

**Group Manager - Environment and Planning**

**ITEM 6 (continued)****History**Overview of Top Ryder Service

The Top Ryder Community Bus service currently provides a 4 day per week service linking Top Ryde, Gladesville, Putney, Meadowbank, West Ryde and Eastwood with two bus routes running in opposite directions between 8:30am to 2pm Wednesdays to Saturdays inclusive. The service was downscaled from 6 days per week when it commenced in July 2008 to 4 days per week from August 2014. The service transported over 60,000 passengers p/annum when operating 6 days per week and now is forecast to carry close to 40,000 passengers p/annum under its reduced level of service.

Previous Council Reports and Resolutions

Council at its meeting held on 24 June 2014 considered a report on Top Ryder Community Bus and resolved:

- (a) *That the current Top Ryder Community Bus Service be downsized from a 6 day per week service to a 4 day per week service with the change in service delivery times from 8.30 - 1.00pm, starting from week commencing 1 August 2014 and that this change be promoted in the local media and on the buses at the earliest possible time.*
- (b) *That, subject to (a), Council's financial contribution for the operation of the Top Ryder Community Bus Service for a 4 day per week service be capped at \$150k p/annum indexed from 1 July 2014.*
- (c) *That Council continue to seek sponsorship and advise users that unless funding becomes available that this service will cease from 1 July 2015.*
- (d) *That Council write to the relevant shopping centres in the City of Ryde, to advise them that Council is intending to discontinue the bus service unless Council receives funding, seeking their contribution of running the bus service and also contact Ryde Hunters Hill Community Transport Association to discuss options.*
- (e) *That the Acting General Manager arrange a meeting to be held with the relevant parties to discuss funding options.*

Council at its meeting held on 11 March 2014 considered a report on Top Ryder Community Bus service funding comparison and resolved:

- (a) *That the report comparing the funding and delivery model of the Top Ryder Community Bus Service to the funding and delivery models of 7 other Councils delivering a similar service be received and noted.*

## ITEM 6 (continued)

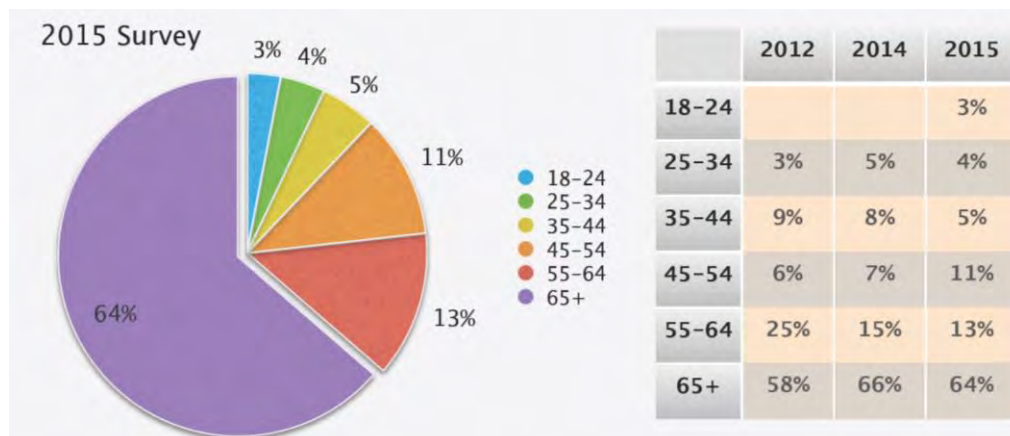
- (b) *That Council formally approach local businesses seeking sponsorship for the Top Ryder Community Bus Service, in accordance with Council's Policy.*
- (c) *That Council continue to refine its passenger/trip data in order to evaluate all sections of the route.*

### Summary of Annual Customer Satisfaction Survey

A customer survey was conducted in March 2014 and a summary of findings is (**ATTACHED**). The survey demonstrates that the service continues to be popular and is an important service to older and less mobile residents, particularly those without other transport options.

The survey showed that the service is predominately used by women (76%) over 65 years of age (64%). Over 99 passengers responded to the survey.

The following graph shows the typical age split for users of service.

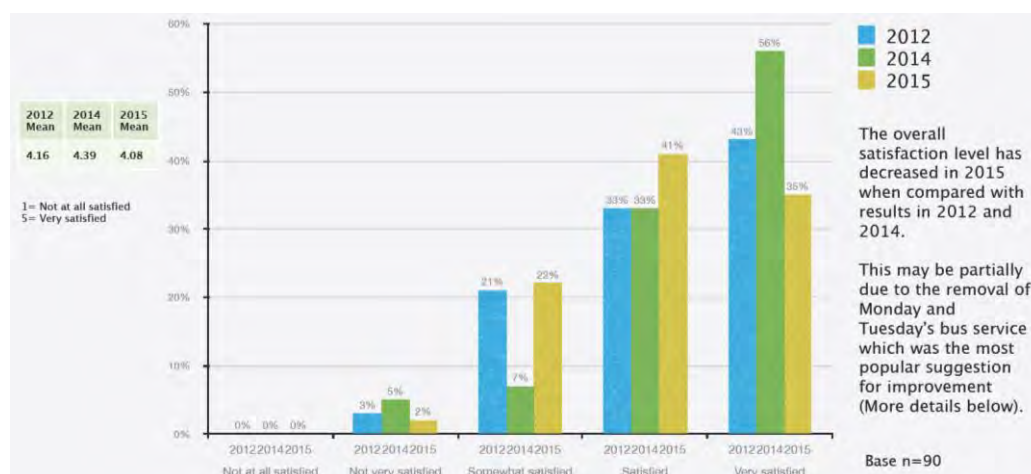


The overall level of satisfaction was 76% (satisfied or highly satisfied) with the Top Ryder service. While this result is good, it is lower than last year's satisfaction levels which were 89% satisfied or highly satisfied overall. This change may be partially explained by a reduction in customer satisfaction with the frequency of the service from 74% satisfied or highly satisfied in 2014 to 57% in 2015. Also, over 50% of people who provided comments on the survey requested that Council restore the previous timetable which ran 6 days a week (including Mondays and Tuesdays).

This report does not propose to address this request as it would cost approximately \$235,000 per annum to run a 6 day service; this would require a contribution from Council amounting to approximately \$200,000. Council has already made a commitment to reduce the service to 4 days per week and to cap its contribution at \$150,000 (indexed) in keeping with a range of "Fit for the Future" efficiency measures.

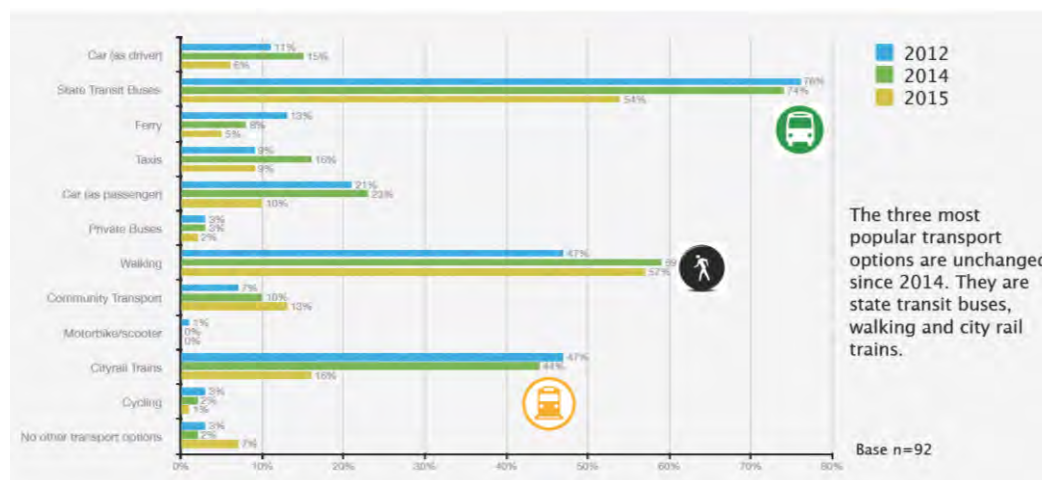


## ITEM 6 (continued)



60% of respondents used the service 1 to 3 days a week and the most popular stops in routes 1 and 2 were Top Ryde Shopping Centre, Eastwood Station, West Ryde Station and Gladesville Shops.

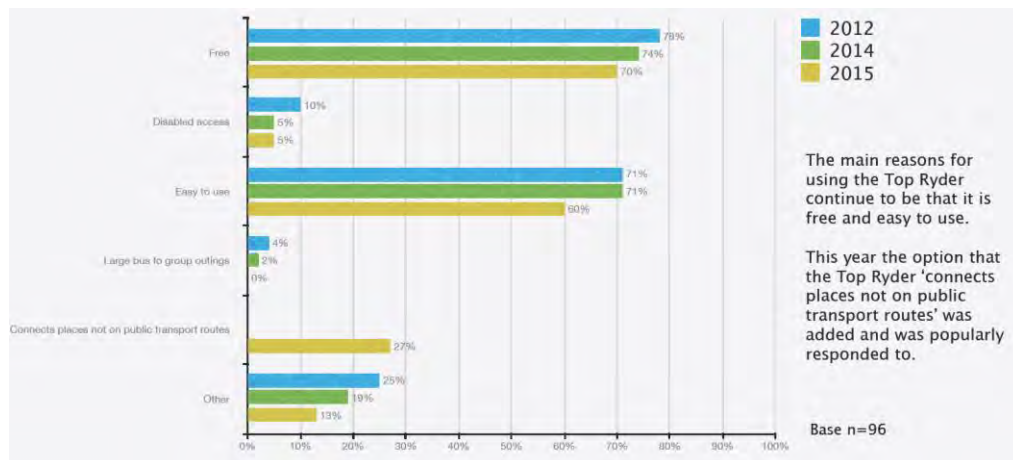
The most common modes of alternative transport used by respondents are state transit buses (54%) or walking (57%). However, should the service cease, 7% of respondents stated that they had no alternative modes of transport.



The main reason for using the Top Ryder service was to go shopping (94%), attend medical appointments (56%) and socialising and leisure (30%).

The main reasons for the popularity of the Top Ryder service was the fact that it's free (70%), it's easy to use (60%) and connects people not serviced by other existing public transport (27%).

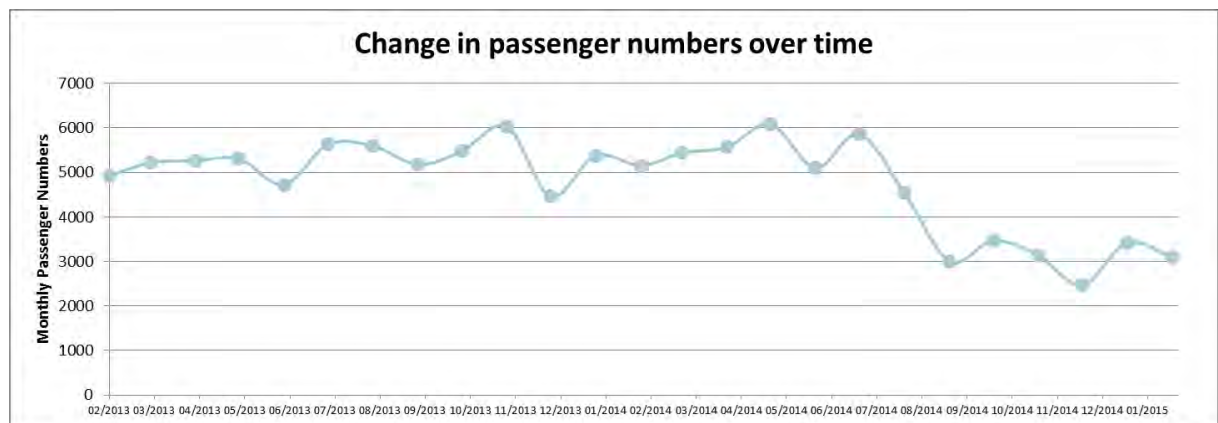
## ITEM 6 (continued)



## Passenger Numbers

The following table shows the change in passenger numbers over 2 years.

Passenger numbers over the past 2 years have decreased by an average of 41% per month since the reduced service was introduced in August 2014. Based on trends so far, the forecast annual passenger numbers for the reduced service will be around 38,000 for 2014/15.



**ITEM 6 (continued)****Discussion**Funding Opportunities*1. Advertising Funding*

The Council's Waste section see the importance of domestic waste management and minimization messaging to its local community and can fund full bus wrap advertising on both buses up to a maximum \$75,000 p/annum from the Domestic Waste Management Levy under for 2015/16 as part of their Advertising and Communication Plan.

*2. Section 94A funding*

The City of Ryde's S94A funding submission to the Department of Planning includes an item for funding Community Transport services. This funding could be used for either vehicle procurement or operational costs of a Community Bus service and would not require a nexus with development for a levy to be charged. Should Council's s94A funding submission be approved by the Minister, the S94A Business Case and S94A Plan forecast funding of \$3.2M for the Top Ryder Bus Service over ten years becoming available from new developments in the Ryde LGA. However, there is no certainty regarding the timing or approval of the s94A funding submission by the Minister.

*3. Customer Fare Option*

The issue of customers paying a fare or coin donation was explored.

In order to charge passengers a fare Council would be required to become an accredited community transport service or public passenger service under the regulatory requirements of the Passenger Transport Act 2014 (NSW) (Act) and associated regulations being developed. However, as only one service provider can be contracted for a service area under the Act (and there is an existing bus passenger service provider and Ryde HHCT will be the contracted community transport service provider for the Ryde area), the City of Ryde would not be able to charge passengers a fare for the Top Ryder (with the service run by Council and bus operation contracted out to a private operator as per Option A or B below).

From the 2015 Top Ryder Passenger survey, over 70% of passengers say they use the bus because it is free. Therefore, assuming that \$2 was charged per trip and that only around 30% of 38,000 passengers were willing to pay this amount, this would only raise around \$22,800 per year, which would not be enough for full cost recovery. It should be noted that even if Council were able to directly charge passengers a fare (which is not possible under the Act as discussed above) there would be significant costs associated with securely handling cash and administrative requirements, which would result in fare collection not being profitable for Council on a net basis.

## ITEM 6 (continued)

The only way that Council would be able to charge passengers a fare in the future is if the operation of the service was outsourced to Ryde HHCT under a potential partnership agreement (**ATTACHED – UNDER SEPARATE COVER - CONFIDENTIAL**). However, a fare could then only be charged in around 18 months time once Ryde HHCT becomes an accredited community transport service operator under the Passenger Transport Act 2014 (NSW) (Act) and associated regulations.

In summary it is only possible for Council to collect a fare if the service is outsourced to Ryde HHCT after they become an accredited community transport service operator in around 18 months time, however, it is estimated this would only raise around \$22,800 per year. For 2015/16 the bus would not be able to charge passengers a fare.

## Financial Implications

The following table of funding options is provided and Option A is recommended with provision to be made in the 2015/16 Operational Budget to fund the Top Ryder Community Bus Service as listed in the table below.

Option	Expenditure p/a indexed	Net External Funds p/a	Subsidy p/a indexed	Sale of Stock	Funding Source p/a indexed from 1 July 2015
Option A- Continue existing bus service for 4 days per week (and maintain ownership of buses)	\$150K (indexed)	\$32.5K	\$121.5K	\$0	\$32.5K net from external business arrangement \$46.5K from general revenue \$75K from Domestic Waste Management Reserve for advertising. Council retains ownership of stock – current market value \$80K
Option B- Continue existing bus service for 4 days per week (and sell existing buses/ outsource provision and maintenance of buses)	\$196K	\$17.5k	\$178.5K	\$80K	\$17.5k net from external business arrangement \$178.5k from general revenue \$80K – One-Off amount for sale of stock
Option C- Cancel service	-	-	-	\$80k	\$80K – One-Off amount for sale of stock

## Consultation with relevant external bodies

Meetings were held with potential sponsors (including local chambers of commerce and shopping centres along the bus route) in December 2014 at which a sponsorship package developed by Council staff (**ATTACHED**) was presented outlining various potential levels of sponsorship. Further details regarding the outcome of this consultation is provided in the External Funding Opportunities attachment (**ATTACHED – UNDER SEPARATE COVER - CONFIDENTIAL**).

**ITEM 6 (continued)**

Council has also held discussions with Ryde Hunters Hill Community Transport regarding potential options for partnering on the operation/funding of Top Ryder bus services. Further details are provided in the External Funding Opportunities attachment (**ATTACHED – UNDER SEPARATE COVER - CONFIDENTIAL**).

Council has also held discussions with Transport for NSW regarding the implications of the Passenger Transport Act 2014 (NSW) (Act) and associated draft regulations with regard to community transport and charging of fares. Transport for NSW are in the process of formulating a new fact sheet for the community transport accreditation, however, this is not expected for another 2 months. In the future, RMS will be the compliance body for all Passenger Transport services. Transport for NSW advised, interalia, that:

- *“Only services contracted to Transport for NSW to provide community transport services will be accredited under the new Passenger Transport Act to provide same.*
- *If you wished to charge a fare you would need to hold a contract to provide public bus passenger services in your area and there is an existing contract holder for your area.”*

**Options****Option A**

Continue existing bus service for 4 days per week (and maintain ownership of buses) voting the necessary funds listed under Funding Implications of this report. This is the preferred option.

**Option B**

Continue existing bus service for 4 days per week (and sell existing buses/ outsource provision and maintenance of buses) voting the necessary funds listed under Funding Implications of this report. This option is not considered as financially viable as the preferred option and would reduce future flexibility to explore other external funding opportunities (such as business arrangements) and use of buses for other Council activities.

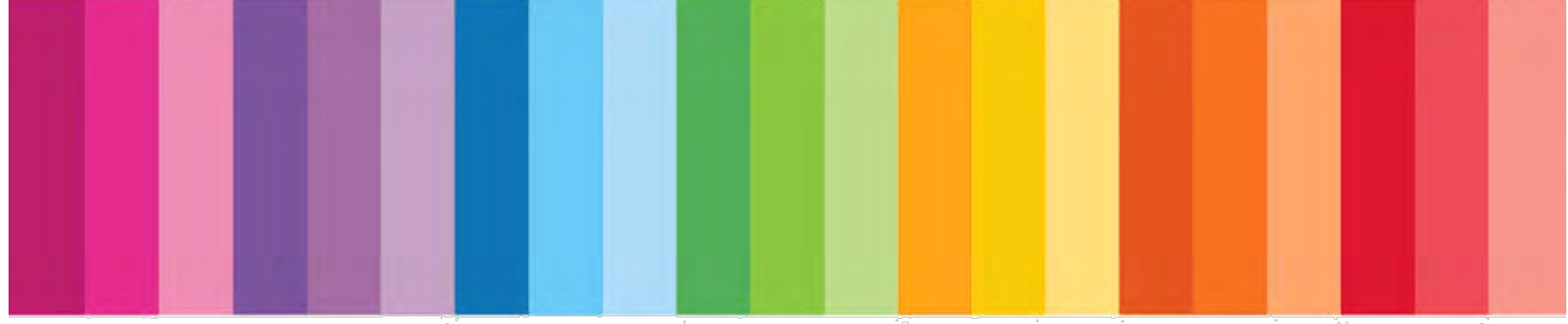
**Option C**

Cancel bus service and sell existing buses.



**ITEM 6 (continued)**

**ATTACHMENT 1**



# Top Ryder Bus Service Survey Results 2015





**ITEM 6 (continued)**

**ATTACHMENT 1**

## Background & Methodology

City of Ryde conducted a customer satisfaction survey from February to March 2015.

### Objectives

The main objectives of conducting this survey were:

- To analyse the feedback on recent timetable changes (reduction in the number of days).
- To understand the overall satisfaction level of users of the Top Ryder Bus service.
- To understand aspects of the service that can be potentially improved.
- To identify the service provider "I love Oz" are continuing to deliver on service agreements.
- To analyse the impact of termination of the bus service.
- To compare the results against those collected in November 2012 and May 2014 to identify any significant change in satisfaction levels, or usage.

### Methodology

Paper surveys were distributed on the bus to customers.

A sample size of n=99 provides an error margin of +/- 9.85%

Year	No. of Surveys printed	No. of surveys completed	Response Rate
2012	200	72	36%
2014	350	68	19%
2015	350	99	28%

**ITEM 6 (continued)**

**ATTACHMENT 1**

## Ratings Questions



A unipolar scale of 1 to 5, where 1 was the lowest satisfaction and 5 the highest satisfaction was used in all rating questions.

This scale allows for a mid range position for those who have a divided or neutral opinion.

1	Not at all satisfied
2	Not very satisfied
3	Somewhat satisfied
4	Satisfied
5	Very satisfied

### Mean Rating Explanation

1.99 or less	'Very low' level of satisfaction
2.00 – 2.49	'Low level' of satisfaction
2.50 – 2.99	'Moderately low' level of satisfaction
3.00 – 3.59	'Moderate' level of satisfaction
3.60 – 3.89	'Moderately high' level of satisfaction
3.90 – 4.19	'High' level of satisfaction
4.20 – 4.49	'Very high' level of satisfaction
4.50+	'Extremely high' level of satisfaction

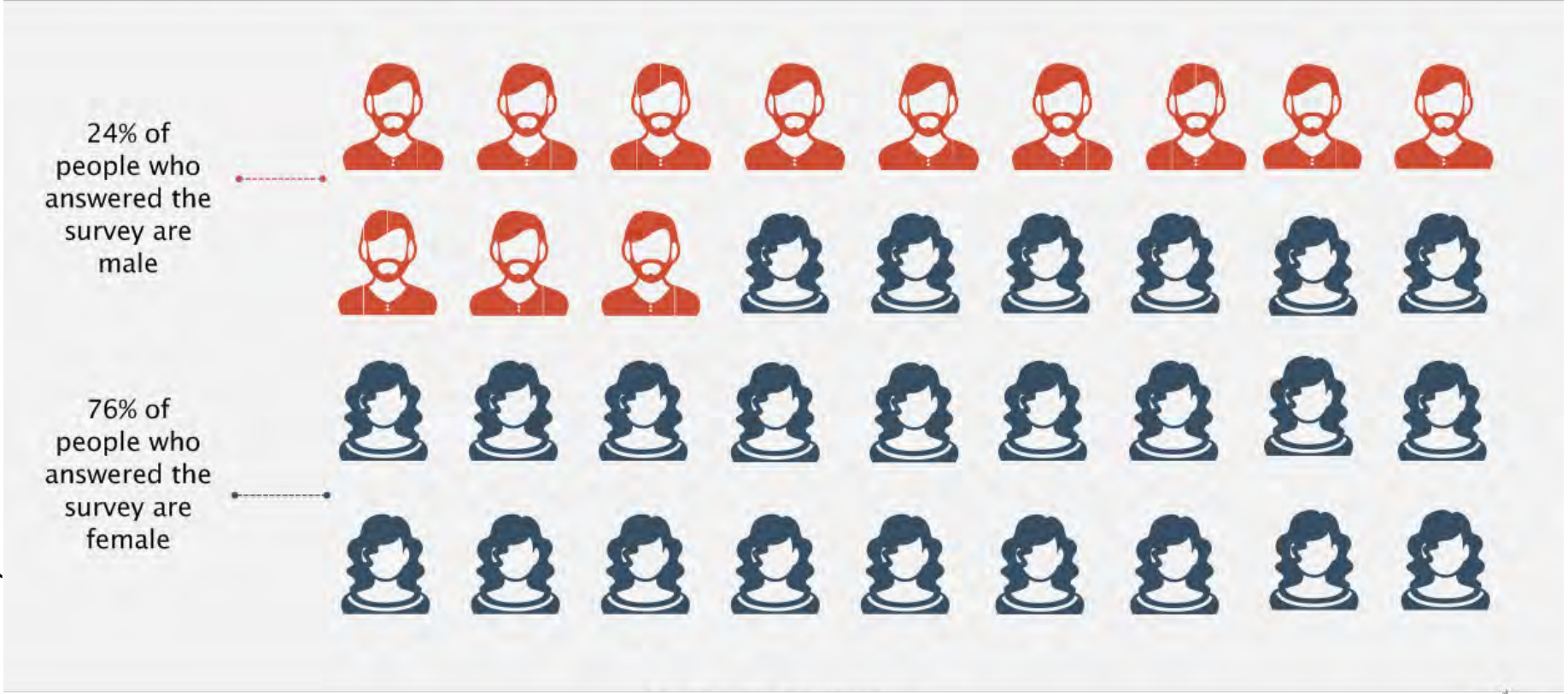
City of Ryde – 2015 Top Ryder Survey

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ITEM 6 (continued)

ATTACHMENT 1

## Sample Summary – Gender



City of Ryde – Top Ryder 2015 Survey

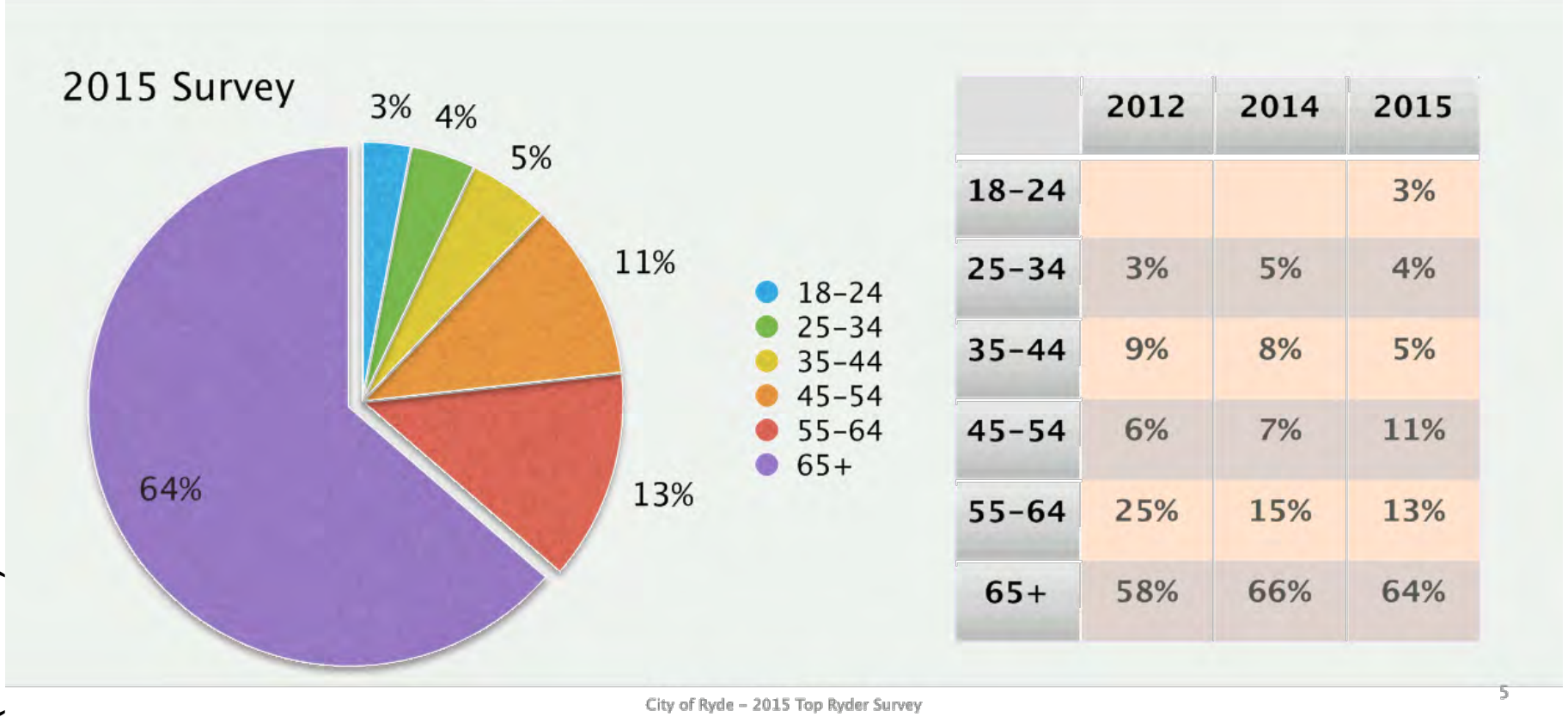
4



**ITEM 6 (continued)**

**ATTACHMENT 1**

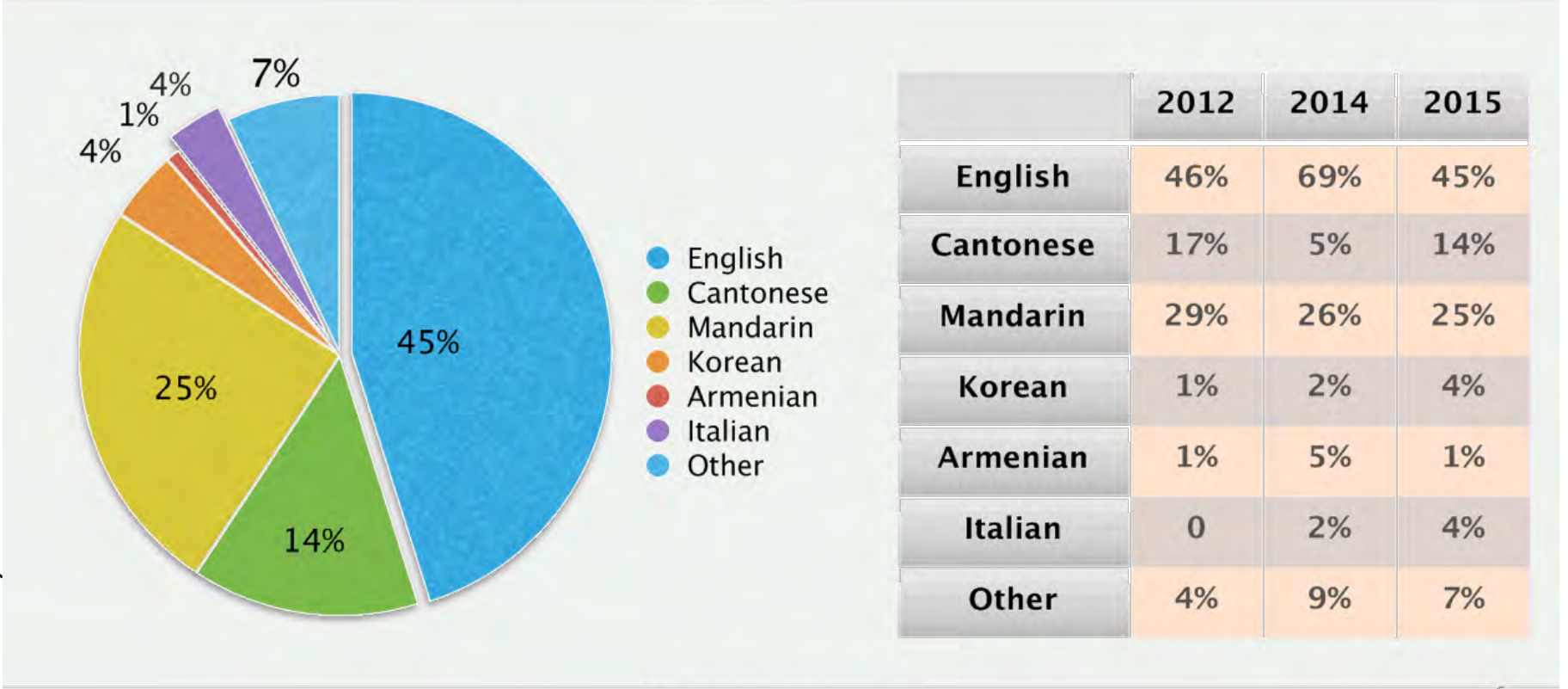
## Sample Summary – Age



**ITEM 6 (continued)**

**ATTACHMENT 1**

## Sample Summary – Main Language



City of Ryde – 2015 Top Ryder Survey

6

**ITEM 6 (continued)**

**ATTACHMENT 1**

## Sample Summary – Concession Cards & Language of forms returned



Concession Cards	2012	2014	2015
Pensioner Concession	44%	60%	47%
Student Transport Concession			2%
Seniors Card	51%	2%	48%
Health Care Card	21%	55%	16%
None of these	25%	23%	20
Other	1%	15%	

Language of Forms Used	2012	2014	2015
English	65%	74%	82%
Simplified Chinese	14%	16%	11%
Traditional Chinese	21%	10%	7%

City of Ryde – 2015 Top Ryder Survey

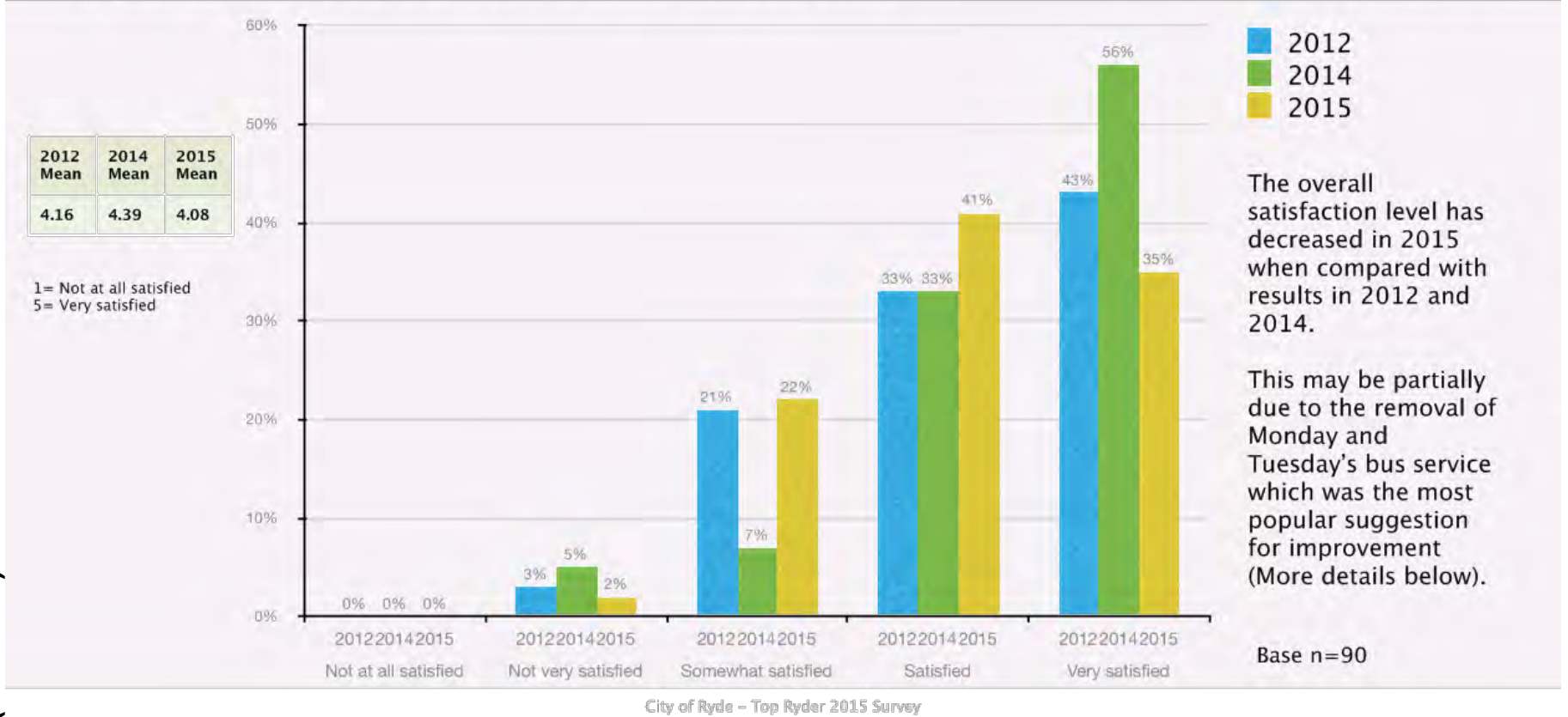


ITEM 6 (continued)

ATTACHMENT 1

## Overall Satisfaction

In general, how would you rate satisfaction with the service?

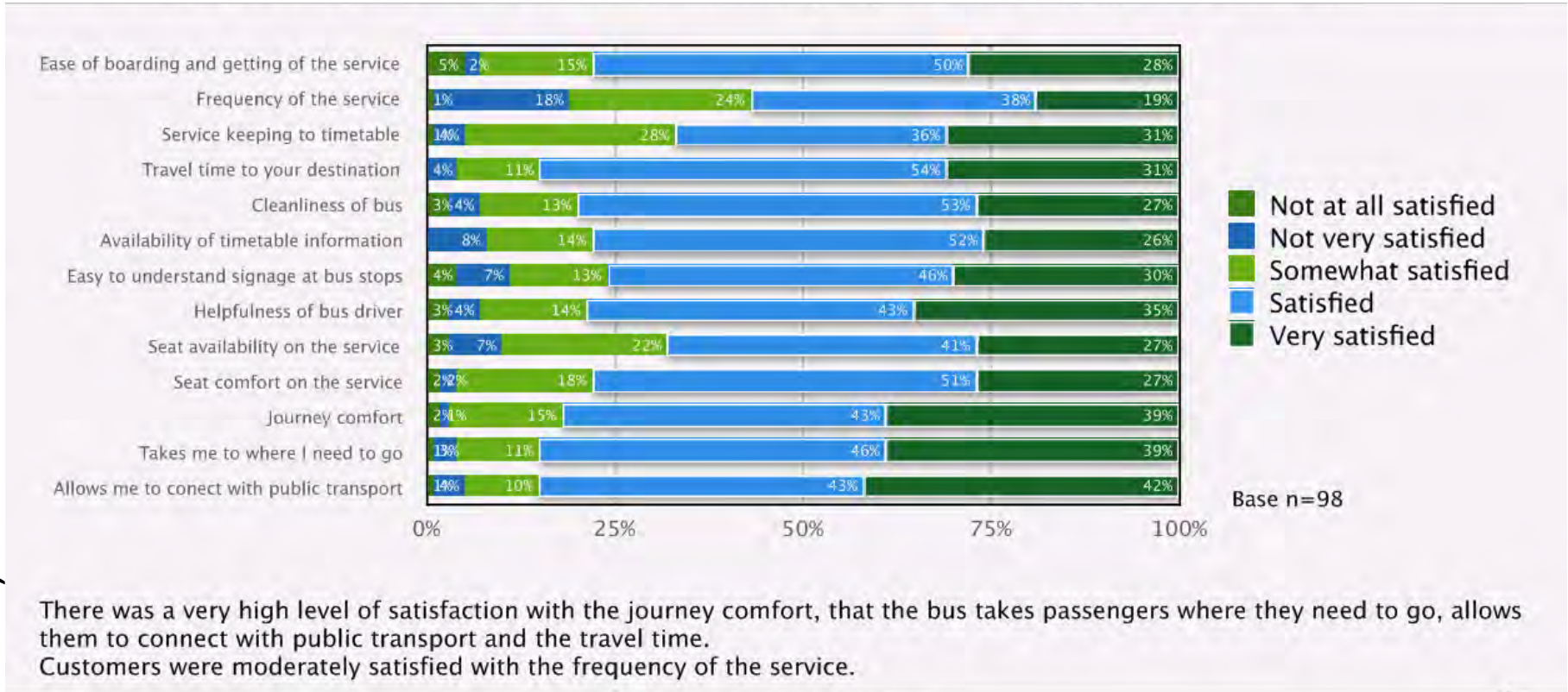


ITEM 6 (continued)

ATTACHMENT 1

## Satisfaction with Service Aspects

How would you rate your satisfaction with the following aspects of the Top Ryder Bus service?



City of Ryde - Top Ryder 2015 Survey

ITEM 6 (continued)

ATTACHMENT 1

## Satisfaction with Service Aspects



	Not at all satisfied	Not very satisfied	Somewhat satisfied	Satisfied	Very satisfied	Mean 2012	Mean 2014	Mean 2015
Ease of boarding and getting off the service	5%	2%	15%	50%	28%	4.00	4.22	3.93
Frequency of the service	1%	18%	24%	38%	19%	3.48	3.88	3.56
Service keeping to timetable	1%	4%	28%	36%	31%	3.63	4.06	3.93
Travel time to destination	0%	4%	11%	54%	31%	4.09	4.27	4.11
Cleanliness of bus	3%	4%	13%	53%	27%	4.19	3.97	3.97
Availability of timetable information	0%	8%	14%	52%	26%	4.04	4.13	3.97
Easy to understand signage at bus stops	4%	7%	13%	46%	30%	3.90	4.12	3.91
Helpfulness of bus driver	3%	4%	14%	43%	35%	4.23	4.38	4.02
Seat availability on the service	3%	7%	22%	41%	27%	3.47	3.56	3.81
Seat comfort on the service	2%	2%	18%	51%	27%	4.07	4.06	3.99
Journey comfort (smoothness of ride)	2%	1%	15%	43%	39%	4.04	4.09	4.15
Takes me to where I need to go	1%	3%	11%	46%	39%	4.23	4.30	4.19
Allows me to connect with public transport	1%	5%	10%	43%	42%	4.10	4.29	4.19

Base n=98

1 = Not at all satisfied  
5 = Very satisfied

Higher satisfaction than 2014

There has been improvement in satisfaction with the seat availability on the service and the journey comfort since 2014. However there are decreases in satisfaction levels with other aspects particularly the ease of boarding and getting off the service, the frequency of the service and the helpfulness of the bus driver.

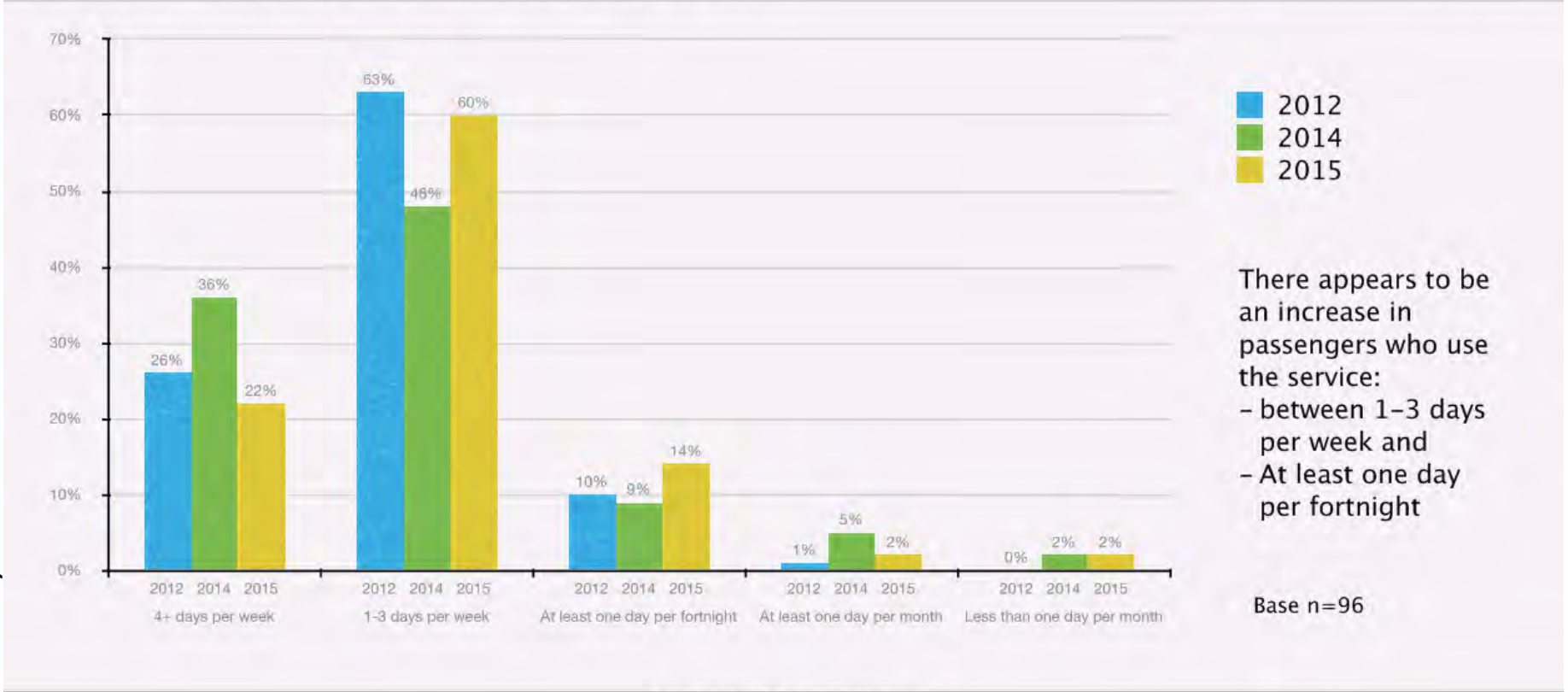


**ITEM 6 (continued)**

**ATTACHMENT 1**

## Usage Frequency

How frequently do you use the Top Ryder Bus service?



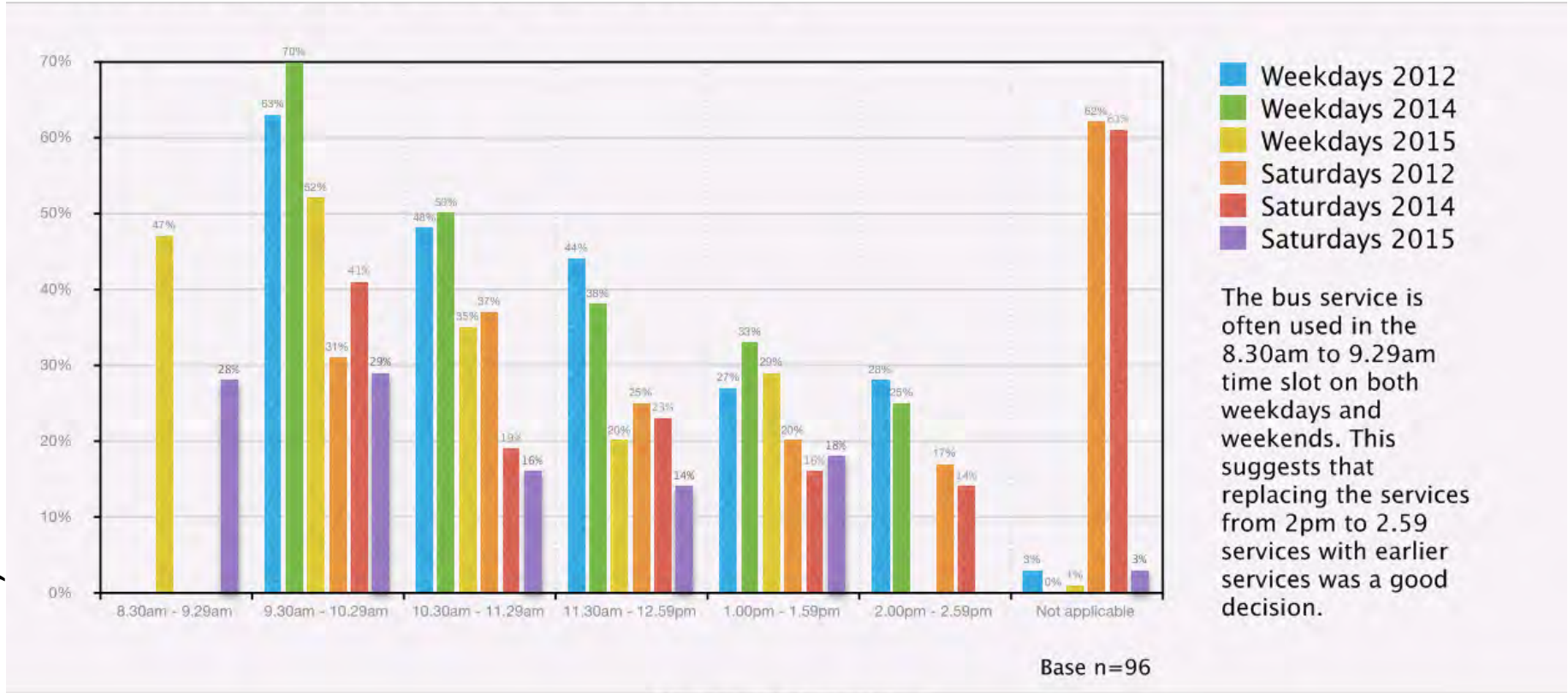
City of Ryde - Top Ryder 2015 Survey

**ITEM 6 (continued)**

**ATTACHMENT 1**

## Service Times

What times of day do you usually use the bus service?



City of Ryde - Top Ryder 2015 Survey

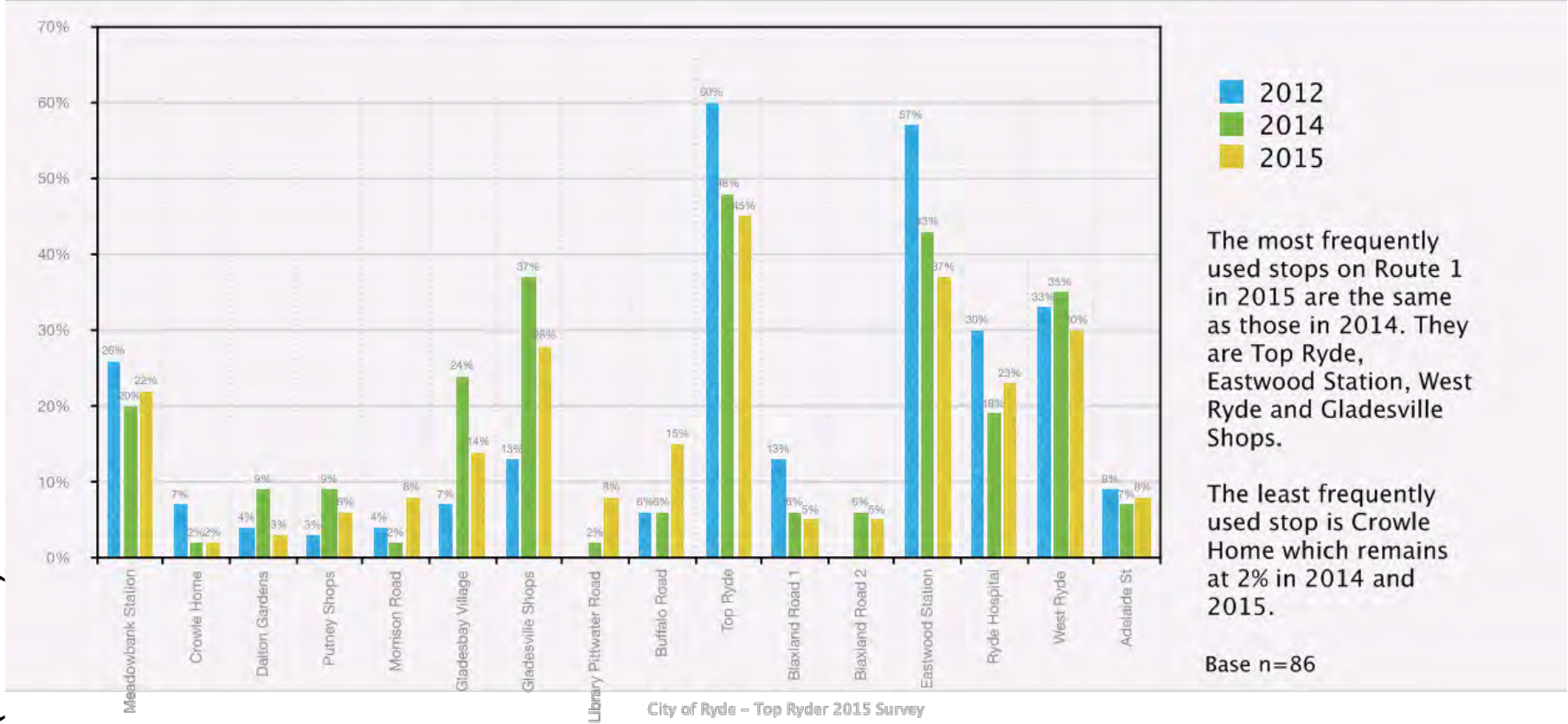
The bus service is often used in the 8.30am to 9.29am time slot on both weekdays and weekends. This suggests that replacing the services from 2pm to 2.59 services with earlier services was a good decision.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## Regularly Used Bus Stops – Route 1

Route 1 – Regularly used bus stops



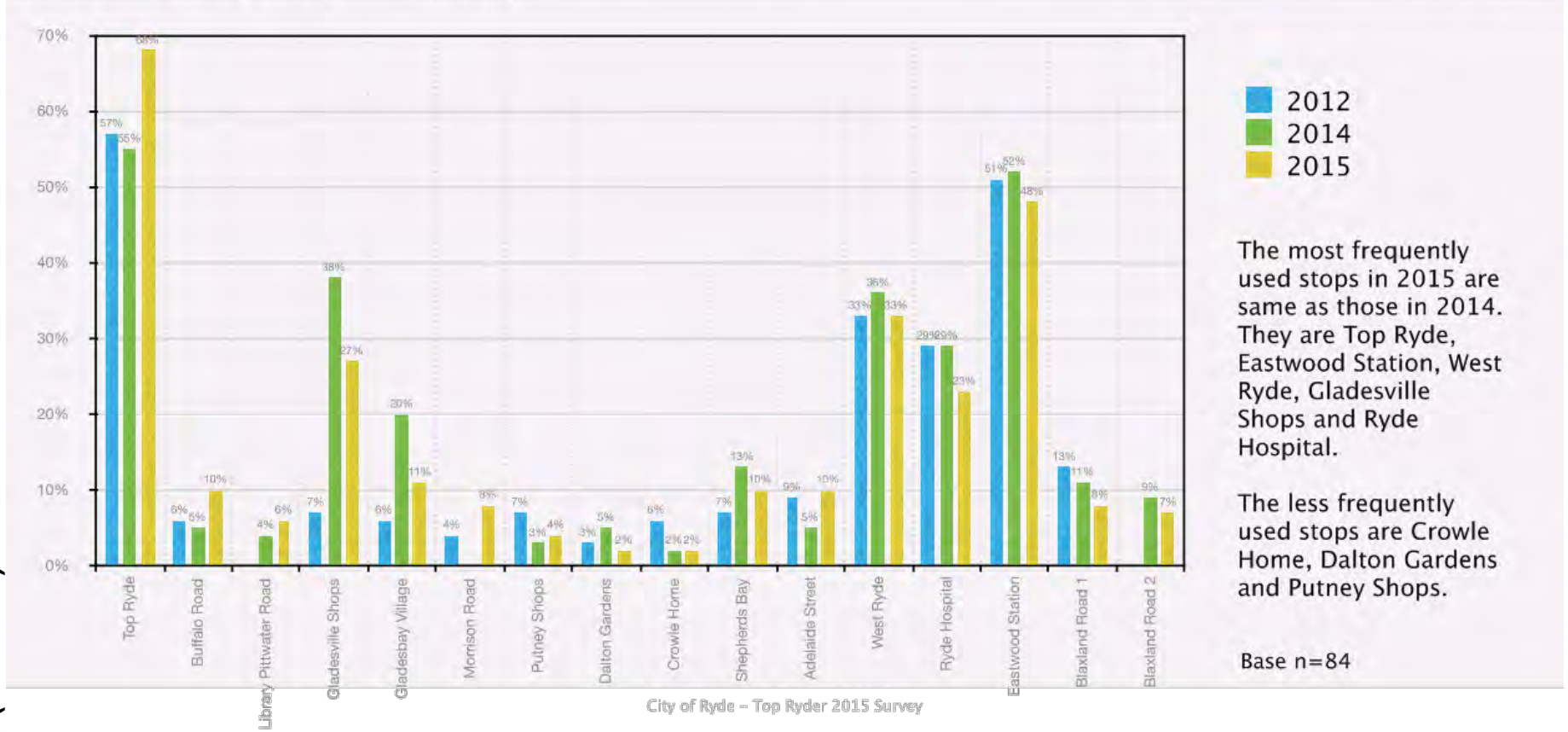


ITEM 6 (continued)

ATTACHMENT 1

## Regularly Used Bus Stops – Route 2

### Route 2 – Regularly used bus stops

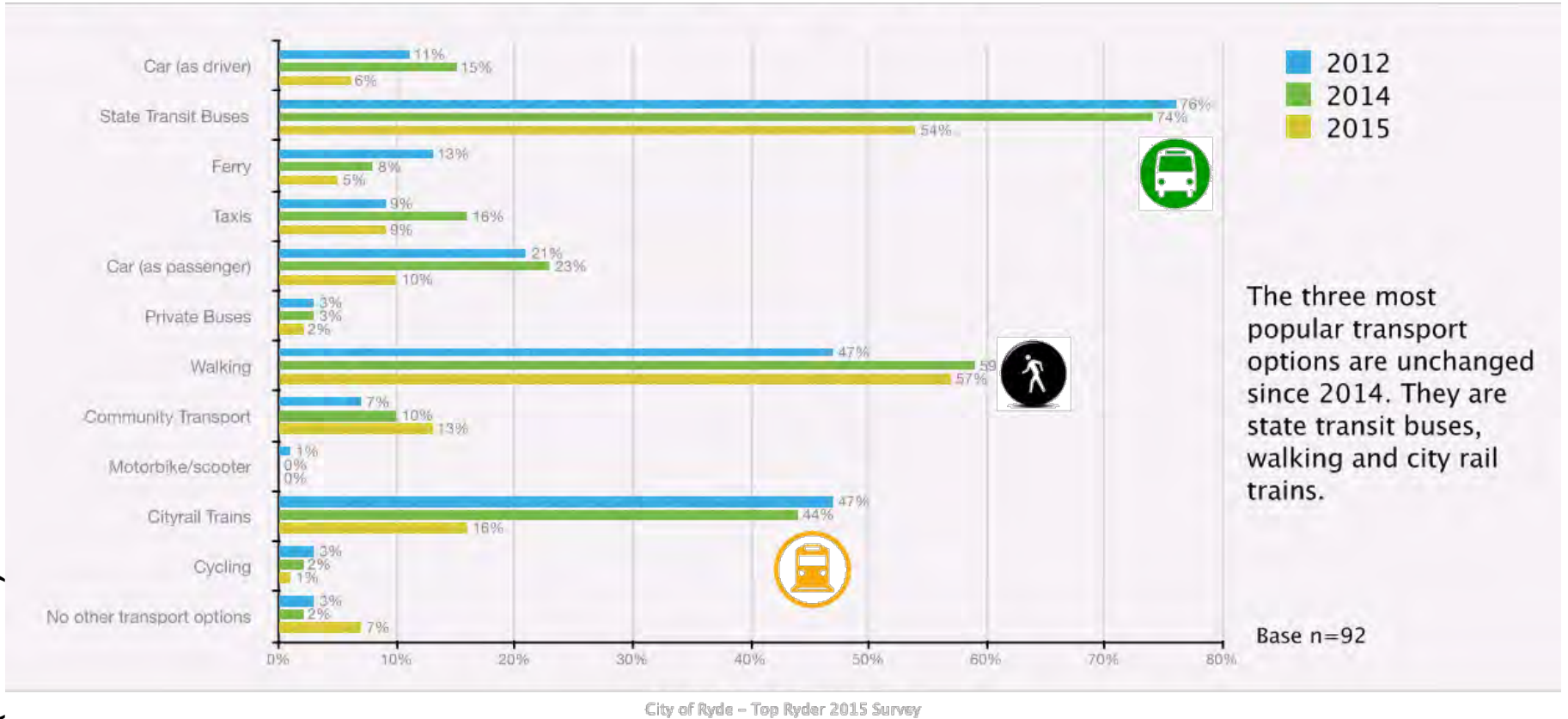


ITEM 6 (continued)

ATTACHMENT 1

## Other Transport Methods Used

Which other transport options do you use apart from the Top Ryder?

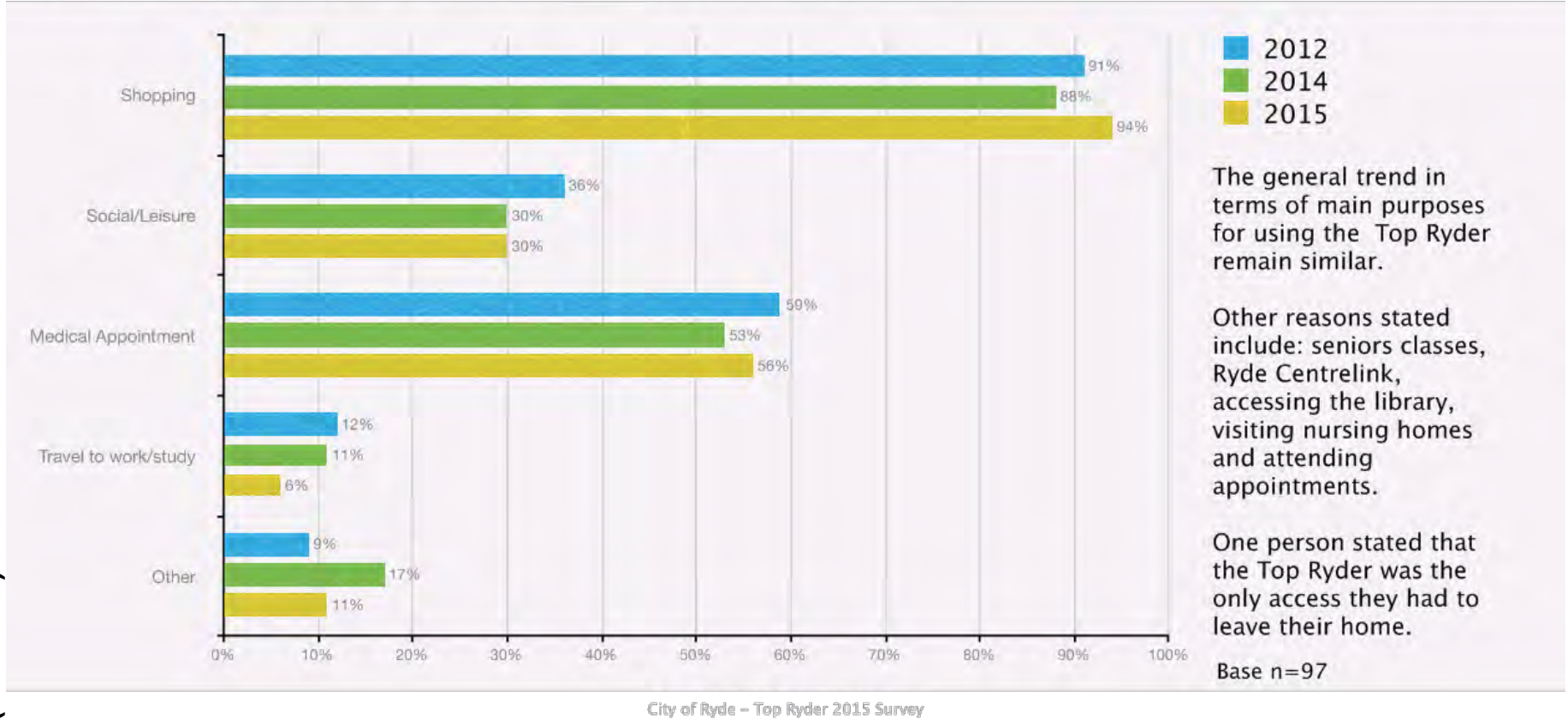


**ITEM 6 (continued)**

**ATTACHMENT 1**

## Purposes for using the Top Ryder

For what purpose do you use the Top Ryder. Select all that apply.

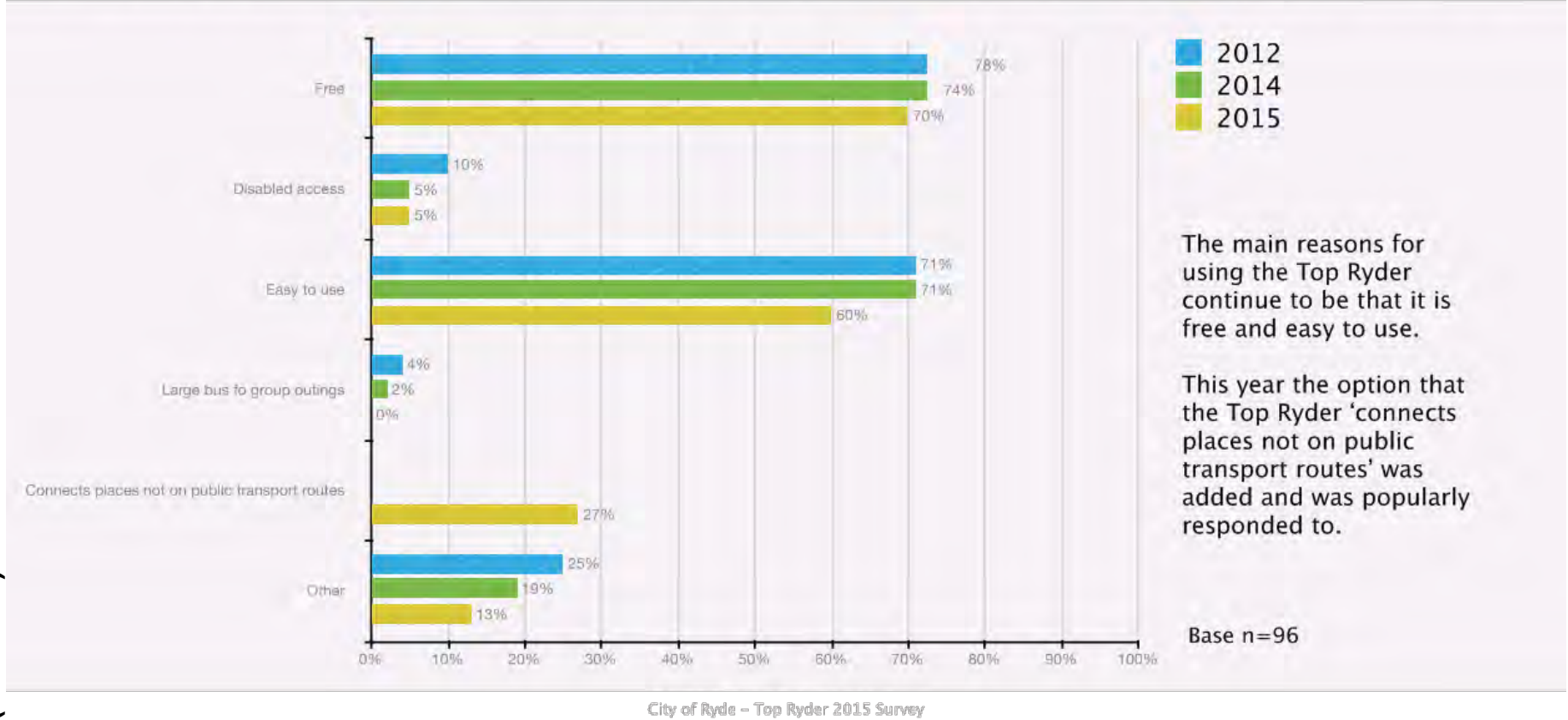


**ITEM 6 (continued)**

**ATTACHMENT 1**

## Reasons for using the Top Ryder instead of other transport options

What are some of the reasons why you use the Top Ryder instead of other transport options?



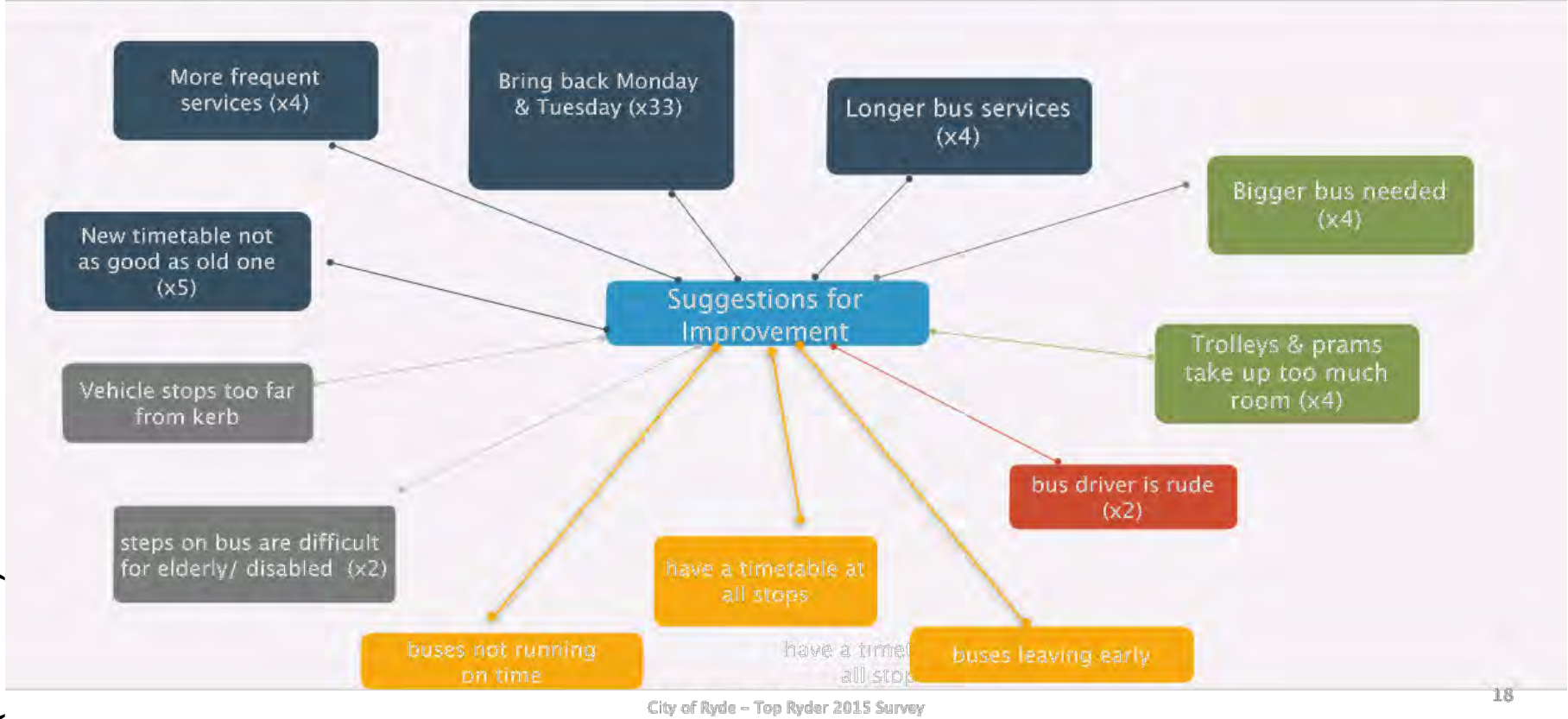


ITEM 6 (continued)

ATTACHMENT 1

## Main suggestions for improvement

The number in bracket represents the number of people who made the comments.



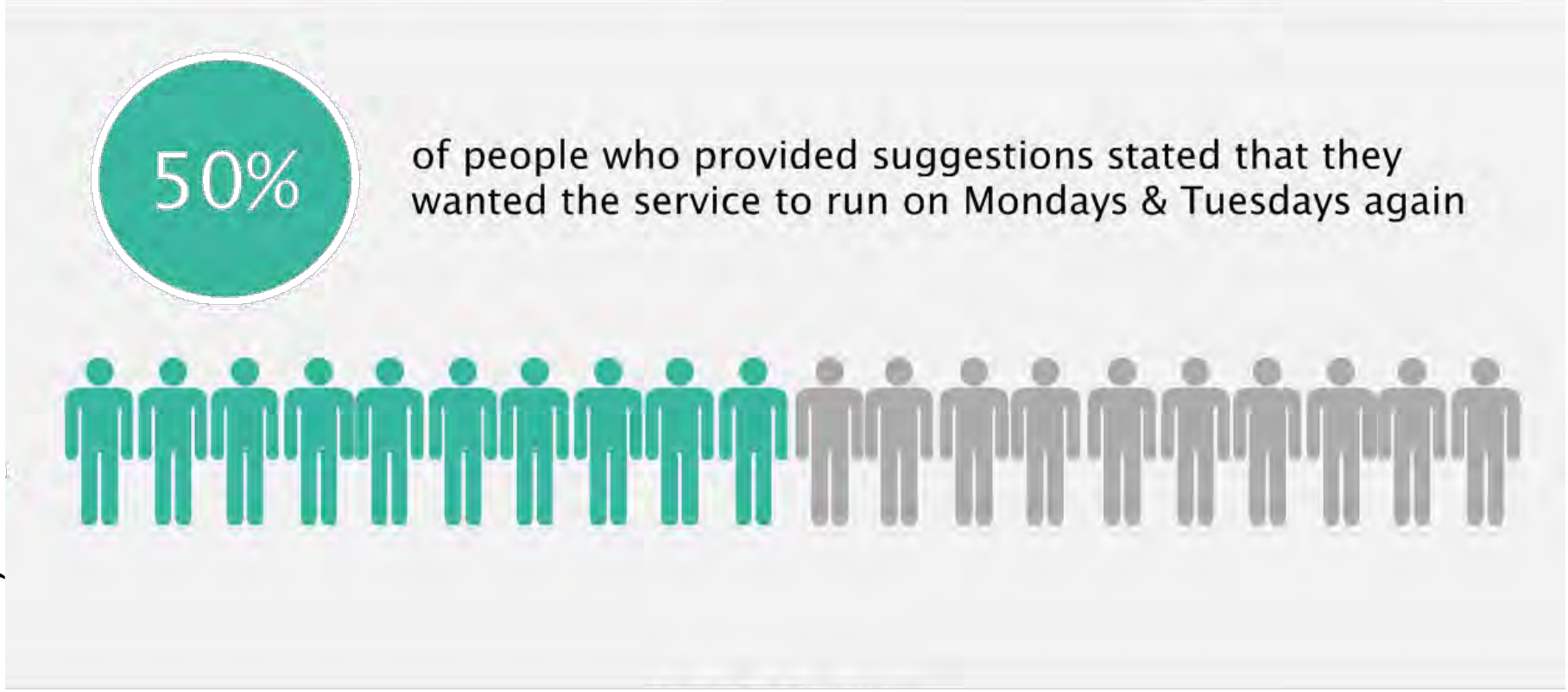


**ITEM 6 (continued)**

**ATTACHMENT 1**

## Suggestions for improvement

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City of Ryde - Top Ryder 2015 Survey

**ITEM 6 (continued)**

**ATTACHMENT 1**

## Suggestions for Improvement (Verbatim)



I'd be very happy if the service ran on Mondays and Tuesdays again.
I need to use the bus on Monday & Tuesday for shopping & DRs appointments. Could you please reinstate the bus 6 days a week.
Bring back Monday & Tuesday on timetable.
Not satisfied with the bus not operating on Mondays and Tuesdays. Bus should have step extension on lower step for the elderly passengers.
Bigger bus needed. Not enough room when people have shopping trolleys.
About the frequency of service: when Mondays & Tuesdays were included & having services longer than 2 pm would help me to use the bus.
I am sick. I cannot walk long. I like close to Buffalo Rd and I need to going to the Dr Ryde & Concorde.
People with full shopping trolleys should not sit at the front of the bus.
Very satisfied. I only miss the bus on Mondays & Tuesdays.
Timetable . Need new ones at Gladesville.
Monday and Tuesday back?
Dissatisfied there are NO BUSES on Mondays & Tuesdays.
1 hour extra bus service in afternoon, stranded at location in afternoon & need train to get home.
Last bus too crowded sometimes.
Morning bus is full mostly.
Why you cut Mondays and Tuesdays ? Regarding this (M-Thu) God bless you.
No Monday, Tuesday?
Cutting out the Monday and Tuesday services and retaining the Saturday service was very inconvenient for me. I hope the Council will change and bring back those services. I also feel that trolleys should be banned as the bus aisles are too narrow to accommodate them.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## Suggestions for Improvement (Verbatim)



1. Have a timetable at all the bus stops. 2. Often missed bus as frequently leaves Meadowbank before listed time when heading towards Gladesville. 3. Bus driver expected to rush to keep to timetable.

Go back to offering the service on a Monday and Tuesday.

Not happy with large full trolleys in narrow aisles nor large bags of rice on seats as as a result one has to walk to the back because there is no seats available near the front. Ankle bones get knocked if one is getting out in Adelaide St and not Meadowbank.

We need to have Monday and Tuesday again please.

Buses are too old and space between seats is tiny - it's really hard to board if youi have backpack or shopping bag on wheels. Routes are too long - if you need to go from Meadowbank Station to Top Ryde it takes 1/2 hour and it is only 2 km if you go directly. Smoothness needs to be improved - I falled off from the seat during fast turn. Timetable is not convenient and had really long gaps. Only one route has Shephards Bay shopping. BTW Parramatta shuttle bus runs eavery 10 minutes, seven days a week from 7 am to 6:30 pm. It's really great and convenient to all! Hope Top Ryder one day become more frequent and will work longer.

We need to have Monday and Tuesday please.

The new timetable is not as good as the old one.

Impossible to get all things we do without Monday an Tuesday buses. Inconvenient. 2. New timetable almost illegible as frame leaks. Routes reversed on some stops.

Disappointed Monday and Tuesday have been cancelled.

I suggest that the service run on: Tuesday, Wednesday, Friday and Saturday, so that there are only at most two consecutive no service days rather than the current three.

Vehicle sometimes stops too far from the kerb. It will be appreciated if the Top Ryder can stop at Cnr Charles & Phillip Road as before.

Bus leaving early from bus stop.

I have some advices. Can you change the timetable. Maybe every thirt minutes rather than one hour.



ITEM 6 (continued)

ATTACHMENT 1

## Suggestions for Improvement (Verbatim)



I prefer bus times and 6 days as before. I find Peter Kiwi most helpful and communicative. I don't understand why he is on duty only 2 days. He should be on full four days. He is very caring and kind.

Bus drivers must lower the steps for passengers to embark/disembark as majority of them are elderly. One of the drivers has his radio tuned a very high with classical music which drowns the sound of the stop bell & he is rude when the bell is rung again to stop.

I think it is a good service but I miss it not running on Monday and Tuesday.

The signage at the West Ryde stop is too high and the plastic is always covered in beads of moisture.

I would like to start by saying that the fact that a bus is provided is very much appreciated & I know older residents would be very upset if it was discontinued.

- Steps on bus very difficult for elderly or disabled.
- No room for walkers or folding wheelchairs
- Used a lot in the mornings by commuters & Shoppers going to eastwood Chinese grocer shops. All able bodied. Leaves no room for elderly who have given up trying to catch earlier buses.
- Not pulling into shops at Gladesbury Gardens. Stops over the road where there is not a seat. Existing stop in full sun with no shelter.
- Drivers turn around at top of road if they do not see anyone waiting over the road, as a result if someone is waiting on the seat at the stop they miss the bus.

Summary: The Top Ryder bus service is a great idea. If however it is intended for the main use of the elderly & the infirm then it is not meeting their needs. When I did take mum on the bus I reserved a wheelchair at the shopping centre. This was still a problem as the bus stops a long way from the centre and you are not allowed to take the wheelchair out of the centre. Regards Jean Jones gabriellejjones@hotmail.com

Yes - Mon-Wed back. I can only go to my medical appointments then.

Had to get to library to get internet access to read timetable! The walk!! I have only used it a few times as a visitor. But even from the website I couldn't tell where it would stop, or if it would stop, between the main stop so was hesitant at first to use it until I had spoken to a driver on a return trip, rather than wait at a two trip. Couldn't find anywhere at Top Ryde Shopping Centre to ask questions. Thought it stopped too early to use if having a luncheon date. A 2 pm time would be better than 1 pm for last bus.

It is very good and considered service. Especially for the elderly people.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## Suggestions for Improvement (Verbatim)



I would love the bus timetable to revert back to Mon - Wed. not very convenient (Thu - Sat)
Monday & Tuesday please
No pram on the bus as not big enough and no trolley as this takes too much room and should run 6 days week.
For me it is really helpful when I have appointments to Ryde Hospital as it saves me changing buses to get there and back.
Although I appreciate this is a free service, but there are no buses on Mon & Tue is very inconvenient. It is like telling people not to go out Mon & Tue. Suggest re-arrange the days during the week days. The timetable at Eastwood Station (Yellow & Blue Bus) are put in the wrong box. It should have been the other way around.
I noticed service was reduced last year. It would help if you could resume Mon & Tuesdays. Thank you and all the business firms involved for this transport service.
1. Suggest service time: 9 am - 5pm. 2. Route 2 include (restore) Meadowbank Station so it connects with the train service. 3. Suggest to travel via Lovell Rd 4. Change to a bigger bus to have more seats
Increase the days of the service, even just for a half day in the morning.
The tall guy is rude. He ignores our greetings and has no response. He is rude to Chinese people. When I say "good bye" to him when I get off, he ignores me. He is especially rude to elderly Chinese people. I don't know his name.
The list above should include one more item that says "comment on bus driver's manner".
Ideally, the bus should run from Monday to Saturday.



**ITEM 6 (continued)**

**ATTACHMENT 1**

## Suggestions for Improvement (Verbatim)



No bus service on Monday and Tuesday , which is very inconvenient. Is it possible to change the bus schedule to Mon, Wed, Fri and Sat?

All very good.

Recently, Route 2 (from Top Ryde àEastwood ) takes almost 50 min to come back. Has the route been changed? It's very inconvenient.

Eastwood Stop: the yellow sign and the blue sign are incorrect.

Top Ryde Stop: the yellow stop and blue stop can be combined.

It would be even better if Macquarie Centre is included. It would help the elderly people a lot. Thank you!

Would like to have a 6 day service, i.e. Mon - Sat, and an additional run each day.

Ask for a 7day service, and also extend the service for another 1-2 hours.

Can we have the bus timetable extended a bit longer in the afternoon?

Resume 6 day service from Monday to Saturday.

Not enough bus services. Suggest to have bus service from Monday to Saturday and extend 1 to 2 hours each day.

1. In the current timetable, the first bus starts too early (8.30am). Some of the shops are not even open yet. Often when I get to the bus stop, the bus has gone. The last bus finishes too soon. It has left when I finished seeing my doctor. Actually, the previous timetable is better. It benefits the residents, especially those older, frailer and disabled people.

2. I don't know why Monday and Tuesday bus services were cancelled not long ago. No bus in three consecutive days is really inconvenient. Can we stop the service on Sunday and keep Tuesday as it is so we don't bus service for these two days? Instead, we have Monday bus service. This will change our perception that we have half of a week with bus services and another half without.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## Suggestions for Improvement (Verbatim)



The Korean driver is very nice. He/she drives smoothly and slows down when turning. The Chinese driver is the opposite. The Western driver is alright.

Current Top Ryder only runs from Wednesday to Saturday. I suggest expending it from Monday to Saturday.

I wish the last bus can be extended to one hour later.

Please arrive on time.

Wish to have more scheduled runs.

More scheduled runs

I wish Monday and Tuesday services continues if possible.

**ITEM 6 (continued)**

**ATTACHMENT 1**

## Key Results Summary



- Overall satisfaction levels have decreased in 2015 compared with 2012 and 2014. Part of this reason may be explained by the removal of bus services operating on Monday and Tuesday.
- Satisfaction with journey comfort and seat availability have improved since 2014. However satisfaction with other elements have decreased.
- Usage frequency appears to have increased for those who use the service 1–3 days per week and once per fortnight.
- The bus service is often used in the 8.30am to 9.29am time slot on both weekdays and weekends. This suggests that replacing the services from 2pm to 2.59 services with earlier services was a good decision.
- The most frequently used stops on Routes 1 and 2 in 2015 are the same as those in 2014 and 2015.
- The main reasons for using the service continue to be that it is free and easy to use.
- 50% of people who provided suggestions asked for the return of bus services operating on Mondays and Tuesdays.
- Other common suggestions include: more frequent bus services, longer bus services and a request for bigger buses.
- Some people commented on the use of prams and trolleys inside the bus and the poor conduct of the bus driver.
- Frequency of service rated lowest in satisfaction compared with all service aspects



**ITEM 6 (continued)**

**ATTACHMENT 2**



# SHOP RYDER SPONSORSHIP OPPORTUNITY

 City of Ryde  
Lifestyle and opportunity  
@ your doorstep

## ITEM 6 (continued)

## ATTACHMENT 2



# WHAT IS THE SHOP RYDER?

The Shop Ryder is a free bus service within the City of Ryde. The City of Ryde established this service to help improve traffic flow by encouraging residents to leave the car at home and use public transport for local trips. It also aims to promote our town centres and enable our residents to commute to local businesses and shopping centres.

# WHO TRAVELS ON THE SHOP RYDER?





**ITEM 6 (continued)**

**ATTACHMENT 2**

## WHY SHOULD YOU SUPPORT THE SHOP RYDER?



more than

**45,000**

passengers each year



Exposure to more than

**80,000**

cars every day



Access to

**108,000**

residents through Council Communications



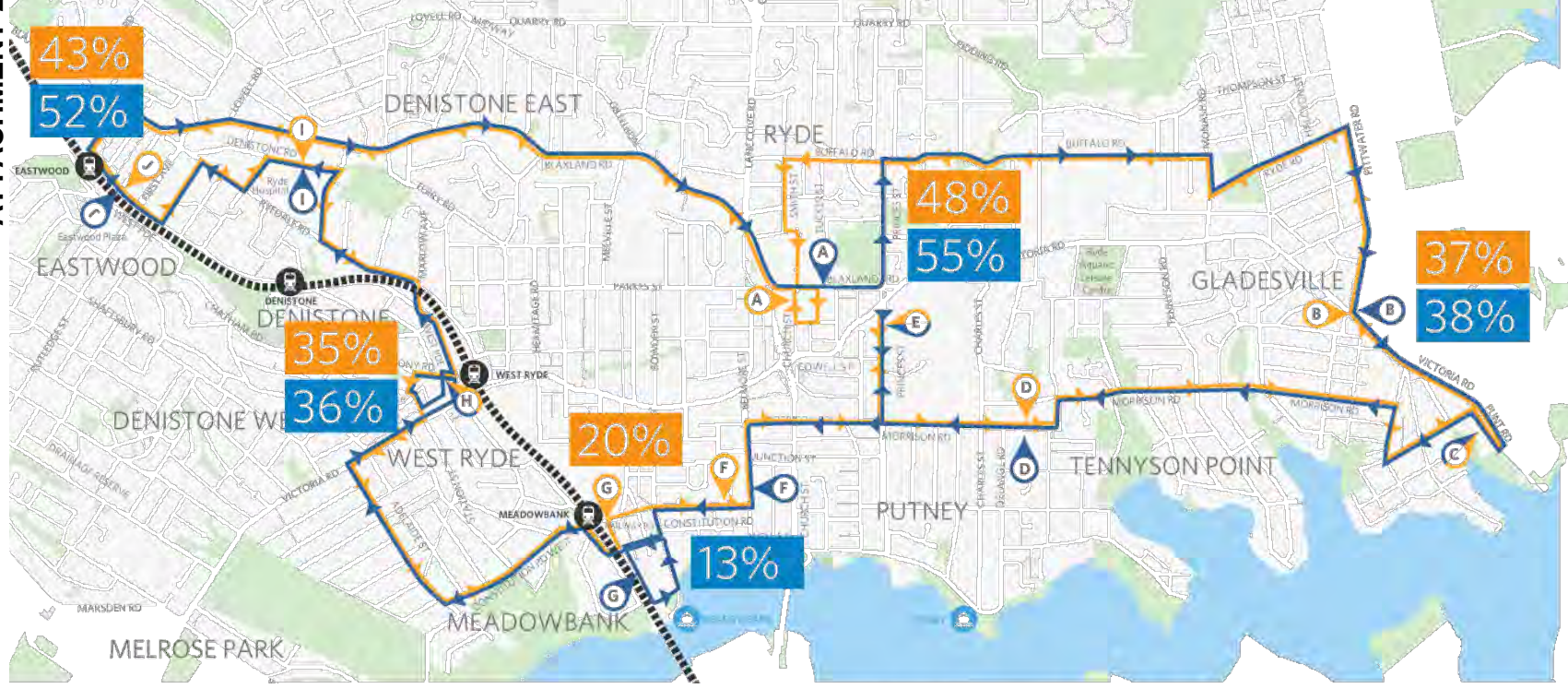
As a Platinum Sponsor receive

**\$120,000**

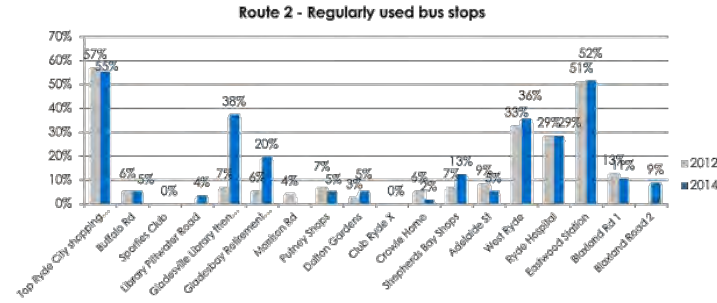
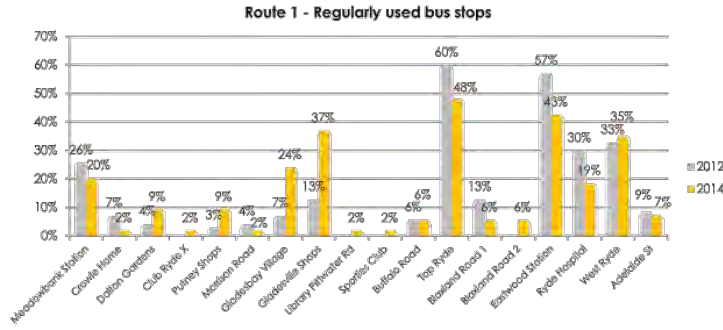
Advertising value

**ITEM 6 (continued)**

**ATTACHMENT 2**



# WHAT ARE THE MOST FREQUENTLY USED STOPS?



**ITEM 6 (continued)**

**ATTACHMENT 2**

## WHAT THE BUS BRINGS TO YOUR BUSINESS

45,000 passengers are transported throughout the City of Ryde each year

<b>38%</b> = 17,100	<b>36%</b> = 16,200	<b>52%</b> = 23,400	<b>55%</b> = 24,750
17,100 PASSENGERS STOP AT <b>GLADESVILLE</b>	16,200 PASSENGERS STOP AT <b>WEST RYDE</b>	23,450 PASSENGERS STOP AT <b>EASTWOOD</b>	24,750 PASSENGERS STOP AT <b>TOP RYDE</b>

If each passenger **spent \$10 on each visit** to the town centre

<b>=</b>	<b>=</b>	<b>=</b>	<b>=</b>
<b>\$171,000</b>	<b>\$162,000</b>	<b>\$234,500</b>	<b>\$247,500</b>
			
<b>OR 5,700*</b>	<b>OR 5,400*</b>	<b>OR 7,800*</b>	<b>OR 8,250*</b>
<b>LESS CARS</b>	<b>LESS CARS</b>	<b>LESS CARS</b>	<b>LESS CARS</b>

\*Calculation = If one third of the passengers took a car instead to the town centre.



**ITEM 6 (continued)**

**ATTACHMENT 2**



**ITEM 6 (continued)**

**ATTACHMENT 2**

PLATINUM			
OPPORTUNITY	DESCRIPTION	REACH	VALUE
<b>PLATINUM SPONSOR \$40,000 (ONLY 2 AVAILABLE)</b>			
<b>OUTDOOR ADVERTISING</b>			
Full Vehicle Wrap Advertising	1 x Vehicle Wrap - Equivalent Advertising on a one Sydney Bus for a year would cost approx \$45,000	80,000 daily	\$45,000
Bus Shelter Advertising	2 x Sydney Locations for 2 weeks	up to 80,000 daily	\$1,680
Street Banners	24 x Street Banners for 4 weeks (\$110 each, \$50 ad-rate each x 4 weeks, + \$1,000 install & remove)	up to 80,000 daily	\$8,440
Bus Stops Signage	18 x Bus Stops	45,000 passengers	\$1,800
In-bus promotions	Include your Promotion Flyer on the bus	45,000 passengers	\$0
<b>PRINT ADVERTISING</b>			
Half page press advertisement	1 x Feature Logo inclusion in the tear-out press advertisement	58,000 residents	\$3,000
Flyer Insert into Rates Notice	1 x Feature Logo inclusion in the City of Ryde Rates Notice	34,000 households	\$3,000
Shop Ryder Timetable Brochure	1 x Feature Logo inclusion on the Shop Ryder brochure	3,000 brochures	\$3,000.00
<b>DIGITAL ADVERTISING</b>			
Plasma Screens	8 x Advert on digital screens at Ryde, West Ryde, Gladesville, North Ryde, and Eastwood libraries, Ryde Aquatic Centre and Planning and Business Centre Top Ryde (\$140 per screen per week x 8 locations x 52 weeks)	1.5 million visitors annually	\$58,240
City of Ryde Website	1 x Feature Logo inclusion on the website	2,500 daily visits	\$2,000
City of Ryde eNews	1 x Feature Story in the Your City News electronic newsletter for residents	1,600 recipients	\$200
City of Ryde Business Website	1 x Feature Story on the business website	300 daily visits	\$1,500
City of Ryde Business eNews	1 x Feature Story in the electronic newsletter targeted at businesses in the Ryde LGA	2,500 recipients	\$250
Social Media Schedule	6 x posts on the City of Ryde social media channels	2,500 followers	\$0
<b>TOTAL VALUE</b>			<b>\$128,110</b>
<b>COST</b>			<b>\$40,000</b>



**ITEM 6 (continued)**

**ATTACHMENT 2**

OPPORTUNITY DESCRIPTION		REACH	VALUE
GOLD SPONSOR \$22,000			
OUTDOOR ADVERTISING			
Bus Stops Signage	18 x Bus Stops	45,000 passengers	\$1,800
In-bus promotions	Include your Promotion Flyer on the bus	45,000 passengers	\$0
PRINT ADVERTISING			
Half page press advertisement	1 x Logo inclusion in the tear-out press advertisement	58,000 residents	\$3,000
Flyer Insert into Rates Notice	1 x Logo inclusion in the City of Ryde Rates Notice	34,000 households	\$3,000
Shop Ryder Timetable Brochure	1 x Logo inclusion on the Shop Ryder brochure	3,000 brochures	\$3,000
DIGITAL ADVERTISING			
Plasma Screens	8 x Advert on digital screens at Ryde, West Ryde, Gladesville, North Ryde, and Eastwood libraries, Ryde Aquatic Centre and Planning and Business Centre Top Ryde (\$140 per screen per week x 8 locations x 52 weeks)	1.5 million visitors annually	\$58,240
City of Ryde Website	1 x Logo inclusion on the website	2,500 daily visits	\$2,000
City of Ryde eNews	1 x mention in the Electronic Newsletter for residents	1,600 recipients	\$200
City of Ryde Business Website	1 x Feature Story on the Business Website	300 daily visits	\$1,500
City of Ryde Business eNews	1 x Feature Story in the Electronic Newsletter targeted at Business	2,500 recipients	\$250
Social Media Schedule	3 x posts on the City of Ryde Social Media Channels	2,500 followers	\$0
TOTAL VALUE			\$72,990
COST			\$22,000

**GOLD**

**ITEM 6 (continued)**

**ATTACHMENT 2**

OPPORTUNITY DESCRIPTION		REACH	VALUE
<b>SILVER SPONSOR \$10,000</b>			
<b>OUTDOOR ADVERTISING</b>			
In-bus promotions	Include your Promotion Flyer on the bus	45,000 passengers	\$0
<b>PRINT ADVERTISING</b>			
Half page press advertisement	1 x Logo inclusion in the tear-out press advertisement	58,000 residents	\$3,000
Shop Ryder Timetable Brochure	1 x Logo inclusion on the Shop Ryder brochure	3,000 brochures	\$3,000
<b>DIGITAL ADVERTISING</b>			
Plasma Screens	8 x Advert on digital screens at Ryde, West Ryde, Gladesville, North Ryde, and Eastwood libraries, Ryde Aquatic Centre and Planning and Business Centre Top Ryde (\$140 per screen per week x 8 locations x 26 weeks)	1.5 million visitors annually	\$29,120
City of Ryde Website	1 x Logo inclusion on the website	2,500 daily visits	\$2,000
City of Ryde eNews	1 x mention in the Electronic Newsletter for residents	1,600 recipients	\$200
City of Ryde Business Website	1 x Feature Story on the Business Website	300 daily visits	\$1,500
City of Ryde Business eNews	1 x Feature Story in the Electronic Newsletter targeted at Business	2,500 recipients	\$250
Social Media Schedule	3 x posts on the City of Ryde Social Media Channels	2,500 followers	\$0
<b>TOTAL VALUE</b>			<b>\$39,070</b>
<b>COST</b>			<b>\$10,000</b>

**ITEM 6 (continued)**

**ATTACHMENT 2**

OPPORTUNITY DESCRIPTION		REACH	VALUE
JADE SPONSOR \$2,500			
BUS ADVERTISING			
In-bus promotions	Include your Promotion Flyer on the bus	45,000 passengers	\$0
PRINT ADVERTISING			
Half page press advertisement	1 x Logo inclusion in the tear-out press advertisement	58,000 residents	\$3,000
Shop Ryder Timetable Brochure	1 x Logo inclusion on the Shop Ryder brochure	3,000 brochures	\$3,000
DIGITAL ADVERTISING			
City of Ryde Website	1 x Logo inclusion on the website	2,500 daily visits	\$2,000
City of Ryde eNews	1 x mention in the Electronic Newsletter for residents	1,600 recipients	\$200
City of Ryde Business Website	1 x Feature Story on the Business Website	300 daily visits	\$1,500
City of Ryde Business eNews	1 x Feature Story in the Electronic Newsletter targeted at Business	2,500 recipients	\$250
Social Media Schedule	3 x posts on the City of Ryde Social Media Channels	2,500 followers	\$0
<b>TOTAL VALUE</b>			<b>\$9,950</b>
<b>COST</b>			<b>\$2,500</b>

**ITEM 6 (continued)**

**ATTACHMENT 2**



**SPONSORS WILL BE ASKED TO PROVIDE:**

- Your logo for advertising requirements
- Materials to promote your company

**CONTACT**

For further information on sponsorship:  
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[www.ryde.nsw.gov.au](http://www.ryde.nsw.gov.au)

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**7 DRAFT FOUR YEAR DELIVERY PLAN 2015/2019 INCLUDING ONE YEAR OPERATIONAL PLAN 2015/2016**

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**Report prepared by:** Chief Financial Officer  
**File No.:** FIM/07/6/2/5/4 - BP15/423

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**REPORT SUMMARY**

This report presents the Draft Four-Year Delivery Plan 2015/2019 including One-Year Operational Plan 2015/2016 for Council's consideration and endorsement for the Draft Plans to be placed on public exhibition for the period 6 May 2015 to 3 June 2015 to allow community consultation to be undertaken and submissions to be invited from the general community. All submissions received will be referred back to Council for its consideration at its meeting of 9 June 2015.

This report also details the items that require Council's approval that have arisen from requests by Council and the General Manager totalling \$519,000 for inclusion in the Draft Plans, following the three budget workshops, in addition to other matters that have been raised as part of the General Manager's Performance Objectives, (which was reported to Council on 14 April 2015) and the status/ funding options for the Top Ryder Bus Service (separate report to Council on this Agenda). As detailed in this report, after allowing for the additional projects, Council's Working Capital as at 30 June 2016 is projected to be \$3.02 million.

This Draft Plan also has been prepared on the basis that it reflects and highlights the details of Council's Special Rate Variation (SRV) application and the proposed infrastructure renewal works to be undertaken if Council's SRV application is approved. Council is scheduled to be advised on the results of its SRV application on the 19 May 2015.

The Draft Delivery Plan will be reported back to Council at its meeting on 9 June 2015 that will include any submissions and feedback from the community, in addition to the Minister for Local Government's determination on Council's SRV application.

**RECOMMENDATION:**

- (a) That Council, pursuant to Section 404 & 405 of the Local Government Act 1993, endorse the document titled "Draft Four-Year Delivery Plan 2015/2019 including One-Year Operational Plan 2015/2016", inclusive of the 2015/2016 Draft Budget, Fees and Charges and Capital Works Program, as its Draft Four-Year Delivery Plan 2015/2019 including One-Year Operational Plan 2015/2016 of the City of Ryde and as amended, as detailed in this report.
- (b) That the Draft Four-Year Delivery Plan 2015/2019 including One-Year Operational Plan 2015/2016 be publicly exhibited for a period of not less than 28 days from 6 May 2015 to 3 June 2015.



**ITEM 7 (continued)**

- (c) That following the public exhibition period detailed in part (b), Council consider all public submissions at its meeting to be held on Tuesday, 9 June 2015 prior to formally adopting its Four-Year Delivery Plan 2015/2019 including the One-Year Operational Plan 2015/2016.
- (d) That Council endorse the inclusion of the additional expenditure of \$519,000, arising from Council's requests, as detailed in this report.

**ATTACHMENTS**

- 1 Updates to Fees and Charges for 2015/2016 since Councillor Workshop held on 10 February 2015
- 2 City of Ryde - Four Year Delivery Plan 2015/2019 including One Year Operational Plan 2015/2016 - Draft for Exhibition - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

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

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

## ITEM 7 (continued)

### Legislation

Under Sections 404 and 405 of the Local Government Act, Council is required to prepare a Draft Four-Year Delivery Plan 2015/2019 including One-Year Operational Plan 2015/2016, which details the delivery program in respect to the Council's activities for at least the next four year period, including Council's revenue policy for the 2015/2016 year. Council has prepared its Draft Plans for four years with a projected Capital Works Program and consolidated Income and Expenditure Estimates for the years 2015/2016 to 2018/2019.

The Local Government Act requires that the Draft Plans be exhibited for a period of at least 28 days, during which time the public can make submissions on any aspect of the Draft Plans. These submissions must be considered by Council before the Draft Plans are adopted.

It is proposed for the Draft Plans to be on exhibition from 6 May 2015 to 3 June 2015. All submissions received will be referred to Council for its consideration in adopting the Draft Plans, which is scheduled for Council's meeting on 9 June 2015.

### Ryde 2025 Community Strategic Plan

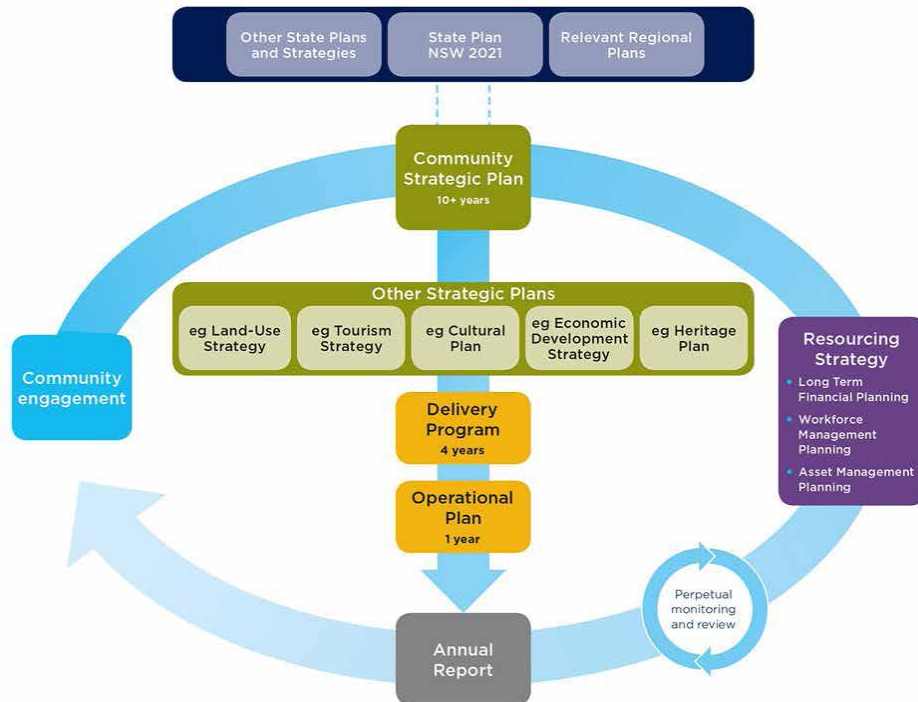
In the formulation of the Draft Plans, consideration has been given to Council's adopted Ryde 2025 Community Strategic Plan. A summary of the proposed expenditure allocations for each of the Outcome areas in the Draft Four-Year Delivery Plan 2015/2019, are detailed below:

Outcome	Base (\$'000)	Projects (\$'000)	Total (\$'000)	SRV included
A City of Connections	72.6	32.2	104.8	116.6
A City of Environmental Sensitivity	108.3	11.4	119.7	123.7
A City of Harmony & Culture	26.3	2.1	28.4	28.4
A City of Liveable Neighbourhoods	39.0	1.3	40.3	40.6
A City of Progressive Leadership	117.3	21.3	138.6	144.3
A City of Prosperity	5.0	9.0	14.0	14.2
A City of Well Being	77.5	15.9	93.3	97.5
<b>Total</b>	<b>446.0</b>	<b>93.1</b>	<b>539.2</b>	<b>565.3</b>

The Draft Four-Year Delivery Plan 2015/2019 including One-Year Operational Plan 2015/2016 has been prepared in alignment with the Ryde 2025 Community Strategic Plan and provides details on the projects to be delivered within each Outcome area and Program area.

## ITEM 7 (continued)

The diagram below shows the relationship between the Community Strategic Plan, the Four-Year Delivery Plan and the Operational Plan:



## Background

In undertaking the preparation of the Draft 2015/2019 Delivery Plan, Councillors with Council's Management team have undertaken extensive discussions on the City of Ryde's Financial Future over the past 18 months. Some of the key actions and points to note are as follows;

- From August 2013 to June 2014, there were nine Councillor Workshops held in analysing and reviewing Council's current and future financial position and operations.
- Staff initiated an internal review of its operations which resulted in an on-going efficiency gain of \$2.5 million, that comprised reductions in salary costs, other operational expenses and additional income. Council is on track to deliver this outcome with \$1.9 million brought to account in the 2014/2015 September Quarterly Review.
- As a result of these discussions in addition to Council's internal reviews, a number of independent and external reviews were initiated in confirming Council's financial position and identifying actions to be taken.

**ITEM 7 (continued)**

- Council's external auditor was engaged and confirmed that whilst Council's financial position was sound with strong liquidity, they acknowledged that Council's infrastructure was in need of renewal and the condition data required updating.
- Council undertook extensive condition assessment of its infrastructure and engaged Jeff Roorda and Associates to review and to also forecast Council's required annual funding requirements for the renewal of its existing infrastructure.
- Following extensive works on Council's Asset Management Plans, both Jeff Roorda and Associates and Council's Auditor, PriceWaterhouseCoopers confirmed and supported that the proposed Special Rate Variation (SRV) of 7%, would provide Council with the necessary funding in managing its infrastructure backlog and the renewal of its existing infrastructure assets.
- In addition to the above actions, Council supported undertaking a comprehensive Community Engagement process with its community in respect of its Financial Future and their feedback on a possible SRV. The result of this consultation was that 57% of the total 3538 responses received, supported an SRV increase of 7% - 12%, inclusive of rate peg, in Council maintaining services and assets at satisfactory levels.
- Following the results of both the work undertaken on Council's Asset Management Plans and the feedback from the Community Consultation Program, Council at its meeting on 11 November 2014 endorsed IPART being advised of Council's intentions to apply for a permanent increase of 7% SRV inclusive of rate pegging for four years, cumulative.
- Council endorsed the re exhibition of its 2014/2019 Delivery Plan inclusive of the proposed SRV, at its meeting on 9 December 2014, that was then reported back to Council on 10 February 2015 to consider any further community feedback.
- At its meeting on 10 February 2015, Council endorsed making a SRV application, noting Council's application was lodged on 16 February 2015. Council will receive advice on or after 19 May 2015, as to the result of Council's application.

**Special Rating Variation**

As detailed above, Council's SRV application was for a 7% increase per annum, for four years, cumulative, as a permanent ongoing increase, with a cumulative effect of 31.8%, the application being made to the Independent Pricing and Regulatory Tribunal (IPART). The Minister is not due to release the outcome of the application until 19 May 2015.

**ITEM 7 (continued)**

In the preparation of this Draft Delivery Plan, the proposed revenue and expenditure on the renewal of Council's existing infrastructure has been shown as a separate page, in the draft, if the SRV is approved.

When Council reconsiders the draft Plans, for final adoption, at its meeting to be held on 9 June 2015, Council will be in receipt of the outcomes of its SRV application. Accordingly, Council will adopt the relevant Capital Works Program as detailed in the Draft Plans as Council's Delivery Plan for the next four years.

**Draft Four-Year Delivery Plan 2015/2019 including One-Year Operational Plan 2015/2016**

A copy of the Draft Four-Year Delivery Plan 2015/2019 including One-Year Operational Plan 2015/2016 is **ATTACHMENT 2 - CIRCULATED UNDER SEPARATE COVER**. These Draft Plans are for Council's consideration, with any amendments being made prior to being finalised for exhibition from 6 May 2015.

The Draft Delivery and Operational Plans provide a comprehensive overview of the City of Ryde and its direction, detailing key projects (Capital and Non-Capital) and initiatives to be undertaken over the next four years with specific focus for the 2015/2016 year. Also included in the document are Council's 2015/2016 Draft Budget and Fees and Charges.

In summary the Draft Plans provide the following information:

- Overview of the City's directions and priorities
- Outcomes by Program (including details of Projects for 2015/2016)
- Projects by Program (for the next four years)
- Budget Overview
- Revenue Policy (including Rating Policy)

**Preparation of Draft Plans**

In the preparation of these Draft Plans, three Councillor workshops were held in addressing the following key components of Council's budget;

- Fees and Charges
- Rating structure
- Base Budget
- Capital and Non-Capital Projects



**ITEM 7 (continued)**

The key principles that underpinned Council's approach in the formulation of the Draft Plans were as follows:

- Based on the understanding that Council is awaiting the outcomes of the SRV application, the Draft Plans reflect a constrained approach in containing expenditure over the next four years whilst maintaining existing services and service standards.
- As a reflection of this approach, Council has reduced its full time equivalent (FTE) by 14 positions, down to 472.9 FTEs. These savings are part of the \$1.9 million of efficiency savings already achieved.
- Council acknowledges that even if the SRV is approved, Council does require to explore other sources of revenue to address the projected funding gap which has been significantly reduced, in its Long Term Financial Plan (LTFP).
- As part of this approach, Council will explore the use of loan funds, noting Council's current low debt service ratio and that targeted borrowings for the development of approved Council's investment properties has been included in these Draft Plans.
- This constrained approach has been reflected in the proposed Draft Fees and Charges as discussed in the Councillor workshop with only 13 new fees (4 with no charge) being proposed, 18 fees being deleted and 68 fees (from existing 1100 fees) exceeding the 2.47%. These areas are mainly in the Sportsgrounds and Passive Parks and Reserves, where Council is moving to a 75% subsidy of these fees.
- In respect of Council's rate structure, Council has proposed no change and maintained its current split of 70% of rate income being received from residential properties and 30% from business properties.

The Draft Plans, Draft Budget and Draft Fees and Charges for 2015/2016 maintain the current level of services to the community whilst continuing to deliver a substantial Capital Works Program. As forecasted in the Draft Plans, Council's funded Capital Works Program is projected to reduce over the four years to a program of \$19.2m (SRV - \$27.82m) in 2018/2019. If Council is successful with its SRV application, this will increase Council's program by an additional \$27.82 million over the next 4 years and allow Council to address its current Infrastructure backlog of \$29 million (Condition 5 assets) as at 30 June 2014.

Council's Long Term Financial Strategy recommends Council spend \$18 - \$20million per year on renewal of its existing infrastructure and building assets, based on asset management principles. This level of capital expenditure includes the use of \$18.76 million (SRV - \$18.76m) from Reserves on hand for 2014/2015.

**ITEM 7 (continued)**

It should be noted that Council's 2015/2016 Operating Result before Capital (including depreciation) is projected to be a deficit of \$5.87 million reducing to \$3.86 million if Council has its SRV approved.

**Key Initiatives and Key Performance Indicators**

Key aspects and financial indicators included in the Draft Operational Plan for 2015/2016 are:

- Total expenditure budget (Operating and Capital excluding depreciation) is \$121.65m (SRV - \$123.95m).
- The Operating Result before Depreciation is forecast as a surplus of \$9.71m (SRV - \$11.72m), and the Operating Result after Depreciation is forecasted as a deficit of \$5.32m (SRV - \$3.31m).
- Forecasted Working Capital as at 30 June 2015 is \$3.02m (SRV - \$3.02m) and as at 30 June 2016 is projected to be \$3.02m (SRV - \$3.02m).
- The budget provides for 472.9 full time equivalent employees with a total headcount of 756 staff.
- Debt Service Ratio is estimated to be 1.40% as at 30 June 2015 and increasing to 1.63% as at 30 June 2016. This does not take into account the full effect of any loans in the longer term for property development.
- Council's internally restricted reserves will be utilised during the 2015/2019 period of the Delivery Plan, with the balance of reserves due to reduce from \$58.53m (SRV - \$58.53m) to \$43.86m (SRV - \$43.86m).
- Capital Expenditure in 2015/2016 is budgeted at \$30.32m (SRV - \$32.31m) representing a Council funded program of \$10.25m (SRV - \$12.24m), the balance being funded from other external sources of income or reserves.
- City of Ryde will in 2015/2016, continue to provide significant subsidies to various community groups, sporting clubs and government organisations. Subsidies are provided by either reduced rentals on Council facilities, pensioner rate subsidies, reduced hire fees for Council facilities, grants to various organisations or sponsorship of events.
- City of Ryde will make payments/contributions to NSW Government entities totalling \$12.23m (SRV - \$12.23m) in 2015/2016.

**ITEM 7 (continued)****Additional Items Requested by Council for Inclusion in the Draft Plans**

As a result of the Budget Workshops, certain matters were identified for inclusion in this report for Council's further consideration and approval. In addition, there are also matters that have been identified in the General Manager's Performance Objectives that were reported to Council's meeting on 14 April 2015, that require Council's confirmation for their inclusion in the Draft Plans. The items are detailed below.

Councillor Workshop Matters

- ELS Hall Park – Dog Off Leash area – This matter was raised at the workshop that included some additional maintenance for the park in addition to the Off Leash area. Council staff will be addressing the maintenance issues from Council's existing budget. The provision of a designated Dog Off Leash area, has been included in the Draft Plans at an estimate of \$40,000 from General Revenue.
- Centres Activation Program – This provision was raised in the workshop in continuing to provide a resource that would actively promote and work with local Chambers of Commerce and other key stakeholders in each town centre, excluding Macquarie Park (Macquarie Park has currently a dedicated resource to promote the precinct). An allocation of \$150,000 has been included in the Draft Plans funded from General Revenue.

Both of the above items, if endorsed by Council, will require an additional \$190,000 from General Revenue.

General Manager's Objectives

In Council formalising the General Manager's Performance Objectives, Council has included additional items that were outside the Draft Plans. Council at its meeting on 14 April 2015 in considering the General Manager's Performance Agreement resolved in part as follows:

- (d) *That Council amends the Draft Performance Agreement to remove projects and associated funding to the extent required to avoid impacts on Council's Working Capital and resulting in amendments to the draft Budget and draft Delivery Plan.*

## ITEM 7 (continued)

The following items have now been included in the Draft Plans and for Council's confirmation;

City of Ryde Property Strategy	\$150,000 funded from the Asset Replacement Reserve
City of Ryde Affordable Housing Policy (Funded from 2014/2015 financial year)	\$0 for 2015/2016 year. Allocated \$15,000 in Council's 2014/2015 March Quarterly Review
City of Ryde Road Safety Plan	\$200,000 funded from the Road and Maritime Services (RMS) Grant for Morrison Road
City of Ryde Sport and Recreation Strategy	\$100,000 funded from the existing \$1 million allocated for the Synthetic Services Action Plan.

The above items have been included in Council's Draft Plans and the outcome of Council's decision on this matter at its meeting on 14 April 2015, will be incorporated into Council's Draft Plans.

The above items, if endorsed by Council, will require an additional allocation of \$150,000 from Asset Replacement Reserve and noting that the \$15,000 for the City of Ryde Affordable Housing Policy, will be recommended for allocation in the 2014/2015 March Quarterly Review.

Top Ryder Bus Service – This matter is being reported to Council on this agenda, noting that it addresses the future funding for this service. The outcomes of Council's consideration of this matter will be incorporated into the Draft Plans. The report recommends Council allocating an annual budget of \$154,000, with \$75,000 from Council's Domestic Waste Education budget and \$79,000 from General Revenue.

If endorsed by Council, this item will require an additional \$79,000 from General Revenue.

### Additional Item Requested by the General Manager

The General Manager has requested Council endorse an additional temporary part time Executive Officer position (3 days per week) that would report directly to the General Manager, at an estimated cost of \$80,000 - \$100,000 on a term base contract of up to 2 years. This position has not been included in the Draft Delivery Plan and was not discussed in any of the Budget workshops. The position is proposed to be funded from Council's Fit for the Future Reserve, given this is one of the key components of the position.

**ITEM 7 (continued)**

This position has recently been identified due to Council's actions in respect of Fit for the Future, including the Joint Organisation Regional proposal and Council's recent decision on the Civic Centre, which has highlighted the need for a resource to assist with high profile special projects managed from the General Manager's Office. Other key functions for this position will include matters such as providing general assistance to the General Manager in undertaking the organisational review, policy and research advice and managing matters between both the General Manager's and Mayor's Offices to ensure significant projects and issues are monitored and progressed to agreed timelines. The position will also provide an important link with the Mayor's Office in formulating Council's strategic approach to advocacy, lobbying, relationship building and the general positioning of Council being Fit for the Future.

The position will be created in such a way that it may be terminated or expanded at any stage in response to the changing priorities of Council or changes in Government Policy such as forced amalgamations.

If Council approves this temporary part time position, it will not impact on Council's Working Capital as it is proposed to be funded from Reserves.

**Impact of Additional Items on Draft Budget 2015/2016**

Overall, additional funding of \$519,000 for projects, as a result of Council's and the General Manager's requests for inclusion into the Draft Plans is now required to be formally approved by Council. The additional funding is as follows:-

	\$	<u>Funding Source</u>
• ELS Hall Park – Dog Off Leash area	40,000	General Revenue
• Centre's Activation Program	150,000	General Revenue
• City of Ryde Property Strategy	150,000	Asset Repl Rsve
• Top Ryder Bus Service	79,000	General Revenue
• Additional Position – GM's Office	100,000	Fit for Future Rsve

The additional items, with the exception of the General Manager's request for an additional position, are incorporated in the Draft Plans that project a Working Capital balance as at 30 June 2016 of \$3.02 million.

In accordance with Council's resolution at its meeting 14 April 2015 in respect of the General Manager's Performance Agreement, there is no impact on Working Capital in 2015/2016 as a result of the additional projects relating to this matter.

It is recommended that Council determine if all of the above projects are to be included in the Draft Plans.

**Project Expenditure (Capital and Non-Capital)**

A summary of Council's proposed project expenditure, with no SRV \$31.8 million and with an SRV \$33.79 million for 2015/2016, is detailed below.



### ITEM 7 (continued)

- Council's proposed project expenditure (no SRV) by program for 2015/2016 is detailed below:

– Capital Expenditure	-	\$ 30.32m
– Non-Capital Expenditure	-	<u>\$ 1.48m</u>
– Total Projects	-	\$ 31.80m

Program	Capital Projects \$M	Non-Capital Projects \$M	TOTAL \$M
Catchment program	2.76	-	2.76
Centres and Neighbourhood program	2.52	0.20	2.72
Community and Cultural program	0.25	0.04	0.29
Customer and Community Relations program	-	0.03	0.03
Economic Development program	-	0.24	0.24
Environmental program	-	0.12	0.12
Foreshore program	0.70	-	0.70
Governance and Civic program	-	-	-
Internal Corporate Services program	3.56	0.04	3.60
Land Use Planning program	-	0.02	0.02
Library program	0.77	-	0.77
Open Space, Sport & Recreation program	9.23	0.09	9.33
Paths and Cycleways program	1.55	-	1.55
Property Portfolio program	2.04	0.15	2.19
Regulatory program	-	-	-
Risk Management program	-	-	-
Roads program	5.09	0.15	5.24
Strategic City program	-	-	-
Traffic & Transport program	1.03	0.34	1.36
Waste and Recycling program	0.80	0.07	0.87
<b>Total</b>	<b>30.32</b>	<b>1.48</b>	<b>31.80</b>

- Council's proposed project expenditure, inclusive of the SRV in 2015/2016 is detailed below:

– Capital Expenditure	-	\$ 32.31m
– Non-Capital Expenditure	-	<u>\$ 1.48m</u>
– Total Projects	-	\$ 33.79m

## ITEM 7 (continued)

Program	Capital Projects \$M	Non-Capital Projects \$M	TOTAL \$M
Catchment program	2.76	-	2.76
Centres and Neighbourhood program	2.52	0.20	2.72
Community and Cultural program	0.25	0.04	0.29
Customer and Community Relations program	-	0.03	0.03
Economic Development program	-	0.24	0.24
Environmental program	-	0.12	0.12
Foreshore program	0.70	-	0.70
Governance and Civic program	-	-	-
Internal Corporate Services program	3.56	0.04	3.60
Land Use Planning program	-	0.02	0.02
Library program	0.77	-	0.77
Open Space, Sport & Recreation program	9.23	0.09	9.33
Paths and Cycleways program	<b>1.75</b>	-	<b>1.75</b>
Property Portfolio program	2.04	0.15	2.19
Regulatory program	-	-	-
Risk Management program	-	-	-
Roads program	<b>6.88</b>	0.15	<b>7.03</b>
Strategic City program	-	-	-
Traffic & Transport program	1.03	0.34	1.36
Waste and Recycling program	0.80	0.07	0.87
<b>Total</b>	<b>32.31</b>	<b>1.48</b>	<b>33.79</b>

Council is continuing to address the condition of the City's infrastructure and in particular the renewal of existing infrastructure. Council's proposed Capital Works Program of \$30.32m (SRV - \$32.31m) for 2015/16 provides for approximately \$13.69m (SRV - \$15.68m) of renewal of infrastructure and building assets next year.

## Rates

The yield from Ordinary Rates has been pegged at the Minister's approved rate pegging limit of 2.4%, with Council maintaining its rating structure whereby 70% of Council's Ordinary Rates Income is derived from residential properties and 30% from business properties.

If Council's application for a Special Rating Variation (SRV) is approved, all additional funds above the rate pegging amount will be raised as an Infrastructure Special Rate, with 50% of the total yield being raised as a Base Charge and 50% being raised as an Ad Valorem rate.

**ITEM 7 (continued)**

Details of the Macquarie Park Special Rate, the Stormwater Management Service Charge and the Infrastructure Special Rate are contained in the Revenue Policy within the Draft Plans.

All of the funds raised from these sources will be dedicated to the purposes raised and will address priority work relating to the current condition of Council's infrastructure valued at \$0.99 billion. These works are detailed under the heading of Projects in each Program in the Draft Plans.

The Ward for each property will be printed on the Rate Notices from 1 July 2015, noting a minimal cost will be incurred in making this change.

**Fees and Charges**

Draft Fees and Charges are proposed to increase by an average of 2.47%, which equates to the Local Government Cost Index as determined by the Independent Pricing and Regulatory Tribunal (IPART). The proposed fees have been rounded together with some benchmarking of certain fees with other Councils within our region. The Draft Fees and Charges were considered at Council's workshop on 10 February 2015 and are detailed in the Draft Plans for endorsement by Council.

Since the workshop, a review of the Fees and Charges has been undertaken and the following revisions made in the draft for Council's consideration to endorse for public exhibition. Council's General Counsel has also undertaken a compliance review of the wording for all fees is **ATTACHED** (Attachment 1).

**Not included in Draft Fees and Charges**

- The Enforcement Levy has been changed to read Monitoring and Enforcement of Conditions of approval and compliance,
- The proposed new fee at the Ryde Aquatic Leisure Centre has been changed to an Administration Fee, for where a person is not diligent in paying their bill in time, as staff are required to undertake additional work in pursuing the debt,
- Skateboarding Clinics - \$15 for administrative purposes to be maintained at the current rate and not the proposed rate of \$16.10, due to the need for staff to carry more change. Also add the comment "For sessions provided by Skateboarding Australia only" and remove it from Personal Training sessions,
- Personal Training – 4 to 10 people Non CoR/Commercial for Personal Training should be \$214 instead of \$205.

**ITEM 7 (continued)**Included in draft Fees and Charges

- Synthetic Sports Fields charges,
- Rounding of new charge for 80 litre garbage bin to \$250 per annum,
- Hosting of International Delegations changed to a fee of \$3,000 for first three hours and \$5,000 for between three and seven hours,
- Events/Gatherings Reduction of fee for Non CoR/Commercial,
- Inclusion of categories for discounts,
- Deletion of two fees for lane hire, which are duplicated elsewhere,
- Surf Attraction fees as part of the promotional campaign,
- Deletion of two fees under speciality venues, no longer applicable,
- Deletion of Subpoena Document Copy Deposit, no longer applicable.

**Projected Working Capital**

As reported to Council in the Quarterly Reviews of the Four-Year Delivery Plan 2014/2018 including One-Year Operational Plan 2014/2015, Council is on track with the 2014/2015 budget and is projecting a Working Capital surplus of \$3.02m (SRV - \$3.02m), as at 30 June 2015. This projection includes the additional projects as detailed in this report.

In the preparation of the Draft Plans, the 2015/2016 Draft Budget has been formulated by Council increasing its total rate income by the Minister for Local Government's approved rate increase of 2.4%, fees and charges increasing generally by the Local Government Cost Index (LGCI) of 2.47% or higher level as separately reported to Council. As stated, the increases above the 2.47% mainly relate to Sportsground and floodlighting fees and community hall hire.

The Draft Budget has been prepared on the basis of Working Capital maintaining a balance above \$3 million, with Working Capital projected to be \$3.02m (SRV - \$3.02m) as at 30 June 2016.

**Long Term Financial Plan**

As part of the budget process, the adopted Long Term Financial Plan (LTFP) and current Delivery Plan are used as the basis for the new draft Delivery Plan.

**ITEM 7 (continued)**

The final outcome of the new Delivery Plan is then used to update the Long Term Financial Plan to reflect any new direction of Council. Whilst steps have been taken to bring the revised LTFP to Council as a draft, along with the draft Delivery Plan, there is still work to be done by staff to finalise this document.

Therefore the revised Long Term Financial Plan for 2015/2025 will be presented to Council along with the Draft Delivery Plan at the meeting to be held on Tuesday 9 June 2015. It is anticipated that the formatting issues with the current Resourcing Strategy will also be adjusted by then and it will be presented as one document at that meeting.

**Fit for the Future**

Council has sought to address its Financial Sustainability through making an application for a Special Rating Variation (SRV), which was lodged on 16 February 2015. The outcome of the application will not be known until 19 May 2015.

The Minister for Local Government and the Office of Local Government (OLG) have released a process whereby Councils are required to make a submission to an Independent Expert Panel by 30 June 2015, on the recommendations of the Independent Local Government Review Panel (ILGRP), which was handed down in 2013. This process is called Fit for the Future (F4F).

The outcome of the Independent Expert Panel's review of the submissions will not be known until October 2015.

Council has resolved to make the following submissions.

- Improvement submission (Template 2). This is based on the fact that Council does have scale and capacity (Box 8 – ILGRP report), which Council can demonstrate,
- A joint submission with Lane Cove and Hunters Hill Councils for a Joint Regional Authority (JRA), which was allowed under the ILGRP recommendations, but was ruled out by the OLG under F4F.

Council staff have used the F4F self-assessment template, and modified it to review Council's future state, on the basis of the SRV being approved.

What this demonstrates is, that with the SRV, Council is capable of meeting all seven of the Financial Indicators in the F4F self-assessment tool, albeit not until the end of the SRV period for a couple of the indicators.

For the purpose of this report, Council should note that the Draft Plans, especially with the SRV, are key documents in both the submissions being made by Council to the Independent Expert Panel.



## ITEM 7 (continued)

### Councillor Workshops

The following workshops were held with Councillors in the formulation of the Draft Plans.

- The budget timetable was circulated to Councillors in the Councillor Information Bulletin on 18 September 2014.
- Councillor workshops - In the preparation of the Draft Plans, workshops have been held with Councillors as follows:
  - Workshop 1 10 Feb 2015 (Rates, Fees & Charges)
  - Workshop 2 24 Feb 2015 (Base Budget)
  - Workshop 3 10 Mar 2015 (Projects)
- Whilst allowance was made for additional workshops, Council was able to deal with all projects at one workshop, held on 10 March 2015.
- Councillors were also requested at the commencement and during the budget process to submit their priority projects.

### Timetable and Public Consultation

The following timetable is proposed in respect of Council's consideration of the Draft Four-Year Delivery Plan 2015/2019 including One-Year Operational Plan 2015/2016:

Date	Action
28 April 2014	Consideration by Council of Draft Plans for public exhibition.
6 May 2015	Commencement of public exhibition period of Draft Plans.
19 May 2015	Notification by the Minister for Local Government on the outcome of Council's SRV Application
3 June 2015	Completion of public exhibition of the Draft Plans and closing date for receipt of all public submissions
9 June 2015	Consideration by Council of public submissions on Draft Plans and amendments.  Draft Plans for consideration and adoption, including the setting of rates, fees and charges for 2015/2016.

Council also will be providing information to all Advisory Committees and the Ryde Business Forum that includes all Chamber of Commerce seeking feedback on the exhibition of the Draft Plans.

**ITEM 7 (continued)**

The following consultation / advertisement is proposed in promoting Council's Draft Plans.

- Public notification in the Northern District Times of Draft Plans on 6 May 2015.
- Public exhibition of Draft Plans between 6 May 2015 and 3 June 2015.
- Draft Plans will be available for viewing during the exhibition period at Council's Customer Service Centre, Ryde Planning and Business Centre, all Libraries and on Council's website.
- Advice of the public exhibition process will be provided to all of Council's Advisory Committees and Chambers of Commerce / Progress Associations.

**Financial Implications**

The Draft Plans maintain Council's sound financial position of a forecasted Available Working Capital surplus of \$3.02 million, whilst delivering a Capital Works Program of \$30.32 million (SRV - \$32.31m), noting Council is not aware of any contributed assets that are due to be completed and handed to Council during the next 12 months.

Council's Long Term Financial Plan projects a continuing decline in its \$0.99b infrastructure and building assets, based on the need to spend approximately \$18 - \$20m per annum on asset renewal. As detailed in this report and in previous reports to Council, the City of Ryde has a projected annual funding shortfall of \$10 million which has been reviewed and verified by both Council's external auditor, PriceWaterhouseCooper (PWC) and Jeff Roorda and Associates in the formulation of Council's Asset Management Plans. If Council is successful with its SRV application and coupled with Council's projected \$2.5 million of efficiency gains, this will position the City of Ryde to being financially sustainable with the ability to manage the renewal of its existing infrastructure assets.

The LTFP will be updated by 9 June 2015 to fully align with Council's integrated Ryde 2025 Community Strategic Plan and will also incorporate the revised Asset Management Plans and the Workforce Plan.

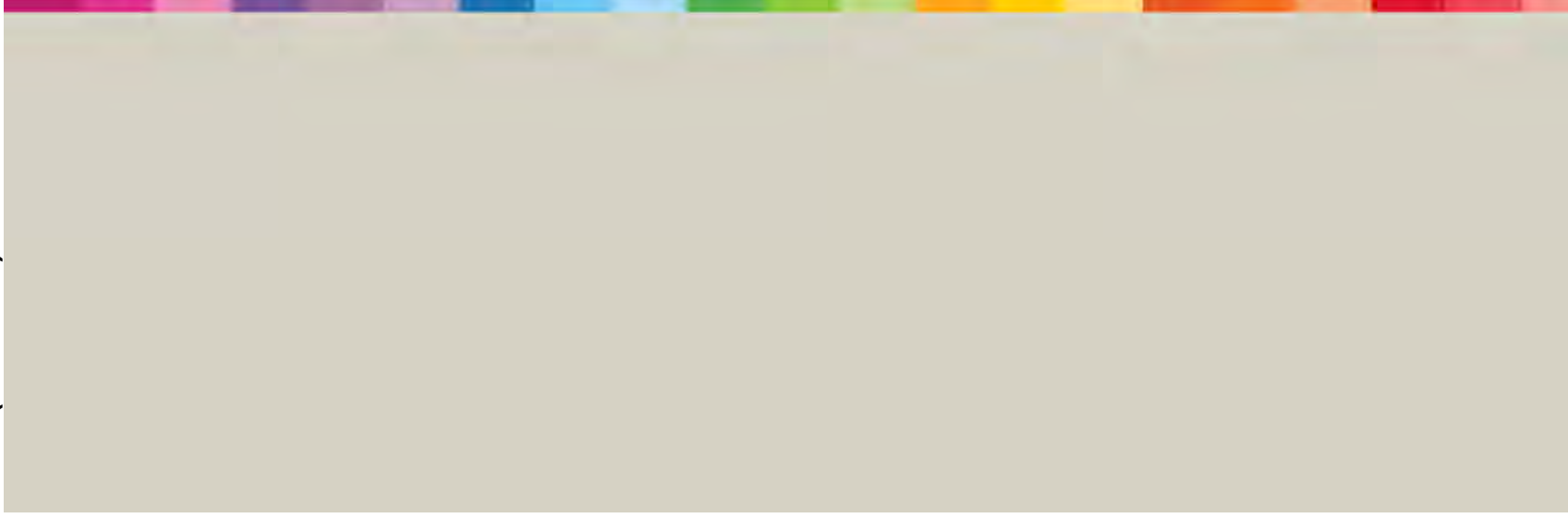
While the Draft Plans provide details in respect of the Capital and Non Capital projects to be delivered with no SRV (\$31.80 million) and with the SRV (\$33.79 million), Council should note that if it is not successful with its SRV application then this would require a major review of its operations, services and levels of service to address its overall financial sustainability in maintaining and renewing its infrastructure assets.

**ITEM 7 (continued)**

**ATTACHMENT 1**



# Updates After February 2015 Fees & Charges Workshop



**ITEM 7 (continued)**

**ATTACHMENT 1**

City of Ryde - Fees and Charges Updates since Councillor Workshop on 10/02/15						
2015/2016						
Description	Fee	Non CoR/ Commercial	Additional Information	Fee Category	GST Included	Comments (For Management to Review)
<b>COMMUNITY EVENTS</b>						
<b>Banners on Smart Poles</b>  e) Discounts - Local based community groups, sporting groups and schools who are non profit receive a 50% discount of banner arm hire only for definite booked dates  - Local based Community Groups and schools who are non profit receive no charge on banner arm hire only if locations are available (booking confirmed 2 months prior to date of service)  - Churches, non profit organisations who are not locally based, non profits who have paid staff, government departments and other local Councils receive a discount of 25% of banner arm hire only						Insert: - Local based Community Groups and schools who are non profit receive no charge on banner arm hire only if locations are available (booking confirmed 2 months prior to date of service)
<b>DEVELOPMENT ASSESSMENT</b>						
<b>Applications to amend Planning Instruments - including Planning Proposals &amp; Rezoning</b>  h) Macquarie Park Corridor Charges levied on the incentive floor space developed on a site in accordance with the planning documents applying to the area	250.00		per square metre or part thereof	F	Y	Rate of \$250 currently used in VPA negotiations in Macquarie Park
<b>SPORTSGROUND, PASSIVE PARKS &amp; RESERVES</b>						
g) <b>Synthetic Sports Fields</b>  Seasonal Hire  Casual Hire  School Use	41.00  72.00  13.50	41.00  72.00  13.50	per hour  per hour  per hour	D  D  D	Y  Y  Y	New Synthetic Sports Fields hourly fee, in line with NSROC fees - meeting of 5 Feb 2015.  New Synthetic Sports Fields hourly fee, in line with NSROC fees - meeting of 5 Feb 2015.  New Fee for School Use

**ITEM 7 (continued)**

**ATTACHMENT 1**

City of Ryde - Fees and Charges Updates since Councillor Workshop on 10/02/15						
2015/2016						
Description	Fee	Non CoR/ Commercial	Additional Information	Fee Category	GST Included	Comments (For Management to Review)
<b>DOMESTIC WASTE</b>						
Waste (Domestic)						
Rateable Properties and Non-Rateable Residential Properties - 80 litre garbage bin	250.00		per bin	F	N	Rounded up to \$250
<b>MAYORAL AND COUNCILLOR SUPPORT</b>						
Hosting of International Delegations						
Provision of an interpreter			On a cost recovery basis at the expense of the visiting delegation	F	Y	Tentative wording of fees, to be finalised before June
Category 2 - Structured visits requested by external organisations, companies or agencies, that do not clearly related to the goals of Council's adopted Community Strategic Plan or other organisational objectives.	3,000.00		Up to 3 hours	G	Y	Tentative wording of fees, to be finalised before June
	5,000.00		3 to 7 hours (1 day)	G	Y	Tentative wording of fees, to be finalised before June
<b>SPORTSGROUND, PASSIVE PARKS &amp; RESERVES</b>						
Events/Gatherings						
Event/gathering (individual or organisation) 0-50 people per day, passive parks only	0.00	266.00	Plus applicable groundsman's wages and GST	C	Y	Reduce fee for Non CoR/Commercial to \$266
Event/gathering (individual or organisation) 51-100 people per day, passive parks only	133.00	266.00	Plus applicable groundsman's wages and GST	D	Y	Reduce fee for Non CoR/Commercial to \$266



**ITEM 7 (continued)**

**ATTACHMENT 1**

City of Ryde - Fees and Charges Updates since Councillor Workshop on 10/02/15						
2015/2016						
Description	Fee	Non CoR/ Commercial	Additional Information	Fee Category	GST Included	Comments (For Management to Review)
<b>RYDE AQUATIC LEISURE CENTRE</b>						
g)	NA		Lane Hire – per hour - Schools located outside the City of Ryde	G	N/A	DELETE - duplicate as fee covered in other area
	NA		Lane Hire – per hour - Schools located within the City of Ryde	G	N/A	DELETE - duplicate as fee covered in other area
<b>Surf Attraction</b>						
<b>Promotional campaign</b>				D	Y	New Promotional Campaign
Promotional campaign - Buy one get one free	18.50		Surf Attraction including entry for swim - half hour	D	Y	New Promotional Campaign
Promotional campaign - Loyalty card, buy 5 get 6th free	92.50		Surf Attraction including entry for swim - half hour	D	Y	New Promotional Campaign
Promotional campaign - RALC swim school members offer	5.00		Surf Attraction including entry for swim - half hour	D	Y	New Promotional Campaign
Promotional campaign - Group Bookings, over 10 persons, per person	15.00		Surf Attraction including entry for swim - half hour	D	Y	New Promotional Campaign
i) Merchandise Sale - Recommended Retail Prices, provided by suppliers			Recommended Retail Prices, provided by the suppliers	H	Y	New fee to cover merchandise sale
j) Late payment administration fee	50.00		For all payments overdue 90 days or more, per month	G	Y	Rewording of approved 10/02/2015 late payment fee
<b>COMMUNITY HALLS AND MEETING ROOMS FACILITIES</b>						
<b>SPECIALTY VENUES &amp; SPECIAL REQUESTS</b>						
Brush Farm House & Grounds (cocktail parties, private dinners, weddings, conferences, etc), Civic Centre Meeting Rooms, Civic Centre Council Chambers or any other Council owned facility			Price on Application	G	Y	Delete
All Categories						
<b>ARTIST STUDIO</b>	37.00			D	Y	Delete
Various						
<b>INFORMATION AND RECORDS MANAGEMENT</b>						
<b>Subpoena/Other Document Requests</b>						
a) Subpoena Document Copy Deposit	163.00			E	Y	Delete

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**8 INVESTMENT REPORT - March 2015**

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**Report prepared by:** Chief Financial Officer**File No.:** GRP/09/3/2/7 - BP15/429

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**REPORT SUMMARY**

This report details Council's performance of its investment portfolio for March 2015 and compares it against key benchmarks. The report includes the estimated market valuation of Council's investment portfolio, loan liabilities, an update on Council's legal action against various parties and a commentary on significant events in global financial markets.

Council's financial year to date return is 3.80%, which is 1.08% above benchmark. Income from interest on investments and proceeds from sale of investments totals \$3.47M, \$317K above revised budget projections, with an adjustment made in the September Quarterly Budget Review recognising the increased revenue relates mainly to Council receiving more funds for Section 94 contributions.

**RECOMMENDATION:**

That Council endorse the report of the Chief Financial Officer dated 7 April 2015 on Investment Report – March 2015.

**ATTACHMENTS**

**1** P09 Investment Report March 2015 Attachment

Report Prepared By:

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

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

## ITEM 8 (continued)

### Discussion

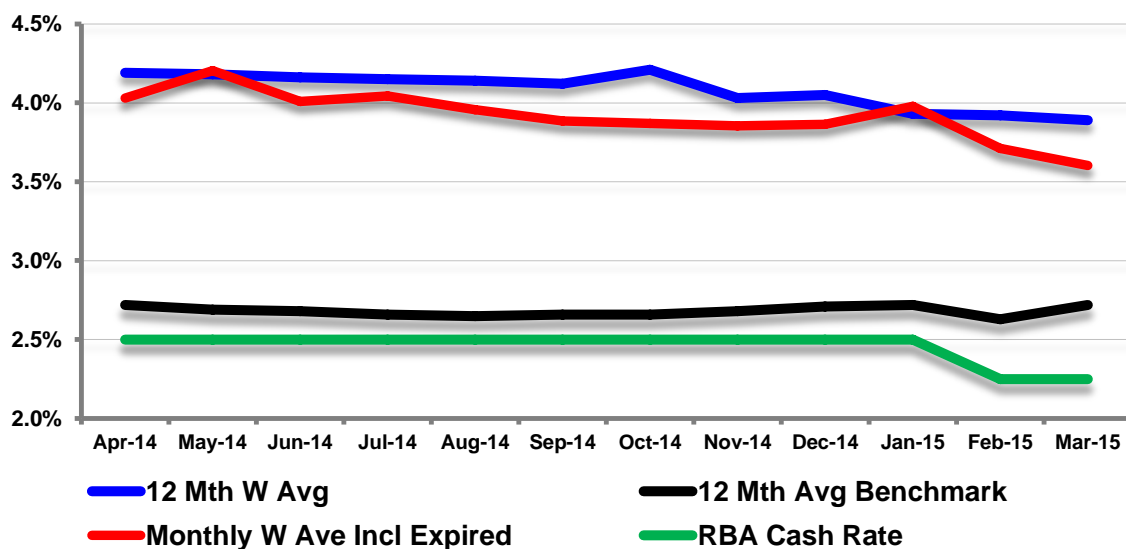
Council's Responsible Accounting Officer, is required to report monthly on Council's Investment Portfolio and certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the Local Government Act.

### Investment Performance Commentary

Council's performance against the benchmark for returns of its investment portfolio for March 2015 and the past 12 months are as follows:

	Mar	12 Mth	FYTD
<b>Council Return</b>	<b>3.60</b>	<b>3.89</b>	<b>3.80</b>
<b>Benchmark</b>	<b>2.44</b>	<b>2.72</b>	<b>2.72</b>
<b>Variance</b>	<b>1.16</b>	<b>1.17</b>	<b>1.08</b>

### Performance - All Investments



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

Cash/Term Deposits	\$108.2M
Floating Rate Notes	\$26.7M
Fixed Bonds	\$2.0M
<b>Total Cash Investments</b>	<b>\$136.9M</b>
Investment Properties	\$92.3M
<b>Total Investments</b>	<b>\$229.2M</b>

**ITEM 8 (continued)**

Council's investment properties are shown in **ATTACHMENT 1** and this table was updated as at 30 June 2014. The valuations listed have been undertaken in accordance with the revaluation process to 'fair value' by an independent valuer, in compliance with the Australian Accounting Standards. It should be noted that there are two properties, being air rights and the property at Church Street /Devlin Street, that have not been revalued and will be valued this financial year.

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

Whilst Council has moved some of its investment portfolio out to longer terms, to lock in future returns, it should be noted that there is approximately \$44.4 million of Council's funds held in internal reserves. Should Council consider utilising its internal reserves, this will have a direct impact on the amount of investment income that will be realised and will require a reduction in the future projected investment income and will place pressure on Council to be able to maintain its current level of expenditure on capital projects or maintenance.

Council's income from investments is above the revised projections, due mainly to Council receiving more funds for Section 94 contributions, with investment income for General Revenue remaining steady.

**Financial Security Reserve (FSR)**

The Financial Security Reserve has a balance of \$3.44 million as at 31 March with no movements this year. A detailed transaction history is included in **ATTACHMENT 1**.

Council has resolved to transfer all proceeds and interest earned on written down investments to this reserve.

This year should see the finalisation of all of the Court action, and the receipt of any proceeds from those actions will be transferred to this reserve. At that point in time it would be prudent to return the funds to the Investment Property Reserve, from which the funds were originally taken to create this reserve.

**Economic Commentary**

The RBA left the cash rate on hold at 2.25% this month, but the market is still looking for at least one more cut by the end of the year. The price of iron ore hit a 7 year low of US\$51 per tonne as China starts to scale back steel production, placing pressure on the government to take measures to offset revenue falls.

The ECB is supporting Greece, which is dependent on creditors even before servicing the interest costs on their loans. Debt to GDP is at a new high of 174.9%, with default and a possible exit from the Eurozone looking increasingly likely.

**ITEM 8 (continued)**

The US Fed is still indicating that a rise in the cash rate will occur towards the end of 2015.

**Legal Issues**

The following update is provided in respect of Council's legal action in these matters, which are still to be resolved.

The team from Piper Alderman, led by Amanda Banton, moved to Squire Patton and Boggs, another firm of solicitors. The funders of Council's legal action consented to their representation moving with Amanda Banton and her team. Council at its meeting on 10 February 2015 endorsed moving with the team.

Lehman / Grange IMP

On Friday 21 September 2012, Justice Rares handed down the judgment in this matter, which was in favour of the Councils involved in this legal action.

On 25 September 2013 the Federal Court approved the calling of a meeting of Scheme Creditors of Lehman Australia to consider the proposed Insurance Only Scheme. The applicants and group members in the Lehman Australia class action are Scheme Creditors.

The Scheme is subject to Court approval. The application was listed for hearing on 31 October 2013. The Scheme was approved by the Court on 9 December 2013; all Scheme Creditors are now bound by the Scheme irrespective of whether they have voted for it or even if they voted against it. Council has received a counter offer from Lehman Brothers Australia Limited (in Liquidation), which was \$27k less than the amount claimed. This offer has been accepted by the Acting General Manager under delegated authority. The finalisation of the matter is pending, and it is anticipated to be between March and April 2015.

While the above court action has been proceeding, the related investments of the Lehman / Grange IMP (Merimbula and Global Bank Note) have been finalised and paid to Council. As previously reported, Council has received \$752k for these investments representing full payment of the principal and interest.

LGFS – Rembrandt

On 5 November 2012, Federal Court Justice Jayne Jagot ruled that Councils were entitled to succeed in their claim for damages against LGFS, ABN AMRO and Standard & Poors (S&P). This result vindicates Council's Investment in this product with Justice Jayne Jagot finding that LGFS, ABN AMRO and S&P had collectively been responsible for misleading and deceptive conduct and negligent misrepresentation of this investment to Councils.



**ITEM 8 (continued)**

On 1 March 2013, the Federal Court of Australia awarded compensation and costs to Councils against S&P. Council was awarded \$933K principal (equivalent to the balance outstanding) and \$331K in interest. Of this, 70% is payable to IMF for their funding of the legal action (including legal costs), resulting in a net benefit to Council of approximately \$382K, which was paid to Council on 4 April 2013.

A teleconference was held on 4 November with the other Councils involved to discuss GST issues, should a settlement be reached.

The appeal has been heard in relation to this matter, and judgement handed down on Friday 6 June 2014, where the appeal was dismissed, and all the findings of the primary judge, Justice Jagot, were upheld.

Accordingly the Full Court held that each of LGFS, ABN Amro and S&P are individually liable for 100% of Council's losses. The primary orders held them liable for 1/3 each. Council has already received payment from each of the respondents, as indicated above. Costs of the appeal will be sought, and once known Council will be advised.

**CBA – Oasis and Palladin**

Council has endorsed City of Ryde being a third party to an action against CBA in relation to the Oasis CDO investments for \$1 million that Council has written down to zero. A mediation session occurred with CBA on 8 October 2013. The mediation was adjourned to allow certain steps to take place and the parties are continuing to engage in "without prejudice" discussions, and the outcome will not be known until mid-2015. These confidential discussions have been continuing and are close to being finalised, Councillors will be advised of the outcome. Any settlement out of these discussions will require Court approval, with the last step scheduled for 13 April 2015.

Whilst Council had written off the Oasis investment, the investment had one further default until it completely defaulted. As previously reported, Council sold the Oasis investment at 35.7 cents in the dollar on the remaining principal of \$625k, being \$223,337. Should Council be successful in this legal action, then this will be taken into account as part of any settlement.

As part of this action, Council is also a party to action against CBA for its investment in the Palladin CDO, of which Council held \$2 million. This investment defaulted in October 2008, and was written down.

## ITEM 8 (continued)

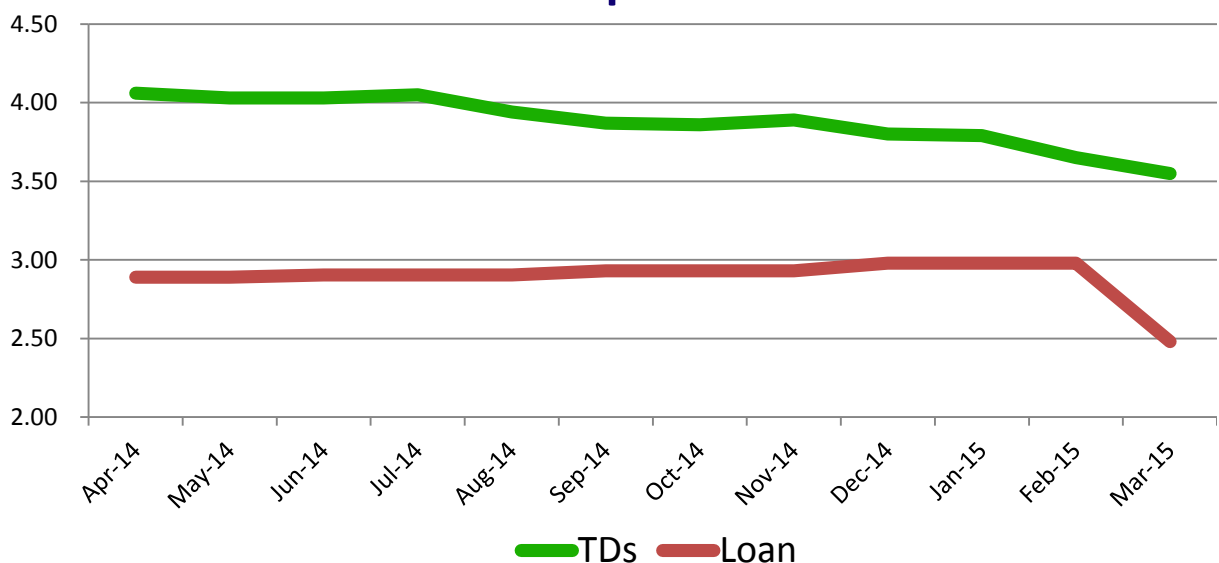
### Loan Liability

Council's loan liability as at 31 March was \$6.4 million which represents the balance of:

1. \$6.8M 15 year loan drawn down in 2004 at 90 Day BBSW + 20 basis points for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. The interest rate for this loan is reset every quarter
2. \$1.5M 10 year loan drawn down 31 January 2014 at 180 day BBSW +175 basis points for the Children's Play Implementation Plan, which was approved for an LIRS subsidy in Round 2. The interest rate for this loan is reset every six months
3. \$1.2M 7 year loan drawn down 31 January 2014 at 5.24% for construction of the Surf Attraction at the RALC
4. \$1.5M 10 year loan drawn down 1 September 2014 at 4.95% for Phase 2 of the Children's Play Implementation Plan, which was approved for an LIRS subsidy in Round 3.

There is no advantage to Council in changing the arrangements or repaying the loan as detailed at point 1 above earlier than planned. Council is receiving a better rate of return on its investments than it is paying in interest on this loan. The following graph shows the gap between the average interest rate earned on Council's term deposits (top line) compared to the interest rate applying to loan 1 above (bottom line).

### Term Deposits/Loan Interest Rate Comparison



NB: This graph only compares the 2004 NAB loan.

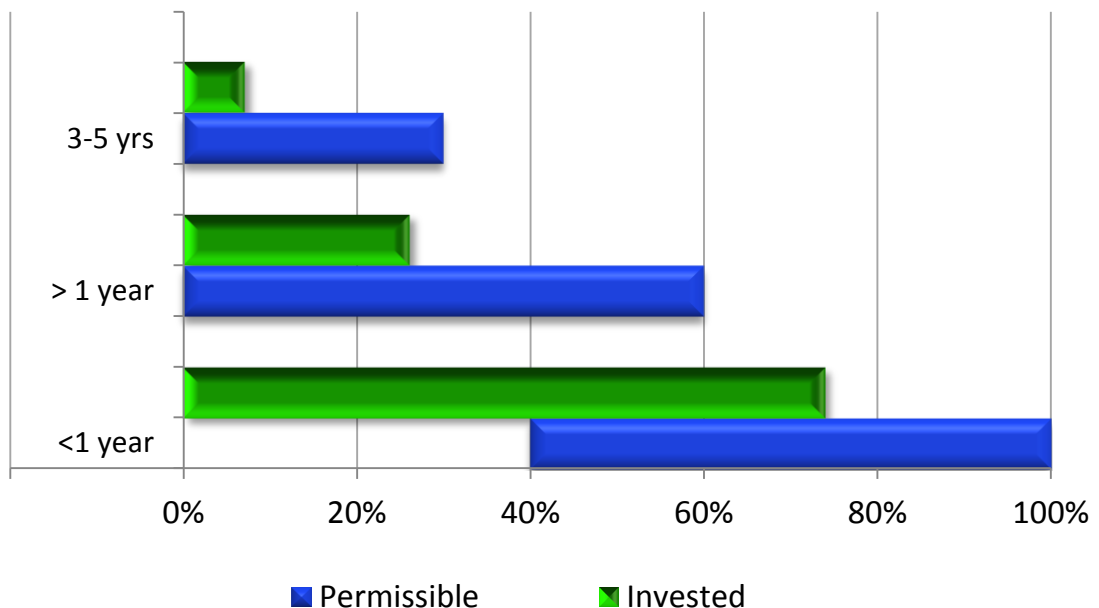
## ITEM 8 (continued)

### Policy Limits

The following graph shows the limits, as a percentage of total cash investments, of the amounts by period, as allowed under Council's policy, and comparing them to the amounts actually invested, as a percentage of total cash investments.

It shows that the funds invested are within the limits set in the policy.

### Policy Limits on Maturities



## ITEM 8 (continued)

### INVESTMENT SUMMARY AS AT 31 MARCH 2015

Issuer	Investment Name	Investment Rating	Invested at 31-Mar-15 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2014	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
Westpac	1. Westpac At Call	AA-	2,996	1.84	2.30	2.23	2.19	2,996	100.00%
Bank of Queensland	2. Bank of Queensland TD	A-	2,000	3.65	3.59	3.59	1.46	2,000	100.00%
CBA	3. Bankwest Term Deposit	AA-	2,000	3.60	3.60	3.60	1.46	2,000	100.00%
NAB	4. NAB Term Deposit	AA-	1,000	3.55	3.68	3.63	0.73	1,000	100.00%
Westpac	5. Westpac Term Deposit	AA-	1,000	4.35	4.35	4.35	0.73	1,000	100.00%
Westpac	6. Westpac Term Deposit	AA-	500	4.95	4.95	4.95	0.37	500	100.00%
NAB	7. NAB Term Deposit	AA-	1,000	4.08	4.08	4.08	0.73	1,000	100.00%
AMP	8. AMP TD	A	1,000	3.43	3.66	3.55	0.73	1,000	100.00%
MyState CU	9. MyState CU TD	BBB	1,000	3.03	3.50	3.39	0.73	1,000	100.00%
NAB	10. NAB Term Deposit	AA-	2,000	4.10	4.10	4.10	1.46	2,000	100.00%
CBA	11. Bankwest Term Deposit	AA-	2,000	3.43	3.48	3.46	1.46	2,000	100.00%
CBA	12. Bankwest TD	AA-	2,000	3.60	3.60	3.60	1.46	2,000	100.00%
CBA	13. Bankwest TD	AA-	2,000	3.48	3.48	3.48	1.46	2,000	100.00%
CBA	14. Bankwest Term Deposit	AA-	1,500	3.48	3.47	3.44	1.10	1,500	100.00%
NAB	15. NAB Term Deposit	AA-	2,000	4.05	4.05	4.05	1.46	2,000	100.00%
Defence Bank	16. Defence Bank TD	BBB+	1,000	3.00	3.24	3.22	0.73	1,000	100.00%
Beyond Bank	17. Beyond Bank TD	BBB+	500	3.45	3.63	3.57	0.37	500	100.00%
Bendigo and Adelaide Bank	18. Bendigo Bank TD	A-	1,000	3.04	3.45	3.31	0.73	1,000	100.00%
CUA	19. Credit Union Australia TD	BBB+	500	3.85	3.89	3.85	0.37	500	100.00%
Bendigo and Adelaide Bank	20. Rural Bank	A-	1,000	6.48	6.48	6.48	0.73	1,000	100.00%
Banana Coast CU	21. Bananacoast CU TD	Unrated	500	3.55	3.87	3.74	0.37	500	100.00%
CBA	22. CBA TD	AA-	2,000	3.15	5.42	5.27	1.46	2,000	100.00%
CBA	23. Bankwest Term Deposit	AA-	1,000	3.09	6.35	6.13	0.73	1,000	100.00%
IMB	24. IMB TD	BBB	1,000	3.43	3.48	3.44	0.73	1,000	100.00%
Summerland CU	25. Summerland CU TD	Unrated	250	5.05	5.05	5.05	0.18	250	100.00%
AMP	26. AMP Business Saver	A	973	2.84	3.22	3.16	0.71	973	100.00%
CBA	27. CBA Term Deposit	AA-	1,000	4.55	4.55	4.55	0.73	1,000	100.00%
Newcastle Perm Bldg Soc	28. Newcastle Perm Bldg Soc	BBB+	1,000	3.19	3.42	3.35	0.73	1,000	100.00%
Greater Bldg Soc	29. Greater Bldg Soc TD	BBB	1,000	3.60	3.63	3.61	0.73	1,000	100.00%
The Rock Bldg Soc	30. The Rock Bldg Soc TD	BBB	1,000	3.03	3.50	3.39	0.73	1,000	100.00%
Police CU (SA)	31. Police CU - SA	Unrated	1,000	3.11	3.11	3.11	0.73	1,000	100.00%
AMP	32. AMP TD	A	1,000	3.05	6.46	6.23	0.73	1,000	100.00%
CBA	33. CBA TD	AA-	1,000	4.15	3.77	3.87	0.73	1,000	100.00%
CBA	34. CBA TD	AA-	2,000	3.12	3.41	3.44	1.46	2,000	100.00%
Rabobank	35. Rabodirect At-call	AA	5	2.59	2.97	2.95	0.00	5	100.00%
Me Bank	36. ME Bank At Call Account	BBB	1,208	2.79	3.04	3.00	0.88	1,208	100.00%
CBA	37. CBA FRN	AA-	1,000	3.72	3.89	3.89	0.73	1,011	101.08%
Westpac	38. Westpac FRN	AA-	999	3.68	3.93	3.93	0.73	1,009	100.87%
CBA	39. CBA FRN	AA-	999	3.77	3.94	3.94	0.73	1,011	101.08%
NAB	40. NAB FRN	AA-	997	4.11	4.18	4.19	0.73	1,010	101.01%
NAB	41. NAB FRN	AA-	998	4.10	4.17	4.17	0.73	1,010	101.01%
CBA	42. CBA FRN	AA-	997	3.94	4.11	4.11	0.73	1,011	101.08%
ANZ	43. ANZ FRN	AA-	997	3.88	4.14	4.13	0.73	1,009	100.86%
NAB	44. NAB Fixed MTN	AA-	997	6.30	6.25	6.23	0.73	1,066	106.60%
Westpac	45. Westpac Fixed MTN	AA-	998	6.20	6.19	6.18	0.73	1,066	106.64%
Macquarie Bank	46. Macquarie Bank TD	A	500	6.50	6.50	6.50	0.37	500	100.00%
CBA	47. CBA Retail Bond	AA-	966	4.45	4.43	4.43	0.71	971	100.13%
Bendigo and Adelaide Bank	48. Delphi Bank TD	Unrated	250	6.05	6.05	6.05	0.18	250	100.00%
Bendigo and Adelaide Bank	49. Rural Bank TD	A-	1,000	3.08	3.36	3.30	0.73	1,000	100.00%
Me Bank	50. ME Bank TD	BBB+	1,000	3.43	3.73	3.70	0.73	1,000	100.00%
CBA	51. CBA Retail Bonds	AA-	497	4.67	4.64	4.65	0.36	501	100.13%
CBA	52. CBA Retail Bonds	AA-	497	4.70	4.67	4.67	0.36	501	100.13%
Bank of Queensland	53. Bank of Queensland TD	A-	1,000	5.15	5.15	5.15	0.73	1,000	100.00%
Bank of Queensland	54. Bank of Queensland TD	A-	2,000	4.10	4.10	4.10	1.46	2,000	100.00%
BoQ Specialist	55. BoQ Specialist	BBB+	250	6.15	6.15	6.15	0.18	250	100.00%
IMB	56. IMB TD	BBB	1,000	3.50	3.52	3.50	0.73	1,000	100.00%
CBA	57. CBA Retail Bond	AA-	498	4.61	4.59	4.59	0.36	501	100.13%
Westpac	58. St George TD	AA-	1,000	4.05	4.05	4.05	0.73	1,000	100.00%
CBA	59. CBA Retail Bond	AA-	498	4.60	4.58	4.58	0.36	501	100.13%
Bendigo and Adelaide Bank	60. Rural Bank TD	A-	1,000	3.33	3.46	3.42	0.73	1,000	100.00%

## ITEM 8 (continued)

Issuer	Investment Name	Investment Rating	Invested at 31-Mar-15 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments	Return since 01 July 2014	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
ING	61. ING Floating Rate TD	A-	1,000	4.77	5.05	5.04	0.73	1,000	100.00%
IMB	62. IMB TD	BBB	1,000	3.49	3.50	3.49	0.73	1,000	100.00%
Westpac	63. St George TD	AA+	1,000	4.05	4.05	4.05	0.73	1,000	100.00%
Bank of Queensland	64. Bank of Queensland TD	A-	1,000	3.75	3.74	3.75	0.73	1,000	100.00%
NAB	65. NAB TD	AA-	2,000	3.55	4.20	4.05	1.46	2,000	100.00%
Me Bank	66. ME Bank TD	BBB+	1,000	3.08	3.64	3.60	0.73	1,000	100.00%
Bank of Queensland	67. Bank of Queensland FRN	A-	2,000	4.09	4.32	4.31	1.46	2,015	100.74%
Bendigo and Adelaide Bank	68. Bendigo Bank TD	A-	1,000	3.70	3.70	3.70	0.73	1,000	100.00%
Bendigo and Adelaide Bank	69. Bendigo & Adelaide Bank FRN	A-	1,000	3.57	3.90	3.90	0.73	1,009	100.93%
CBA	70. CBA TD	AA-	1,000	3.19	3.64	3.19	0.73	1,000	100.00%
CBA	71. CBA TD	AA-	1,000	3.75	3.65	3.67	0.73	1,000	100.00%
NAB	72. NAB TD	AA-	1,000	3.55	3.70	3.66	0.73	1,000	100.00%
NAB	73. NAB Term Deposit	AA-	1,000	4.15	4.15	4.15	0.73	1,000	100.00%
NAB	74. NAB Term Deposit	AA-	1,000	4.27	4.27	4.27	0.73	1,000	100.00%
Macquarie Bank	75. Macquarie Bank TD	A	750	3.38	3.73	3.67	0.55	750	100.00%
AMP	76. AMP Term Deposit	A+	2,000	3.30	3.62	3.52	1.46	2,000	100.00%
Bank of Queensland	77. Bank of Queensland TD	A-	2,000	3.15	3.65	3.62	1.46	2,000	100.00%
NAB	78. NAB TD	AA-	2,000	3.55	3.69	3.64	1.46	2,000	100.00%
Bendigo and Adelaide Bank	79. Bendigo and Adelaide Bank FRN	A-	2,000	3.64	3.98	3.98	1.46	2,026	101.30%
Bendigo and Adelaide Bank	80. Rural Bank TD	A-	2,000	3.08	3.53	3.48	1.46	2,000	100.00%
Wide Bay CU	81. Wide Bay CU TD	BBB	1,000	3.04	3.50	3.44	0.73	1,000	100.00%
Newcastle Perm Bldg Soc	82. Newcastle Perm Bldg Soc	BBB+	1,000	3.08	3.43	3.39	0.73	1,000	100.00%
Westpac	83. WBC Floating TD	AA-	1,000	3.39	3.65	3.64	0.73	1,000	100.00%
CUA	84. CUA FRN	BBB+	1,000	3.94	4.05	4.06	0.73	1,002	100.19%
CUA	85. CUA TD	BBB+	1,000	3.05	3.74	3.73	0.73	1,000	100.00%
NAB	86. NAB Flexi TD 2	AA-	1,000	3.36	3.70	3.69	0.73	1,000	100.00%
Banana Coast CU	87. Bananacoast CU TD	Unrated	1,000	3.90	3.90	3.90	0.73	1,000	100.00%
Bank of Queensland	88. Bankwest TD	AA-	2,000	3.55	3.48	3.48	1.46	2,000	100.00%
Bank of Queensland	89. Bank of Queensland FRN	A-	1,000	3.52	3.73	3.72	0.73	1,005	100.51%
AMP	90. AMP Notice Account	A+	1,026	3.00	3.35	3.34	0.75	1,026	100.00%
NAB	91. NAB TD	AA-	2,000	3.63	3.63	3.63	1.46	2,000	100.00%
Police Bank	92. Police Bank FRN	BBB+	1,000	3.46	3.77	3.77	0.73	1,001	100.11%
Newcastle Perm Bldg Soc	93. Newcastle Perm Bldg Soc TD	BBB+	1,000	3.24	3.30	3.30	0.73	1,000	100.00%
Bendigo and Adelaide Bank	94. Bendigo Bank TD	A-	2,000	3.48	3.42	3.42	1.46	2,000	100.00%
CUA	95. CUA TD	BBB+	1,000	3.10	3.52	3.52	0.73	1,000	100.00%
Newcastle Perm Bldg Soc	96. Newcastle Perm Bldg Soc	BBB+	1,000	3.03	3.34	3.34	0.73	1,000	100.00%
ANZ	97. ANZ FRN	AA-	2,000	3.28	3.53	3.53	1.46	2,007	100.34%
Me Bank	98. ME Bank FRN	BBB+	2,000	3.36	3.68	3.68	1.46	1,999	99.97%
NAB	99. NAB TD	AA-	2,000	3.55	3.55	3.55	1.46	2,000	100.00%
CBA	100. Bankwest TD	AA-	2,000	3.55	3.53	3.53	1.46	2,000	100.00%
Bendigo and Adelaide Bank	101. Rural Bank TD	A-	2,000	3.45	3.45	3.45	1.46	2,000	100.00%
QT Mutual Bank	102. Queensland Teachers Mutual Bank FRN	BBB+	1,000	3.56	3.77	3.77	0.73	1,000	100.00%
Teachers Mutual Bank	103. Teachers Mutual Bank	BBB+	1,000	3.47	3.74	3.74	0.73	1,000	100.00%
Wide Bay CU	104. Wide Bay CU TD	BBB	750	3.01	3.41	3.41	0.55	750	100.00%
MyState CU	105. MyState CU TD	BBB	750	3.60	3.60	3.60	0.55	750	100.00%
Bankwest TD	106. Bankwest TD	AA-	2,000	3.04	3.41	3.41	1.46	2,000	100.00%
CBA	107. Bankwest TD	AA-	2,000	3.14	3.24	3.24	1.46	2,000	100.00%
NAB	108. NAB Flexi TD	AA-	1,000	3.81	3.81	3.81	0.73	1,000	100.00%
CBA	109. Bankwest TD	AA-	2,000	3.55	3.55	3.55	1.46	2,000	100.00%
Westpac	110. Westpac FRN	AA-	2,000	3.60	3.60	3.60	1.46	2,010	100.49%
Bendigo and Adelaide Bank	111. Rural Bank Ltd	A-	1,000	3.07	3.07	3.07	0.73	1,000	100.00%
Macquarie Bank	112. Macquarie Bank FRN	A	750	3.42	3.42	3.42	0.55	750	100.00%
CBA	113. CBA TD	AA+	2,000	3.15	3.15	3.15	1.46	2,000	100.00%
			<b>136,896</b>	<b>3.61</b>	<b>3.83</b>	<b>3.81</b>	<b>100</b>	<b>137,208</b>	



## ITEM 8 (continued)

\*Monthly returns when annualised can appear to exaggerate performance

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

Return including Matured/Traded Investments

Weighted Average Return

Benchmark Return: AusBond Bank Bill Index (%)

Variance From Benchmark (%)

Mar	12 Mth	FYTD
3.60	3.89	3.80
2.44	2.72	2.72
1.16	1.17	1.08

### Investment Income

	\$000's
This Period	416
Financial Year To Date	3,467
Budget Profile	3,150
Variance from Budget - \$	317

### Certificate of the Chief Financial Officer (Responsible Accounting Officer)

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



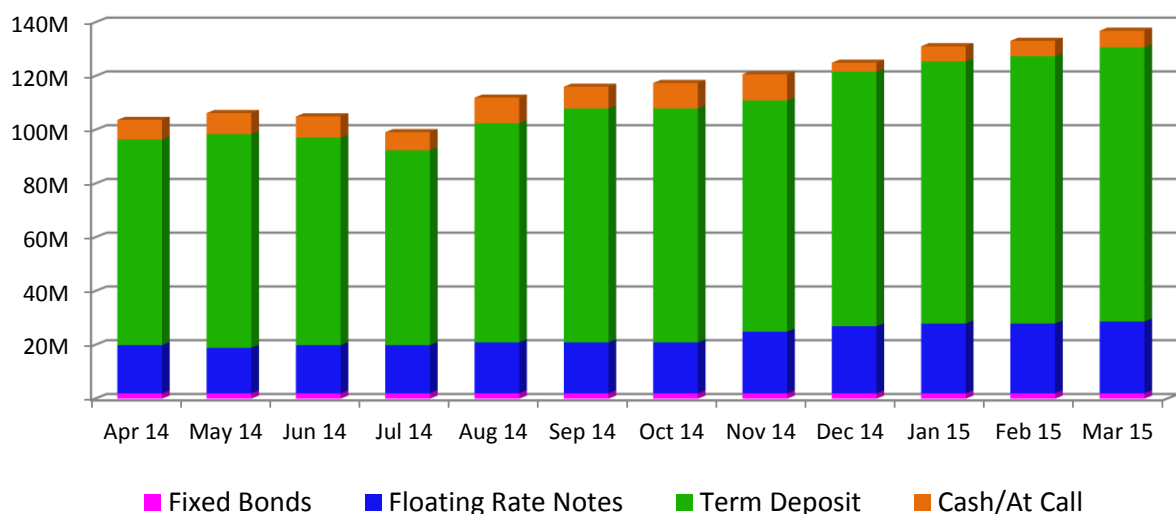
John Todd Date: 07/04/2015

## Analysis of investments

The following graphs show analysis of the total cash investments by:

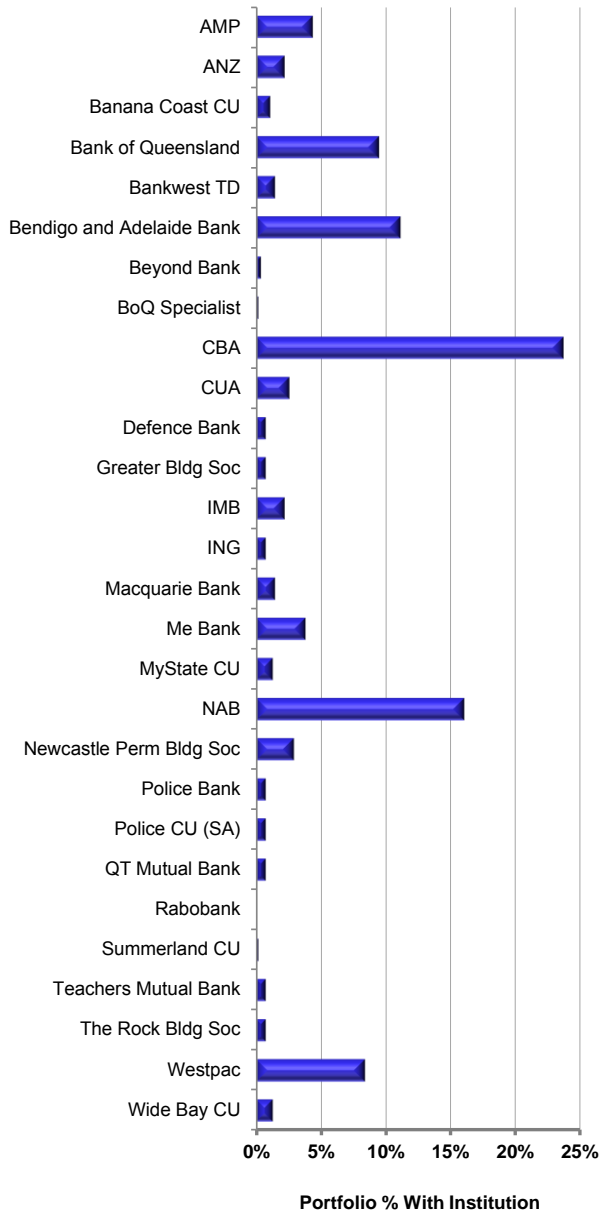
- Type of investment
- Institution
- Duration
- Rating

### Total Funds Invested

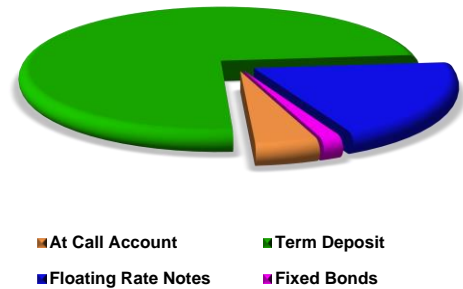


## ITEM 8 (continued)

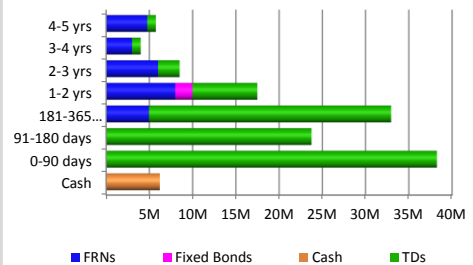
### Active Investment by Institution



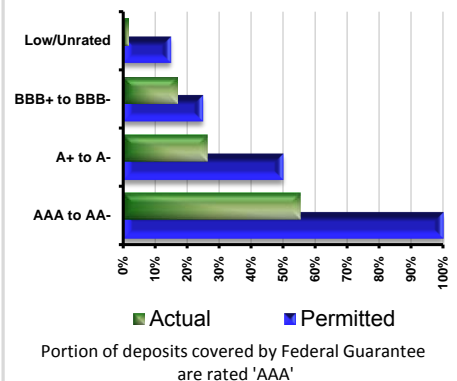
### Summary by Investment Type



### Summary by Duration



### Investment Summary by Rating



	<365 days	>365 days
Cash/TDs	\$95.2M	\$13.0M
FRNs	\$5.0M	\$21.7M
Fixed Bonds	\$0.0M	\$2.0M
	<b>\$100.2M</b>	<b>\$36.7M</b>

## Context

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

**ITEM 8 (continued)****Financial Implications**

Income from interest on investments and proceeds from sales of investments totals \$3.47M, being \$317K above revised budget projections, with an adjustment made in the September Quarterly Budget Review. The increase in interest is due mainly to Council receiving more funds for Section 94 contributions.

The Financial Security Reserve has a current balance of \$3.44 million.

## ITEM 8 (continued)

## ATTACHMENT 1

### Council's Property Investment Portfolio

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

	<b>\$'M</b>
2 Dickson Avenue, West Ryde	\$0.82
1A Station Road, West Ryde	\$1.05
8 Chatham Road, West Ryde	\$1.17
202 Rowe Street, Eastwood	\$2.34
226 Victoria Road, Gladesville	\$0.92
7 Anthony Road, West Ryde Car Park site, West Ryde	\$4.46
Herring Road Air Space Rights	Unknown
7 Coulter Street, Coulter St Car Park, Gladesville	\$16.05
6-12 Glen Street, Glen Street Car Park, Eastwood	\$19.40
2 Pittwater Road, John Wilson Car Park, Gladesville	\$6.20
150 Coxs Road, Cox Rd Car Park, North Ryde	\$1.24
33-35 Blaxland Road, Argyle Centre, Ryde	\$6.50
19-21 Church Street and 16 Devlin Street, Ryde	Unknown
1 Constitution Road, Operations Centre, Ryde	\$25.10
741-747 Victoria Road, Ryde	\$4.60
53-71 Rowe Street, Eastwood	\$2.09
6 Reserve Street, West Ryde	\$0.32M
<b>Total</b>	<b>\$92.26M</b>

### Benchmark

The Australian UBS Bank Bill index is constructed as a benchmark to represent the performance of a passively managed short-term money market portfolio. It comprises thirteen Bank Bills of equal face value, each with a maturity seven days apart. The average term to maturity is approximately 45 days. A Bank Bill is a non-interest bearing security issued by a bank whereby the bank takes on an obligation to pay an investor a fixed amount (face value) at a fixed future date. It is sold to an investor at a discount to the face value. Bank Bills are short-term money market investments with maturities usually between 30 days and 180 days.

### Types of Investments

The following are the types of investments held by Council:

At Call refers to funds held at a financial institution, and can be recalled by Council either same day or on an overnight basis.

A Floating Rate Note (FRN) is a debt security issued by a company with a variable interest rate. This can either be issued as Certificates of Deposit (CD) or as Medium Term Notes (MTN). The interest rate can be either fixed or floating, where the adjustments to the interest rate are usually made quarterly and are tied to a certain money market index such as the Bank Bill Swap Rate.

## ITEM 8 (continued)

## ATTACHMENT 1

A Fixed Rate Bond is a debt security issued by a company with a fixed interest rate over the term of the bond.

### Credit Rating Information

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

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

AAA: the best quality companies, reliable and stable

AA: quality companies, a bit higher risk than AAA

A: economic situation can affect finance

BBB: medium class companies, which are satisfactory at the moment

BB: more prone to changes in the economy

B: financial situation varies noticeably

CCC: currently vulnerable and dependent on favourable economic conditions to meet its commitments

CC: highly vulnerable, very speculative bonds

C: highly vulnerable, perhaps in bankruptcy or in arrears but still continuing to pay out on obligations

D: has defaulted on obligations and it is believed that it will generally default on most or all obligations

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

### Council's Investment Powers

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

- (1) A council may invest money that is not, for the time being, required by the council for any other purpose.
- (2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
- (3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.
- (4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.



**ITEM 8 (continued)**

**ATTACHMENT 1**

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

Local Government Act 1993 - Section 625

Local Government Act 1993 - Order (of the Minister) dated 12 January 2011

The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2)

Local Government (Financial Management) Regulation 1993

Investment Guidelines issued by the Department of Local Government

## ITEM 8 (continued)

## ATTACHMENT 1

### Financial Security Reserve Transactional History

Starting Balance	8,000,000.00	10 Oct 2008
Write off Constellation	(1,000,000.00)	10 Oct 2008
Write off Rembrandt	(1,000,000.00)	10 Oct 2008
Write off Palladin	(2,000,000.00)	10 Oct 2008
Write off Alpha	(1,000,000.00)	10 Oct 2008
Write off Covent Garden	(2,000,000.00)	10 Oct 2008
Write off Oasis	(1,000,000.00)	10 Oct 2008
<b>FY2009 and FY2010</b>		
Interest Payments		
Default of Constellation - Residual	21,615.62	10 Oct 2008
Default of Palladin - Residual	-	28 Oct 2008
Default of Rembrandt - Residual	68,393.78	27 Oct 2008
<b>FY2010</b>		
Interest Payments	50,334.01	
<b>FY2011</b>		
Starting balance 1 July 2010	140,343.41	
Sale of Flinders	301,000.00	12 Aug 2010
Quartz Maturity	209,626.75	20 Oct 2010
Sale of Glenelg	160,000.00	29 Dec 2010
Interest on Grange IMP Sept	31,561.37	
Interest on Grange IMP Dec	24,731.75	
Interest on Grange IMP Mar	10,310.63	
Interest on Grange IMP June	16,092.08	
Interest on Oasis	81,758.10	
Interest on Alpha	12,534.80	
Interest on Covent Garden	16,521.58	
Default of Covent Garden	-	29 Mar 2011
Closing balance FY 2011	<b>1,004,480.47</b>	
<b>FY2012</b>		
Interest on Oasis	42,942.41	
Interest on Alpha	4,837.56	
Interest on Grange IMP Sept	9,862.09	
Interest on Grange IMP Dec	129.02	
Maturity of Alpha	1,001,974.90	20 Mar 2012
Interest on Grange IMP March	123.38	
Closing Balance FY 2012	<b>2,064,349.83</b>	
<b>FY2013</b>		
Interest on Oasis FY2013	20,215.91	
Sale of Oasis	219,266.42	23 Jan 2013
Grange Settlement -Beryl	559,966.39	25 Feb 2013
Grange Settlement -Zircon	192,383.73	25 Feb 2013
Rembrandt Settlement	381,695.85	04 Apr 2013
Closing Balance FY 2013	<b>3,437,878.13</b>	

## ITEM 8 (continued)

## ATTACHMENT 1

### Overview of Investments

An overview of all investments held by the City of Ryde as at 28 February is provided below:

1. **Westpac at Call Account (AA-):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
2. **Bank of Queensland Term Deposit (A-):** This investment is a 99 day term deposit paying 3.45% (3.50% annualised), and matures 22 April 2015.
3. **Bankwest Term Deposit (AA-):** This investment is a one year term deposit paying 3.60% (3.60% annualised), and matures 22 April 2015.
4. **NAB Term Deposit (AA-):** This investment is a one year term deposit, paying 3.55% p.a. (3.55% annualised), and matures 6 October 2015.
5. **Westpac Term Deposit (AA-):** This investment is a two year term deposit, paying 4.35% % (4.35% annualised), and matures 29 May 2015.
6. **Westpac Term Deposit (AA-):** This investment is a three year term deposit, paying 4.95% pa, and matures 21 September 2015.
7. **NAB Term Deposit (AA-):** This investment is a two year term deposit, paying 4.05% p.a., and matures 4 April 2016.
8. **AMP Term Deposit (A+):** This investment is a 182 day term deposit, paying 3.40% p.a. (3.43% annualised), and matures 30 July 2015.
9. **MyState Credit Union Term Deposit (BBB):** This investment is a 91 day term deposit, paying 3.00% (3.03% annualised), and matures 28 May 2015.
10. **NAB Term Deposit (AA-):** This investment is a two year term deposit, paying 4.10% p.a., and matures 11 March 2016.
11. **Bankwest Term Deposit (AA-):** This investment is a 180 day term deposit, paying 3.40% p.a. (3.43% annualised), and matures 21 April 2015.
12. **Bankwest Term Deposit (AA-):** This investment is a one year term deposit, paying 3.60% p.a. (3.60% annualised), and matures 8 May 2015.
13. **Bankwest Term Deposit (AA-):** This investment is a 182 day term deposit, paying 3.45% p.a. (3.48% annualised), and matures 30 April 2015.
14. **Bankwest Term Deposit (AA-):** This investment is a 187 day term deposit, paying 3.45% p.a. (3.48% annualised), and matures 19 May 2015.

**ITEM 8 (continued)**

**ATTACHMENT 1**

- 15. NAB Term Deposit (AA-):** This investment is a two year term deposit, paying 4.05% p.a., and matures 25 February 2016.
- 16. Defence Bank Term Deposit (BBB+):** This investment is a one year term deposit paying 3.00% p.a. and matures on 4 March 2016.
- 17. Beyond Bank Term Deposit (BBB+):** This investment is a 180 day term deposit paying 3.42% (3.45% annualised) and matures on 14 April 2015.
- 18. Bendigo Bank TD (A-):** This investment is a 184 day term deposit paying 3.02% (3.04% annualised) and matures on 10 September 2015.
- 19. Credit Union Australia Term Deposit (BBB+):** This investment is a one year term deposit, paying 3.85% (3.85% annualised), and matures on 7 May 2015.
- 20. Rural Bank Term Deposit (A-):** This investment is a five year term deposit, paying 6.48% p.a., and matures on 21 March 2017.
- 21. Bananacoast CU Term Deposit (Unrated):** This investment is a one year term deposit paying 3.55% p.a. and matures on 7 January 2016.
- 22. CBA Term Deposit (AA-):** This investment is a 213 day term deposit paying 3.15% (3.15% annualised) and matures on 24 September 2015.
- 23. Bankwest TD (AA-):** This investment is a 62 day term deposit paying 3.05% (3.09% annualised) and matures on 16 April 2015.
- 24. IMB Term Deposit (Unrated):** This investment is a 181 day term deposit paying 3.40% (3.43% annualised) and matures on 21 September 2015.
- 25. Summerland CU Term Deposit (Unrated):** This investment is a three year term deposit paying 5.05% pa and matures on 14 July 2015.
- 26. AMP Business Saver at call account (A+):** This investment is an at-call account earning 3.35%. No fees are payable by Council on this investment.
- 27. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 4.55% annually and matures on 16 May 2016.
- 28. Newcastle Permanent Building Society Term Deposit (BBB+):** This investment is a 36 day term deposit, paying 3.10% (3.14% annualised), and matures on 10 February 2016.
- 29. Greater Building Society Term Deposit (BBB):** This investment is a one year term deposit, paying 3.60% pa, and matures on 7 August 2015.

**ITEM 8 (continued)**

**ATTACHMENT 1**

- 30. The Rock Building Society Term Deposit (BBB):** This investment is a 91 day term deposit paying 3.00% p.a. (3.03% annualised), and matures 28 May 2015.
- 31. Police CU SA Term Deposit (Unrated):** This investment is a two year term deposit paying 3.11% p.a. (3.11% annualised), and matures 27 March 2017.
- 32. AMP Term Deposit (A+):** This investment is a one year term deposit paying 3.05% p.a. which matures on 18 February 2016.
- 33. CBA Term Deposit (AA-):** This investment is a 216 day term deposit paying 3.10% (3.12% annualised), and matures on 1 October 2015.
- 34. CBA Term Deposit (AA-):** This investment is a five year term deposit paying 4.15% pa, and matures on 18 November 2019.
- 35. Rabodirect At-Call (AA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 36. Members Equity Bank At-Call Account (BBB):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 37. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 2 August 2016.
- 38. Westpac Floating Rate Note (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 123 above BBSW. This investment matures 9 May 2016.
- 39. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 125 above BBSW. This investment matures 2 August 2016.
- 40. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 21 June 2016.
- 41. National Australia Bank FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 21 June 2016.
- 42. CBA FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 140 above BBSW. This investment matures 2 August 2016.



**ITEM 8 (continued)**

**ATTACHMENT 1**

- 43. ANZ FRN (AA-):** This investment is a senior, unsecured floating rate note purchased at a yield of 142 above BBSW. This investment matures 9 May 2016.
- 44. NAB Fixed MTN (AA-):** This is a fixed rate bond paying 6.18% (6.30% annualised) and matures 15 February 2017.
- 45. Westpac Fixed MTN (AA-):** This is a fixed rate bond paying 6.00% (6.14% annualised) and matures 20 February 2017.
- 46. Macquarie Bank Term Deposit (A):** This is a five year term deposit paying 6.50% (6.50% annualised) and matures 3 April 2017.
- 47. CBA Retail Bond (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 24 December 2015.
- 48. Delphi Bank Term Deposit (Unrated):** This investment is a five year term deposit paying 6.05% p.a. and matures on 15 May 2017.
- 49. Rural Bank Term Deposit (Unrated):** This investment is a 126 day term deposit paying 3.05% (3.08% annualised) and matures on 30 July 2015.
- 50. ME Bank Term Deposit (BBB+):** This investment is a 182 day term deposit paying 3.40% p.a. (4.33% annualised) and matures on 28 July 2015.
- 51. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 182 above BBSW. This investment matures 24 December 2015.
- 52. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 184 above BBSW. This investment matures 24 December 2015.
- 53. Bank of Queensland Term Deposit (A-):** This investment is a five year term deposit paying 5.15% (5.15% annualised) and matures 20 November 2018.
- 54. Bank of Queensland Term Deposit (A-):** This investment is a two year term deposit paying 4.10% (4.10% annualised) and matures 3 March 2016.
- 55. BoQ Specialist Bank (formerly Investec) Term Deposit (BBB+):** This investment is a five year term deposit paying 6.95% on maturity (6.15% annualised) and matures 15 August 2017.
- 56. IMB Term Deposit (BBB):** This investment is a one year term deposit paying 3.50% on maturity (3.50% annualised) and matures 14 August 2015.

**ITEM 8 (continued)**

**ATTACHMENT 1**

- 57. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 175 above BBSW. This investment matures 24 December 2015.
- 58. St George Term Deposit (AA-):** This investment is a two year term deposit paying 4.05% (4.05% annualised and matures on 27 August 2015.
- 59. CBA Retail Bonds (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 174 above BBSW. This investment matures 24 December 2015.
- 60. Rural Bank Term Deposit (A-):** This investment is a one year term deposit, paying 3.60 p.a. and matures on 7 August 2015.
- 61. ING Floating Rate Term Deposit (A):** This is a five year floating rate term deposit paying 2.30% above 90 day BBSW, and matures 4 September 2017.
- 62. IMB Deposit (BBB):** This is a 125 day term deposit paying 3.45% (3.49% annualised), and matures 7 April 2015.
- 63. St George Term Deposit (AA-):** This is a two year term deposit paying 4.05% (4.05% annualised), and matures 13 August 2015.
- 64. Bank of Queensland Term Deposit (BBB+):** This is a 1 year term deposit paying 3.75% (3.75% annualised) and matures 14 May 2015.
- 65. NAB Term Deposit (AA-):** This is a one year term deposit paying 3.55% pa and matures 15 December 2015.
- 66. Members Equity Bank Term Deposit (BBB):** This is a 126 day term deposit paying 3.05% (3.08% annualised) and matures 25 June 2015.
- 67. Bank of Queensland FRN (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 160 above BBSW. This investment matures 7 December 2015.
- 68. Bendigo Bank Term Deposit (A-):** This investment is a one year term deposit paying 3.70% annually and matures 22 May 2015.
- 69. Bendigo Bank FRN (A-):** This is a senior, unsecured floating rate note purchased at a yield of 120 above BBSW. This investment matures 17 May 2017.
- 70. CBA Term Deposit (AA-):** This investment is a one year term deposit paying 3.19% pa and matures 9 February 2016.

**ITEM 8 (continued)**

**ATTACHMENT 1**

- 71. CBA Term Deposit (AA-):** This investment is a three year term deposit paying 3.75% pa and matures 20 November 2017.
- 72. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.55% pa and matures 6 November 2015.
- 73. NAB Term Deposit (AA-):** This investment is a two year term deposit paying 4.15% (4.15% annualised) and matures 13 August 2015.
- 74. NAB Term Deposit (AA-):** This investment is a two year term deposit paying 4.27% (4.27% annualised) and matures 25 August 2015.
- 75. Macquarie Bank Term Deposit (A):** This investment is a 181 day term deposit paying 3.35% (3.38% annualised) and matures 16 June 2015.
- 76. AMP Term Deposit (A+):** This investment is a two year term deposit paying 3.30 p.a., and matures 21 March 2017.
- 77. Bank of Queensland TD (A-):** This is a one year term deposit paying 3.15% p.a., and matures 11 February 2016.
- 78. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.55% and matures 9 October 2015.
- 79. Bendigo Bank FRN (A-):** This is a senior, unsecured floating rate note purchased at a yield of 127 above BBSW. This investment matures 14 November 2018.
- 80. Rural Bank Term Deposit (A-):** This investment is a 181 day term deposit, paying 3.05% (3.08% annualised), and matures on 23 July 2015.
- 81. Wide Bay CU Term Deposit (BBB):** This investment is a one year term deposit paying 3.04% (3.04% annualised) and matures on 10 March 2016.
- 82. Newcastle Permanent Building Society (BBB+):** This investment is an 93 day term deposit, paying 3.05% (3.08% annualised), and matures on 4 June 2015.
- 83. Westpac Floating Rate Term Deposit (AA-):** This investment is a 25 month floating rate term deposit paying 90d BBSW + 95 and matures 9 February 2016.
- 84. Credit Union Australia Floating Rate Note (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 130 above BBSW. This investment matures 20 March 2017.
- 85. Credit Union Australia Term Deposit (BBB+):** This investment is a one year term deposit paying 3.05% (3.05% annualised) and matures on 24 March 2016.

**ITEM 8 (continued)**

**ATTACHMENT 1**

- 86. NAB Floating Rate Term Deposit (AA-):** This investment is a two year floating rate term deposit paying 90d BBSW + 100 and matures 16 May 2016.
- 87. Bananacoast Credit Union Term Deposit (Unrated):** This investment is a one year term deposit paying 3.90%, and matures 22 May 2015.
- 88. Bankwest Term Deposit (A-):** This investment is a 93 day term deposit paying 3.50% (3.55% annualised), and matures 16 April 2015.
- 89. Bank of Queensland FRN (AA-):** This investment is a four year floating rate term deposit paying 90d BBSW + 100 and matures 12 June 2018.
- 90. AMP 31 Day Notice Account (A+):** This investment is an account which pays +100 over the cash rate.
- 91. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.63% and matures 14 August 2015.
- 92. Police Bank Floating Rate Note (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 110 above BBSW. This investment matures 21 August 2017.
- 93. Newcastle Permanent Building Society (BBB+):** This investment is an 89 day term deposit, paying 3.20% (3.24% annualised), and matures on 5 May 2015.
- 94. Bendigo Bank Term Deposit (A-):** This investment is a 184 day term deposit paying 3.45% (3.48% annualised) and matures 18 June 2015.
- 95. Credit Union Australia Term Deposit (BBB+):** This investment is an 11 month term deposit paying 3.10% (3.10% annualised) and matures on 9 February 2016.
- 96. Newcastle Permanent Building Society (BBB+):** This investment is a 91 day term deposit, paying 3.00% (3.03% annualised), and matures on 11 June 2015.
- 97. ANZ Floating Rate Note (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 85 above BBSW. This investment matures 11 November 2019.
- 98. ME Bank Floating Rate Note (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 100 above BBSW. This investment matures 17 November 2017.
- 99. NAB Term Deposit (AA-):** This investment is a one year term deposit paying 3.55% pa and matures 3 December 2015.

**ITEM 8 (continued)**

**ATTACHMENT 1**

- 100. Bankwest Term Deposit (AA-):** This investment is a 98 day term deposit paying 3.50% (3.55% annualised) and matures 16 April 2015.
- 101. Rural Bank Term Deposit (A-):** This investment is a 120 day term deposit paying 3.41% (3.45% annualised) and matures 2 April 2015.
- 102. Queensland Teachers Mutual Bank Floating Rate Note (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 105 above BBSW. This investment matures 11 December 2017.
- 103. Teachers Mutual Bank Floating Rate Note (BBB+):** This is a senior, unsecured floating rate note purchased at a yield of 105 above BBSW. This investment matures 4 December 2017.
- 104. Wide Bay Credit Union Term Deposit (BBB):** This investment is a one year term deposit, paying 3.01% p.a., and matures on 8 March 2016.
- 105. MyState Credit Union Term Deposit (BBB):** This investment is a one year term deposit, paying 3.60% pa, and matures on 8 December 2015.
- 106. Bankwest Term Deposit (AA-):** This investment is a 63 day term deposit paying 3.00% (3.04% annualised) and matures 14 May 2015.
- 107. Bankwest Term Deposit (AA-):** This investment is a 97 day term deposit paying 3.10% (3.14% annualised) and matures 11 June 2015.
- 108. NAB Flexi Term Deposit (AA-):** This investment is a two year floating TD paying 103 above 90 day BBSW and matures 9 January 2017.
- 109. Bankwest Term Deposit (AA-):** This investment is a 94 day term deposit paying 3.50% (3.55% annualised) and matures 9 April 2015.
- 110. Westpac Floating Rate Note (AA-):** This is a senior, unsecured floating rate note purchased at a yield of 90 above BBSW. This investment matures 22 January 2020.
- 111. Rural Bank Term Deposit (A-):** This investment is a 184 day term deposit paying 3.05% (3.07% annualised) and matures 3 September 2015.
- 112. Macquarie Bank FRN (A):** This investment is a five year floating rate term deposit paying 90d BBSW + 110 and matures 3 March 2020.
- 113. CBA Term Deposit (AA-):** This investment is a 214 day term deposit paying 3.13% (3.15% annualised) and matures on 6 October 2015.



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## 9 VOLUNTARY PLANNING AGREEMENT POLICY REVIEW

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**Report prepared by:** Manager - Urban Planning

**File No.:** GRP/09/5/6/2 - BP15/359

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### REPORT SUMMARY

The Environmental Planning and Assessment Act (EP&A Act) provides the framework for the structure and implementation of Voluntary Planning Agreements (VPAs). In this regard, Section 93F of the EP&A Act specifically makes provision for a VPA to be entered into between Councils and developers.

A 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. They 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 has had a Voluntary Planning Agreement Policy and associated procedures in place since 2011. The Policy is used by Council and the development sector to ensure certainty and transparency in the negotiation process. The document also provides guidelines for assessing, implementing and tracking a VPA.

The Policy and associated procedural documents have been used to guide the negotiation and execution of 13 VPAs to date (valued at approximately \$36.8m). Based on this experience and our understanding of the VPA process - it is considered timely to review the Policy.

This report provides an overview of the revised draft policy and associated documents. The proposed changes primarily involve a consolidation of the current suite of documents and some minor rewording of aspect of the policy to make it more user-friendly for both Council and developers. These minor changes will ensure the document provides a clearly articulated, transparent, and best-practice process that will enable Council to negotiate agreements of significant public benefit. In addition to these minor changes, a number of mechanisms are proposed to ensure Council is able to recover costs associated with the drafting, valuing and execution of VPAs.

This report recommends that the draft Policy be endorsed by Council for public exhibition.

**ITEM 9 (continued)****RECOMMENDATION:**

- (a) That Council endorse the City of Ryde draft Voluntary Planning Agreements 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.

**ATTACHMENTS**

- 1 Draft VPA Policy
- 2 Draft VPA Template

Report Prepared By:

**Malcolm Harrild**  
**Development Contributions Coordinator**

Report Approved By:

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

**Paul Kapetas**  
**General Counsel**

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

**ITEM 9 (continued)****Discussion**

The Environmental Planning and Assessment Act (EP&A Act) provides the framework for the structure and implementation of Voluntary Planning Agreements (VPAs). In this regard, Section 93F of the EP&A Act specifically makes provision for a VPA to be entered into between Councils and developers.

A 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. They 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 Agreements Policy has been in place since 2011. It sets out the processes and procedures that provide a transparent and accountable framework for the negotiation and implementation of planning agreements. The Policy and the attachments outline the processes involved in a VPA – the key elements are as follows:

- Outline of the 4 stages involved in the VPA process;
  - Pre - lodgement and negotiation
  - Notification, assessment and determination
  - Implementation of planning obligations – post approval
  - Administration - tracking payment and completion of works

A set of internal procedures provides the guidelines on the implementation of the 4 stages.

- Planning Agreement Template to be used for any VPA lodged with Council. This Template sets out any monetary contributions and/or public works to be provided by a developer. It also includes a comparison of the VPA offer with s94 contribution payments.
- Potential Planning Obligation Benefits for the City of Ryde and Macquarie Park - outlines examples of public benefits that developers may provide in lieu of, or in addition to, s94 contributions. These may comprise:
  - Infrastructure such as roads, drainage, open space, improvements to existing transport and access ways.

**ITEM 9 (continued)**

- 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.
- Implementation Plan prepared with each VPA to assist the proponent in specifying how and when the work / public benefit will be delivered.
  - Procedures for the Proponents - procedures to assist the proponent in negotiating a VPA with Council.

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

**Planning Agreement Policy Review**

The current policy and procedures have been in place since 2011. During this time Council has negotiated and executed 13 VPAs (valued at approx. \$36.8m). Currently there are 8 VPAs under negotiation or awaiting execution (likely to be valued in excess of \$38.7m).

Council staff have been actively applying the procedures and using the templates for over the 4 years and it is evident that the provisions and requirements of the policy and procedures could be improved to create efficiencies, ensure clarity and strengthen the legal documents.

Council's General Counsel and Development Contributions Coordinator have reviewed and amended the current VPA Policy and attachments. The revised policy (**ATTACHED**) continues to provide a guide as to the negotiation and implementation of VPAs. While the structure of the Policy and associated documents have changed, the key elements of the Policy are 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 is proposed that these be included in the main policy document. Minor rewording is also proposed to improve clarity.
- Circumstances where Council may enter into a planning agreement.  
A minor amendment to the policy is proposed to clarify the circumstances where Council may 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 is proposed that it be relocated to the Policy document and more clearly identified therein.

**ITEM 9 (continued)**

- Acceptability test – assessment of the desirability of a proposed planning agreement.  
It is 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 is proposed that the Policy include a specific section referring to the type and form of contributions Council will 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 is 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 is 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 are proposed to the minimum notification period (28 days).
- Amendments to planning agreements.  
It is 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 is 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 will be paid for by the developer/proponent.
- Section on contributions.  
It is proposed that this information be moved from the associated procedural document to the Policy document
- Valuing public benefits.  
It is proposed that this information be moved from the associated procedural document to the Policy document. A minor wording change is also proposed to clarify the procedure - the value of the proposed benefit will be determined prior to the agreement being publicly notified.



**ITEM 9 (continued)**

- Credits and offsets.  
An addition to the Policy is proposed in the form of a short section providing specific guidance with respect to Credits and offsets. This section clarifies 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 is 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 is proposed that this information be moved from the associated procedural document to the Policy document.
- Registration of planning agreements and caveats.  
It is proposed that this information be moved from the associated procedural document to the Policy document. It is 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 will be provided with the Policy so that developers are made aware of Council's essential VPA provisions.
- Potential Material Public Benefits  
It is 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.

These changes will ensure that the format of the revised Policy is more user friendly as the information for the proponent is written into the body of the Policy (rather than contained in a separate attachment).

Council is also seeking to recoup its considerable costs in the drafting, valuing and execution of VPAs. As Planning Agreements are volunteered by prospective developers it is deemed appropriate that the costs of the agreement are also borne by these developers.

A copy of draft Policy and draft VPA template is **ATTACHED**.

**Consultation - Public Exhibition**

There is no requirement under the Environmental Planning and Assessment Act 1979 or associated Regulations for a Draft Voluntary Planning Agreement Policy to be publicly exhibited.

**ITEM 9 (continued)**

However, to ensure a robust and transparent process it is proposed that the draft Policy be exhibited for a period of 28 days. The consultation process will involve

- A public notice in the local newspaper of the exhibition period
- The draft Policy on the Council of the City of Ryde website
- Copies available at the Ryde Library, Planning and Business Centre and the Civic Centre

**Financial Implications**

Adoption of the this Policy will allow recovery of costs as previously agreed by Council in line with the recently approved Fees and Charges Schedule.

**Conclusion**

This report outlines the review of the current VPA Policy. The revised draft Policy and procedures aims to create efficiencies, ensure clarity and strengthen the legal process and associated documents with respect to the negotiation and implementation of VPAs.

The draft Policy will be exhibited for 28 days.

**ITEM 9 (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 9 (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.

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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

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### 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

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### 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

**ITEM 9 (continued)**

**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:

**ITEM 9 (continued)**

**ATTACHMENT 2**

- (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

**ITEM 9 (continued)**

**ATTACHMENT 2**

- (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 9 (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 9 (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 9 (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 9 (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 9 (continued)**

**ATTACHMENT 2**

**SCHEDULE 1  
REFERENCE SCHEDULE**

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

**ITEM 9 (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**

*(Insert description of proposed works)*

EXAMPLE ONLY

**ITEM 9 (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 9 (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):

\_\_\_\_\_  
(identify name)

\_\_\_\_\_  
Full Name (printed):

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

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Full Name (printed):

\_\_\_\_\_  
Full Name (printed):

\_\_\_\_\_  
Position:

\_\_\_\_\_  
Position:



**10 REPORTS DUE TO COUNCIL**

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**Report prepared by:** Section Manager - Governance**File No.:** CLM/15/1/4/2 - BP15/417

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**REPORT SUMMARY**

This Report is submitted to Council to review the status of outstanding reports and confirm the date reports are due to be provided to Council as at 14 April 2015 (listing **ATTACHED**).

There are currently 28 reports listed. Following consideration of this report there will be no overdue reports due to Council.

**RECOMMENDATION:**

That the report on Outstanding Council Reports be endorsed.

**ATTACHMENTS**

**1** Outstanding Reports to Council - as at 14 April 2015

Report Prepared By:

**Amanda Janvrin**  
**Section Manager - Governance**

Report Approved By:

**John Schanz**  
**Manager - Governance, Risk and Audit**

**Roy Newsome**  
**Group Manager - Corporate Services**

ITEM 10 (continued)

ATTACHMENT 1

## Outstanding Reports

Meeting Type	Resolution	Due Date of Report	Comments/Update
Works and Community	<b>NOTICE OF MOTION - AMENDMENT TO VOLUNTARY PLANNING AGREEMENT (VPA) POLICY</b>	15/03/2016	<i>In keeping with the Integrated Open Space Plan, the amended VPA Policy seeking additional open space, was approved by Council at its meeting held on 13 August 2013.</i>
Meeting Date		Anticipated date	
14/05/2013	(b) The Acting General Manager prepare a report identifying how much money Council has for open space acquisition and identify potential purchases for consideration by Council in keeping with the Draft IOSP.	15/03/2016	
Group		Officer	
Community Life		Simon James	<i>The Open Space Future Provision Plan is currently under development and will be discussed at a confidential Councillor workshop to be held in November 2013.</i>
			<i>Workshop deferred to February 2014.</i>
			<i>Workshop further delayed to 18 March due to another workshop needing to take priority.</i>
			<i>A response to this resolution will be considered as a part of Section 94A Plan and/or Sport and Recreation Strategy.</i>

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>ESTABLISHING AN INTEGRATED YOUTH SERVICE HUB</b>	<b>Due Date of Report</b> 27/10/2015	<b>Comments/Update</b> <i>Pilot will be evaluated starting in July, as per the Council resolution, with a report back to Council at completion.</i>
<b>Meeting Date</b> 23/07/2013	(d) That following the trial period (2 years), a review of the Integrated Youth Service Hub governance model be undertaken by Community and Culture and reported to Council.	<b>Anticipated date</b> 27/10/2015	
<b>Group</b> Community Life		<b>Officer</b> Baharak Sahebekhtiari	

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>PLANNING PROPOSAL - 10 MONASH ROAD AND 2 COLLEGE STREET, GLADESVILLE - COMPLETE</b>	27/05/2014	<i>Date of exhibition yet to be determined.</i>
<b>Meeting Date</b>	(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.	<b>Anticipated date</b>	<i>DOPI has issued a Gateway determination approving the exhibition of the Planning Proposal. The DOPI conditions require the Planning Proposal to be exhibited with the Bunning's Site Traffic Study (currently underway).</i>
24/09/2013		28/04/2015	
<b>Group</b>		<b>Officer</b>	
Environment and Planning		Meryl Bishop	<i>Report presented to Council at its meeting on 28 April 2015.</i>
			<i>COMPLETED (to be removed following the Council Meeting on 28 April 2015).</i>

ITEM 10 (continued)

ATTACHMENT 1

<b>Meeting Type</b> Council	<b>Resolution</b> <b>PLANNING PROPOSAL - AMENDMENTS TO LEP 2013 - COMPLETE</b>	<b>Due Date of Report</b> 27/03/2015	<b>Comments/Update</b> <i>Update 11 August 2014: Land Owner advised of deferral; Public Works preparing report to Council on drainage and structural issues relating to the site; a further report regarding the planning controls for the site will be provided at a latter date.</i>
<b>Meeting Date</b> 8/10/2013	(f)That Council defer amending the planning control for 100 Rowe Street Eastwood from the Planning Proposal Amendments to DLEP 2013 to allow further consideration and discussion with the land owner of the flooding solutions / proposed planning controls for the site. The matter will be reported to Council at a later date.	<b>Anticipated date</b> 21/04/2015	
<b>Group</b> Public Works		<b>Officer</b> Anthony Ogle	<i>Due to complexity of the matter, further investigations are being carried out on the stormwater works capacity and options for Council.</i>
			<i>Update 30 September 2014: Detailed design underway to determine effectiveness of infrastructure in a 1:100 year flood. Once the detailed design is completed, investigation into the best options for Council will be completed. Depending on complexity, staff will aim to report to Council on 9 December. If this is unachievable, it will be in the new year.</i>
			<i>Update 7 November 2014: Due to the complexity of this</i>

**ITEM 10 (continued)**

**ATTACHMENT 1**

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*matter, we are now aiming to  
report to Council at the end of  
Quarter 3, 2014-2015.*

*Update 9 April 2015:  
Report to be presented to the  
Works and Community  
Committee Meeting on 21 April  
2015.*

*COMPLETED (To be removed  
following the Council Meeting on*



**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Works and Community	<b>FLOODPLAIN RISK MANAGEMENT STUDIES - BUFFALO AND KITTYS CREEK &amp; PARRAMATTA RIVER</b>	21/07/2015	<i>Update 9 March 2015: Consultation on the FloodPlain Risk Management Plan for Buffalo and Kittys Creek has been considered by the Stormwater Flood Management Committee. This matter will be reported to Council on 28 April 2015.</i>
<b>Meeting Date</b>	(c) That a further report be submitted to Council following the completion of the public exhibition period.	<b>Anticipated date</b>	
3/06/2014		21/07/2015	
<b>Group</b>		<b>Officer</b>	
Public Works		Anthony Ogle	<i>Consultation on the FloodPlain Risk Management Plan for Parramatta River and subcatchments will be considered by the Stormwater Flood Management Committee on 22 April 2015. It is expected that this matter will be reported to Council in June / July 2015.</i>
			<i>Update 10 April 2015: Late submissions have raised issues regarding Section 94 certificate notations and the report is now going to be expanded to cover these processes. Accordingly, the FloodPlain Risk Management Plan for Buffalo and Kittys Creek will now be reported to the Works and Community on 21 July 2015.</i>

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>CROWN LANDS WHITE PAPER</b>	<b>Due Date of Report</b> 13/11/2015	<b>Comments/Update</b> <i>Update 1 July 2014: Council delivered its submission by the 20 June 2014 deadline. The matter is now in the hands of the Crown. The Strategic Assessment could possibly take many months.</i>
<b>Meeting Date</b> 10/06/2014	(d) That this matter be further reported to Council once Council has evaluated the Strategic Assessment of the City of Ryde's Crown Land.	<b>Anticipated date</b> 8/12/2015	
<b>Group</b> Public Works		<b>Officer</b> Joe So	<i>Update 30 September 2014: This report will not be presented to Council until the update has been received from the Crown and at this stage, the timeframe is unknown.</i>  <i>Update 6 February 2015: No update received from Crown</i>

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>INVESTIGATION INTO NIGHT MARKETS AT EASTWOOD AND OTHER TOWN CENTRES</b>	<b>Due Date of Report</b> 26/05/2015	<b>Comments/Update</b> <i>Expressions of Interest reviewed by the Eastwood and West Ryde Events and Promotions Committee at its meeting in February and staff are currently developing a consultation plan for local businesses seeking their feedback on the proposals received.</i>
<b>Meeting Date</b> 5/08/2014	(b) That Council invite Expressions of Interest for the establishment of a regular Sunday Farmers Market at Eastwood and that the findings of the EOI and the result of consultation with local businesses be reported back to Council for approval.	<b>Anticipated date</b> 26/05/2015	<i>The results of the consultation and findings of the Expression of Interest will be reported back to Council when completed.</i>
<b>Group</b> Community Life		<b>Officer</b> Derek McCarthy	<i>Councillor Information Bulletin with this update provided to Councillors on 2 April 2015.</i>

ITEM 10 (continued)

ATTACHMENT 1

<b>Meeting Type</b> Works and Community	<b>Resolution</b> <b>MAYORAL MINUTE - NAMING OF LOWER EASTWOOD OVAL</b>	<b>Due Date of Report</b> 19/05/2015	<b>Comments/Update</b> <i>Council staff have been liaising with representatives from the Eastwood St Andrews Football Club and have sought a formal application from them by end March, regarding any renaming proposal.</i>
<b>Meeting Date</b> 12/08/2014	(a) That the Acting Group Manager – Community Life, prepare a report in relation to the possible renaming of the Lower Eastwood Oval.	<b>Anticipated date</b> 19/05/2015	
<b>Group</b> Community Life		<b>Officer</b> Simon James	<i>A report will be provided to Council once an application from the Club has been received.</i>
<b>Meeting Type</b> Council	<b>Resolution</b> <b>LICENCE AGREEMENT - PUTNEY AND TENNYSON BOWLING CLUB</b>	<b>Due Date of Report</b> 9/06/2015	<b>Comments/Update</b> <i>The issue with the private gymnasium at Putney Tennyson Bowling Club has been resolved. The gymnasium has vacated the premises and is now operating from the Putney Scouts Hall on Douglas Street.</i>
<b>Meeting Date</b> 26/08/2014	(c) That a further report be brought back to Council on the outcomes of any negotiations with the Club, including opportunities for access by additional community groups	<b>Anticipated date</b> 9/06/2015	
<b>Group</b> Community Life		<b>Officer</b> Tatjana Domazet	<i>Council is preparing to issue an order to the EFM Health Club for illegal use of the Scouts premises.</i>

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>NOTICE OF MOTION - NO SMOKING AT EASTWOOD PLAZA</b>	<b>Due Date of Report</b> 26/05/2015	<b>Comments/Update</b> <i>Community Consultation Meeting to be held on Saturday, 28 February 2015.</i>
<b>Meeting Date</b> 14/10/2014	In light of a petition received from 240 regular users of the Eastwood Plaza, Council consults with the Eastwood community and local businesses with a view to create a Smoke Free Zone in the Plaza area between appropriate hours, in order to minimise users and school children being exposed to harmful effects of passive smoking. The outcome of the consultation and recommendations are to be reported to the Council meeting.	<b>Anticipated date</b> 26/05/2015	<i>Surveys and Community Consultation has been completed and a report to Council is expected in May 2015.</i>
<b>Group</b> Environment and Planning		<b>Officer</b> Meryl Bishop	

ITEM 10 (continued)

ATTACHMENT 1

<b>Meeting Type</b> Works and Community	<b>Resolution</b> <b>NOTICE OF MOTION - WINE AND MUSIC BY THE RIVER</b>	<b>Due Date of Report</b> 5/05/2015	<b>Comments/Update</b> <i>Staff are waiting to hear back from Gladesville Rotary in regards them proposing to conduct a similar event in place of the Aquatic Festival.</i>
<b>Meeting Date</b> 11/11/2014	(a) That Council staff investigate options for an additional major community event in East Ward named, Wine and Music by the River as a major public community celebration in our City each year.	<b>Anticipated date</b> 5/05/2015	<i>This report will be provided to Council in April 2015.</i>
<b>Group</b> Community Life	(b) That an expression of interest be promoted for a working party to review, develop and adopt a strategy for a Music Festival budgeting with defined guidelines that ensures any and all expenses incurred can be paid for with certainty.	<b>Officer</b> Derek McCarthy	<i>Council staff met with Gladesville Rotary Club, who have expressed an interest in conducting a Wine and Music event within the City of Ryde and have been encouraged to apply to Council through our Event Grant process for assistance with the staging of the event.</i>
	(c) That Council investigate conducting a major community event at Kissing Point Park.		
	(d) That the Chambers of Commerce, Rotary, local business and other interested stakeholders be approached for input with these options to be presented for Council's consideration in March 2015.		<i>A report will be provided to the Works and Community Committee in May 2015.</i>



**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Works and Community	<b>Resolution</b> <b>NOTICE OF MOTION - REMEMBER MIKE AND SAVE A LIFE COMMITTEE - COMPLETE</b>	<b>Due Date of Report</b> 21/04/2015	<b>Comments/Update</b> <i>This matter will be reported to Council in April 2015.</i>
<b>Meeting Date</b> 11/11/2014	That a report be brought back to Council addressing the wider requirement of our community for defibrillators across the City of Ryde Local Government area, including the total costs of the equipment, liability, installation and additional needs for training.	<b>Anticipated date</b> 21/04/2015	<i>This report was considered by the Works and Community Committee at its meeting on 21 April 2015.</i>
<b>Group</b> Community Life		<b>Officer</b> Simon James	<i>COMPLETED (To be removed following the Council Meeting on 28 April 2015).</i>

ITEM 10 (continued)

ATTACHMENT 1

<b>Meeting Type</b> Works and Community	<b>Resolution</b> <b>NOTICE OF MOTION - RYDE BOWLING CLUB SITE</b>	<b>Due Date of Report</b> 9/06/2015	<b>Comments/Update</b> <i>Community consultation completed.</i>
<b>Meeting Date</b> 11/11/2014	(a)That Council consult the community to ascertain their preferences for the future use of the Argyle Centre.	<b>Anticipated date</b> 9/06/2015	<i>A Councillor Workshop was held on 31 March 2015 to discuss the results of the community survey and a subsequent report will be provided to Council in late May or early June.</i>
<b>Group</b> Community Life	(b)That Council consult the community to ascertain their preferences for the future use of the Ryde Bowling Club site before seeking expressions of interest for this property.  (c) That in relation to the Ryde Bowling Club site, the consultation document is to enable respondents to provide a response to at least the following concepts or questions:-  Should the Bowling Club site remain part of Ryde Park.  Should the land be used primarily for recreational purposes and remain zoned for recreation.  Should the use provide for public access to the site at all times when the facility is open or in use.  Are commercial or community uses acceptable provided the above three conditions are met.	<b>Officer</b> Tatjana Domazet	

**ITEM 10 (continued)**

**ATTACHMENT 1**

Meeting Type	Resolution	Due Date of Report	Comments/Update
Council	<b>46-48 GLADSTONE AVENUE, RYDE. LOTS F and G DP 32873. Local Development Application for demolition of existing structures and construction of a 3 storey residential flat building containing 12 apartments and car parking for 16 vehicles. LDA2013/0173 - COMPLETE</b>	16/06/2015	<i>Mediation held in December 2014 and amended plans requested. Applicant has advised that amended plans will be submitted in February 2015.</i>
Meeting Date	11/11/2014	Anticipated date	<i>Amended Plans submitted and notification closed 27 Feb 2015. 3 submissions received.</i>
Group	(a) That consideration of LDA2013/0173 at 46-48 Gladstone Avenue, Ryde be deferred for the Acting Group Manager – Environment and Planning to undertake a mediation between the applicant and the objectors.	Officer	<i>Report to Committee upon completion of assessment.</i>
Environment and Planning	(b) That the matter then be reported back to the Planning and Environment Committee.	Liz Coad	<i>Report presented to the Planning and Environment Committee Meeting on 21 April 2015.</i>  <i>COMPLETED (to be removed following the Council Meeting on 28 April 2015).</i>

ITEM 10 (continued)

ATTACHMENT 1

<b>Meeting Type</b> Council	<b>Resolution</b> <b>REVIEW OF DCP 2014 - STORMWATER AND FLOODPLAIN MANAGEMENT</b>	<b>Due Date of Report</b> 26/05/2015	<b>Comments/Update</b> <i>Final formatting of DCP document and attachments underway. Exhibition scheduled to commence in February and continue through March.</i>
<b>Meeting Date</b> 25/11/2014	(b) That Council endorse that the exhibition of the Draft Development Control Part 7.3 Stormwater and Floodplain Management and associated documents occurs as part of a group of DCPs to be exhibited with respect to the comprehensive review of DCP 2014 and be a part of the report to Council on the outcomes of that exhibition.	<b>Anticipated date</b> 12/05/2015	
<b>Group</b> Environment and Planning		<b>Officer</b> Meryl Bishop	<i>Exhibition underway - submissions close 20 March 2015.  Report to Council expected in May 2015.</i>
<b>Meeting Type</b> Council	<b>Resolution</b> <b>COUNCIL'S ARTWORKS COLLECTION</b>	<b>Due Date of Report</b> 14/07/2015	<b>Comments/Update</b> <i>Review of current processes and investigation of future options for management has commenced.</i>
<b>Meeting Date</b> 25/11/2014	(a) That Council staff review the management and display of the artwork collection and prepare a report for Council that informs of its value and significance;	<b>Anticipated date</b> 14/07/2015	
<b>Group</b> Community Life	(b) That the Council report include recommendations on innovative options for its ongoing management and display, including guidelines for purchase of new works.	<b>Officer</b> Baharak Sahebekhtiari	

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>MACQUARIE PARK CORRIDOR DEVELOPMENT CONTROL PLAN REVIEW</b>	<b>Due Date of Report</b> 23/06/2015	<b>Comments/Update</b> <i>Exhibition scheduled to commence in March and continue through April, with report to Council to follow.</i>
<b>Meeting Date</b> 9/12/2014	(c)That the outcomes of the exhibition are reported to Council as soon as practicable after the closure of the exhibition.	<b>Anticipated date</b> 9/06/2015	<i>Exhibition scheduled to commence 25 March 2015 closing on 29 April 2015.</i>
<b>Group</b> Environment and Planning		<b>Officer</b> Meryl Bishop	
<b>Meeting Type</b> Council	<b>Resolution</b> <b>INVESTMENT PROPERTY MATTER - 33-41 BLAXLAND ROAD RYDE</b>	<b>Due Date of Report</b> 23/06/2015	<b>Comments/Update</b> <i>Update 6 February 2015: Community consultation, planning and implementation underway in line with OLG Capital Expenditure Guidelines and Council Resolution.</i>
<b>Meeting Date</b> 9/12/2014	(c)That a further report be submitted after the adoption of the Delivery Plan 2015-2019 that will address any adverse submissions and detail the proposed community engagement process as prescribed in the Office of Local Government's Capital Works Guidelines.	<b>Anticipated date</b> 23/06/2015	
<b>Group</b> Public Works		<b>Officer</b> Joe So	

ITEM 10 (continued)

ATTACHMENT 1

<b>Meeting Type</b> Council	<b>Resolution</b> INVESTMENT PROPERTY MATTER - 741-747 VICTORIA ROAD RYDE	<b>Due Date of Report</b> 23/06/2015	<b>Comments/Update</b> Update 6 February 2015: Community consultation, planning and implementation underway in line with OLG Capital Expenditure Guidelines and Council Resolution.
<b>Meeting Date</b> 9/12/2014	(c) That a further report be submitted after the adoption of the Delivery Plan 2015-2019 that will address any adverse submissions and detail the proposed community engagement process as prescribed in the Office of Local Government's Capital Works Guidelines.	<b>Anticipated date</b> 23/06/2015	
<b>Group</b> Public Works		<b>Officer</b> Joe So	
<b>Meeting Type</b> Council	<b>Resolution</b> 142 MORRISON ROAD, PUTNEY – LOT 7362 – DP1166680. Development Application for Installation of Playing Field Lighting at Morrison Bay Park. LDA2014/0289.	<b>Due Date of Report</b> 16/06/2015	<b>Comments/Update</b> Acoustic report, Acid Sulphate Management Plan, and Ecological Assessment requested.
<b>Meeting Date</b> 10/02/2015	(c) That a further report be submitted to Planning and Environment Committee as soon as practical.	<b>Anticipated date</b> 16/06/2015	Re-notification to occur following the provision of the additional information. It is anticipated that the additional information will be provided by the end of April 2015.
<b>Group</b> Environment and Planning		<b>Officer</b> Liz Coad	



**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b>	<b>Resolution</b>	<b>Due Date of Report</b>	<b>Comments/Update</b>
Council	<b>NOTICE OF MOTION - INSTALLATION OF A PEDESTRIAN SAFETY BOOM-GATE ON MACPHERSON LANE, MEADOWBANK</b>	23/06/2015	<i>Update 6 March 2015: Contact has been made with the Italian Bilingual School. Awaiting information from school. The matter is currently scheduled for consideration at the Ryde Traffic Committee meeting to be held on 26 March 2015 and will be reported to the next available Works and Community Committee meeting thereafter.</i>
<b>Meeting Date</b>	(b) that a report be brought back to Council following the meeting, detailing the options available for this site.	<b>Anticipated date</b>	
10/02/2015		21/07/2015	
<b>Group</b>		<b>Officer</b>	
Public Works		Harry Muker	<i>Update 10 April 2015: The meeting with the school has been held. Council staff are still in discussions with the RMS as to what are acceptable treatments. It is anticipated that this matter will be included in a report to an upcoming Ryde Traffic Committee or Works and Community Committee.</i>

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> NEW CAR PARK AT EASTWOOD	<b>Due Date of Report</b> 8/12/2015	<b>Comments/Update</b> Update 13 April 2015: Council has written to the Minister for Transport, inviting the Minister or representative to participate on the Project Consultative Committee. Upon receipt of support from the Minister, the draft Terms of Reference will be established and a report submitted to a future Council Meeting.
<b>Meeting Date</b> 10/03/2015	(d) Upon receipt of State Government support for the establishment of the Project Consultative Committee, a report be prepared for Council's consideration with proposed Terms of Reference and seeking nominations for membership of the Committee.	<b>Anticipated date</b> 10/11/2015	
<b>Group</b> Public Works		<b>Officer</b> Joe So	
<b>Meeting Type</b> Council	<b>Resolution</b> PLANNING PROPOSAL TO REZONE THE RYDE CIVIC CENTRE PRECINCT - COMPLETE	<b>Due Date of Report</b> 14/04/2015	<b>Comments/Update</b> Report presented to the Council Meeting on 14 April 2015.
<b>Meeting Date</b> 10/03/2015	(b) That the General Manager provide a report to Council identifying potential options for Council's consideration, in light of the correspondence received from the Department of Planning and Environment.	<b>Anticipated date</b> 14/04/2015	COMPLETED (To be removed following the Council Meeting on 28 April 2015).
<b>Group</b> General Manager		<b>Officer</b> Gail Connolly	

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>MATTER OF URGENCY – TREE IN BANK STREET, MEADOWBANK</b>	<b>Due Date of Report</b> 27/10/2015	<b>Comments/Update</b> <i>The Tree Preservation DCP and Tree Policy to be reviewed by Council's Audit and Risk Committee at its September 2015 meeting prior to being reported back to Council.</i>
<b>Meeting Date</b> 10/03/2015	To improve Council's response on such matters in the future, the following actions be undertaken:	<b>Anticipated date</b> 27/10/2015	
<b>Group</b> General Manager	<p>1That the General Manager undertake a comprehensive review of the Tree Preservation DCP to ensure that assessment criteria for tree pruning and removal remain appropriate;</p> <p>2.That the General Manager review Council's adopted processes and procedures in relation to the procurement of quotes for tree removal and/or pruning to prevent delays occurring in relation to unsafe trees;</p> <p>3That the General Manager contact Ausgrid and other relevant utility providers with a view to establishing agreement on faster response timeframes for unsafe trees; and</p> <p>4That the General Manager prepare a report to Council on the outcomes of the abovementioned reviews and recommended actions for Council's consideration.</p>	<b>Officer</b> Gail Connolly	

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Council	<b>Resolution</b> <b>PLANNING PROPOSAL - 388 - 392 LANE COVE ROAD MACQUARIE PARK - COMPLETE</b>	<b>Due Date of Report</b> 12/05/2015	<b>Comments/Update</b> <i>Report presented to Council at its meeting on 28 April 2015.</i>
<b>Meeting Date</b> 10/03/2015	(d) That Council endorse that a further report be presented to Council following the completion of the exhibition period advising of the outcomes and next steps.	<b>Anticipated date</b> 28/04/2015	<i>COMPLETED (to be removed following the Council Meeting on 28 April 2015).</i>
<b>Group</b> Environment and Planning		<b>Officer</b> Meryl Bishop	
<b>Meeting Type</b> Council	<b>Resolution</b> <b>NOTICE OF MOTION - CRICKET STUMPS</b>	<b>Due Date of Report</b> 1/09/2015	<b>Comments/Update</b>
<b>Meeting Date</b> 10/03/2015	(b) That Council investigate the cost of installation of appropriate rubber sheet barriers at the practice cricket nets throughout the City of Ryde and report back to the Works and Community Committee with a recommendation.	<b>Anticipated date</b> 1/09/2015	
<b>Group</b> Community Life		<b>Officer</b> Simon James	

**ITEM 10 (continued)**

**ATTACHMENT 1**

<b>Meeting Type</b> Works and Community	<b>Resolution</b> <b>NOTICE OF MOTION - CRICKET STUMPS</b>	<b>Due Date of Report</b> 1/09/2015	<b>Comments/Update</b>
<b>Meeting Date</b> 10/03/2015	(d) That Council investigate the upgrading of Meadowbank Park cricket facility and report back to the Works and Community Committee.	<b>Anticipated date</b> 1/09/2015	
<b>Group</b> Community Life		<b>Officer</b> Simon James	
<b>Meeting Type</b> Council	<b>Resolution</b> <b>VEGETATION MAPPING INFORMATION USED BY CITY OF RYDE</b>	<b>Due Date of Report</b> 27/10/2015	<b>Comments/Update</b> <i>The Tree Preservation DCP to be reviewed by Council's Audit and Risk Committee at its September 2015 meeting prior to being reported back to Council.</i>
<b>Meeting Date</b> 24/03/2015	(a) That Council adopt the Office of Environment and Heritage's Sydney Metropolitan Catchment Vegetation Mapping 2013 as an interim measure as the primary reference for the presence of vegetation in Ryde.	<b>Anticipated date</b> 27/10/2015	
<b>Group</b> General Manager	(b) That part (a) be reviewed in conjunction with the report back to Council on the comprehensive review of the Tree Preservation DCP.	<b>Officer</b> Gail Connolly	<i>The Vegetation Mapping will be be considered in conjunction with the Tree Preservation DCP.</i>

**PRECIS OF CORRESPONDENCE****1 PROPOSAL DEVELOPMENT FOR GLADESVILLE SHOPPING VILLAGE -  
BRIEFING BY HUNTER'S HILL COUNCIL**

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**Report prepared by:** Executive Assistant to Group Manager  
**File No.:** URB/08/1/1 - BP15/471

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**CORRESPONDENCE:**

Submitting correspondence from Hunter's Hill Council, dated 8 April 2015, regarding the request for Hunter's Hill Council to provide a briefing to City of Ryde Councillors on the proposed development of Gladesville Shopping Village at an upcoming workshop.

**RECOMMENDATION:**

That the correspondence be received and noted.

**ATTACHMENTS**

- 1** Letter from Barry Smith, General Manager of Hunter's Hill Council - accepted to arrange a briefing regarding the proposal for Gladesville Shopping Village

Report Prepared By:

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

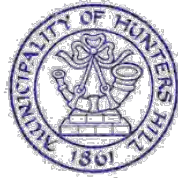
Report Approved By:

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



PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 1



Enquiries: Barry Smith

**HUNTER'S HILL COUNCIL**

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8 April, 2015

Ms Gail Connolly  
General Manager  
City of Ryde  
Locked Bag 2069  
NORTH RYDE NSW 1670

*Craig*  
Dear Ms Connolly

I refer to your letter dated 23 March 2015 requesting that Hunter's Hill Council 'provide a briefing to City of Ryde Councillors on the proposed development for the Gladesville Shopping Village, at an upcoming workshop'.

Council has not received a development proposal for the Gladesville Shopping Village. However, we are aware that the owners of the Gladesville Shopping Village are developing a proposal and have undertaken some initial community consultation.

In the event of a development proposal being received by Council, we would be pleased to arrange a briefing for the City of Ryde Councillors.

Yours sincerely

*Barry Smith*

Barry Smith  
GENERAL MANAGER

**NOTICES OF MOTION**

- 1      RETURN2SPORT CORPORATE CUP 2015 – Friday, 8 May 2015 at  
Macquarie University Sports Fields – Deputy Mayor, Councillor Roy  
Maggio**

**File Number: CLM/15/1/4/6 - BP15/488**

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**MOTION:**

- (a) That the General Manager seek expressions of interest from Council staff and Councillors who would like to participate in the Return2Sport Corporate Cup 2015.
- (b) That upon receipt of the minimum number of expressions of interest, Council then formally register a team in the Return2Sport Corporate Cup 2015.
- (c) That Council donate half of the registration fee, an amount of \$750.00 to be payable from the Mayor's Budget, with the remainder of the fees to be paid via player contributions.

- 2      EASTWOOD RYDE NETBALL ASSOCIATION (ERNA) – State Age Division  
2 Championships – June 2015 – Deputy Mayor, Councillor Roy Maggio**

**File Number: CLM/15/1/4/6 - BP15/492**

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**MOTION:**

As previously reported to Council, the Eastwood Ryde Netball Association (ERNA) is hosting this year's State Age Division 2 Championships in June 2015. The event is organised by Netball NSW and is open to all NSW Netball Associations representative teams. The Mayor and Councillors will be invited to the official opening of the event.

Council is working closely with ERNA and Netball NSW on this event including upgrades and maintenance on the building and grounds. In recognition of Council's relationship with the Association (including previous and ongoing financial assistance) I move:

- (a) That Council contribute from the Mayor's Budget towards the cost of hosting the official morning tea and welcome to delegates; and
- (b) That Council provide the Association with appropriate City of Ryde banners to be erected and displayed at the grounds during the 3 days of the Championships.

**NOTICES OF MOTION (continued)****3 EASTWOOD MURAL – Deputy Mayor, Councillor Roy Maggio****File Number:** CLM/15/1/4/6 - BP15/491

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**MOTION:**

- (a) That the General Manager, through the Eastwood and West Ryde Events and Promotions Committee, facilitate a meeting with the Ryde Community Forum to explore the options for the creation of a Community Mural on the Eastwood Library wall as part of Moon Festival in September 2015.
- (b) That the recommendations of the meeting be reported to Council prior to any action being taken in respect to creation of any mural.

**4 MONASH PARK SHADE SAIL – Deputy Mayor, Councillor Roy Maggio****File Number:** CLM/15/1/4/6 - BP15/493

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**MOTION:**

- (a) That Council note the urgent need to install a shade sail at Monash Park at the intersection of Monash and Ryde Roads.
- (b) That Council note that a grant application has been lodged with the Cancer Institute of NSW for the provision of \$25,000 in funding to cover the costs of fabrication and installation of a shade sail at the Park.
- (c) That Council, as part of the next quarterly budget review, consider the allocation of \$25,000 of funding towards the provision of a shade sail at Monash Park, with such funding to be used only in the event that the grant application is unsuccessful.

**NOTICES OF MOTION (continued)****5 MEMBERSHIP FOR THE SPORT AND RECREATION WHEELED SPORTS  
ADVISORY COMMITTEE – Deputy Mayor, Councillor Roy Maggio****File Number:** CLM/15/1/4/6 - BP15/497

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**MOTION:**

That Council accept Jason Cowland to be a member on the Ryde Council Sports Advisory Committee.

Jason is a local resident and has extensive knowledge in sports management and as a volunteer his involvement includes:-

- A vast sporting history as a participant in many sports and on multiple committees over a number of years.
- The Australian President of the sport called Floorball, a large European participation sport with world championships and full IOC recognition.
- Developed and documented the Australian Strategy, called Power Play 2024, which received international endorsement.
- Worked collaboratively with all the States and international countries.
- Worked extensively with clubs on building strategic plans and models for sustainable grow and budget management.
- Proactively worked with a committee and guidance from the ASC to model the strategic plan with implementation over the last 12 months with great success and goals aligned to the ASC.
- Initiated the first true corporate partner to sport.
- A wealth of knowledge in Sports strategic management.
- Has interest in facilitating in a sports development strategic plan.
- Has a sound understanding of strategic partnerships.
- Has a sound understanding of property transactions and commitments on property facilities, including sporting venues.

**CONFIDENTIAL ITEMS****11 ADVICE ON COURT ACTIONS**

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**Confidential**

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

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

**Report prepared by:** Solicitor

**File No.:** GRP/09/5/8 - BP15/450

**Page:** 278