Memorandum

Environment & Planning

To: The Panel Secretariat
            Joint Regional Planning Panel

From: Andy Nixey – Senior Town Planner
            City of Ryde

Date: 27 October 2015

File: LDA2015/0156

Subject: 142-154 Victoria Road & 1 Meriton Street,
            Gladesville – JRPP Ref: 2015SYE065
            Mixed Use Development
            Proposed changes to Conditions 32 and 38

Our Values

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Ethics
Pride
Recognition

The purpose of this memo is to seek changes to recommended conditions 32 and 38 as follows:

1. **Changes to Condition 32 (Section 94):** Council requests to insert the following wording below the contribution table:

    The components of the Section 94 levy that fall both within the category of 'Civic – Urban Improvements' and form part of the works required by conditions 54 and 55, may be offset by works-in-kind in accordance with section 2.9 of the Section 94 Contribution Plan.

    This is consistent with wording added by the JRPP to Council's standard Section 94 condition at the meeting on 15/10/15. It is therefore requested that condition 32 of LDA2015/0156 be amended to read as follows:

    32. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Occupation Certificate:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	$93,035.90
Open Space & Recreation Facilities	$250,975.18
Civic & Urban Improvements	$71,191.92
Roads & Traffic Management Facilities	$7,648.42
Cycleways	$6,065.66
Stormwater Management Facilities	$17,597.46

Plan Administration	$1,633.98
Transport and Access	$391,139.76
The total contribution is	**$839,288.28**

The components of the Section 94 levy that fall both within the category of 'Civic – Urban Improvements' and form part of the works required by conditions 54 and 55, may be offset by works-in-kind in accordance with section 2.9 of the Section 94 Contribution Plan.

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website http://www.ryde.nsw.gov.au.

2. **Changes to Condition 38 (Public Domain Works – Maintenance Bond)**: Council requests to alter the wording from 'any CC' to 'any above ground CC for the building'.

It is therefore requested that condition 38 of LDA2015/0156 be amended to read as follows:

38. **Public Domain Works – Maintenance Bond.** To ensure satisfactory performance of the required public domain works, a maintenance period of six (6) months shall apply to the works in which Council will take ownership of, on completion of the development. The performance period shall commence from the date of issue by Council, of the Compliance Certificate. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification. A bond in the form of a cash deposit or Bank Guarantee of $50,000 shall be lodged with the City of Ryde prior to the issue of any above ground Construction Certificate for the building to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the six (6) months maintenance period.

SIGNED

Andy Nixey
Senior Town Planner