

CONSENT: N0365/15

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)

NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

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Applicant's Name and Address:

MRS TARA MICHELLE BOYLE

137 WOORARRA AVENUE, ELANORA HEIGHTS NSW 2101

Being the applicant in respect of Development Application **N0365/15**

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application **N0365/15** for:

Alterations and additions to existing dwelling

At: 13 MONASH AVENUE, GREAT MACKEREL BEACH NSW 2108 (Lot 59 DP 10000)

Decision:

The Development Application has been determined by the granting of consent based on information provided by the applicant in support of the application, including the Statement of Environmental Effects, and in accordance with

1. **Architectural drawings: Dwgs 10, 20, 21, 22, 23, 24, 30, 31, 32, 40, 41 & 70, rev. A, prjct B50-DA, dated 2015-08-27, prepared by Envirotecture.**
2. **Architectural drawings: Dwg 11, rev. B, prjct B50-DA, dated 2015-08-27, prepared by Envirotecture.**
3. **BASIX Certificate: Cert. no. 660 845 S, dated 08 September 2015, prepared by Envirotecture.**
4. **Bushfire Risk Assessment Report, dated August 2015, prepared by Roger Fenwick and Terence O'Toole.**
5. **Effluent Management System Report: Ref. no. 150 806, dated August 2015, prepared by Blue Mountains Geological and Environmental Services.**
6. **Flood Control Certificate: Job no. 150 734, dated 02.09.2015, prepared by Northern Beaches Consulting Engineers.**
7. **Geotechnical Risk Management Report: Ref. no. J0 486, dated 14 July 2015, prepared by White Geotechnical Group.**

as amended in red (shown clouded) or as modified by any conditions of this consent.

The reason for the imposition of the attached conditions is to ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act 1979 (as amended), pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 79C of the Act and the Environmental Planning Instruments applying to the land, as well as section 80A of the Act which authorises the imposing of the consent conditions.

Endorsement of date of consent:

Mark Ferguson

GENERAL MANAGER

Per:

Conditions of Approval

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This consent is not an approval to commence building work. The works associated with this consent can only commence following the issues of the Construction Certificate.

Note: Persons having the benefit of development consent may appoint either a council or an accredited certifier as the principal certifying authority for the development or for the purpose of issuing certificates under Part 4A of the Environmental Planning and Assessment Act. When considering engaging an accredited certifier a person should contact the relevant accreditation body to ensure that the person is appropriately certified and authorised to act in respect of the development.

A. Prescribed Conditions:

1. All works are to be carried out in accordance with the requirements of the Building Code of Australia.
2. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
3. A sign must be erected in a prominent position onsite only showing:
 1. the name, address and telephone number of the Principal Certifying Authority for the work, and
 2. the name of the principal contractor or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 3. that unauthorised entry to the work site is prohibited.The sign must to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
4. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 1. in the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor, and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
 2. in the case of work to be done by an owner-builder:
 - i. The name of the owner-builder, and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
 3. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under a or b above becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information
5. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further

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work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

6. This approval/consent relates only to the new work nominated on the approved consent plans and does not approve or regularise any existing buildings or structures within the property boundaries or within Council's road reserve.

B. Matters to be incorporated into the development and maintained over the life of the development:

1. If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Aboriginal Heritage Office (AHO) and Office of Environment and Heritage (OEH) are to be notified.
2. The recommendation of the risk assessment required to manage the hazards as identified in Geotechnical Report prepared by White Geotechnical Group are to be incorporated into the construction plans.

3. Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

- a) At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

4. Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

- a) Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
- b) In recognition that an unreliable reticulated water supply exists, a 5,000 litre water supply shall be provided for firefighting purposes.
- c) A 65mm Storz fitting and a ball or gate valve made of metal shall be installed on the tank.
- d) A minimum 5hp or 3kW petrol or diesel powered pump shall be made available to the water supply.
- e) A 19mm (internal diameter) fire hose capable of reaching all parts of the building shall be connected to the pump.
- f) An 'SWS' marker shall be obtained and positioned for ease of identification by brigade personnel and other users of the SWS. In this regard:
 - i) Markers must be fixed in a suitable location so as to be highly visible; and
 - ii) Markers should be positioned adjacent to the most appropriate access for the static water supply.

5. Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

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a) To aid in fire fighting activities, unobstructed pedestrian access to the rear of the property shall be provided and is to be maintained at all times.

6. Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

- a) New construction shall comply with Sections 3 and 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.
 7. At the commencement of building works and in perpetuity the entire property shall be managed in accordance with the requirements of the Bushfire Risk Assessment Report, prepared by Roger Fenwick and Terence O'Toole, dated August 2015.
 8.
 - a. All structural elements below the Flood Planning level (2.9m AHD) shall be of flood compatible materials.
 - b. All structures must be designed and constructed to achieve low risk of damage and instability due to flood hazard.
 9. The existing development and the new watercraft garage retained below the Flood Planning level must be satisfactorily floodproofed (either wet or dry) to the Flood Planning level (2.9m AHD).
 10. The minimum floor level of the enclosed 'watercraft' garage shall be at or above the 1% AEP (2.4m AHD).
 11. All building material below 2.9m AHD shall be made of flood compatible materials.
 12. The watercraft garage structure for the life of the development:
 - Cannot be connected internally to the existing dwelling, and
 - Can only be used for watercraft parking/storing purposes, and
 - The entrance of the watercraft garage cannot face towards the upstream direction of floodwaters, and
 - Cannot be located in a floodway.
- A sink for the purpose of fish cleaning is permissible within the watercraft garage structure
13. The storage of all chemical, toxic and hazardous material shall be at or above 2.9m AHD.
 14. All fencing on the property must be flood compatible.
 15. All electrical equipment, power points, wiring, fuel lines or any other service pipes and connections associated with the dwelling must be waterproofed or raised to 2.9m AHD.
 16. Electrical wiring/data cabling needs to be made suitable for continuous submergence to a depth of 2.9m AHD and conduits graded so they are free draining in a flood event.
 17. Shelter-in-place refuge is to provide:
 - Sufficient clean water for all occupants, and
 - Portable radio with spare batteries, and
 - Torch with spare batteries, and
 - first aid kit.

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18. A current (and regularly updated) version of the SES Home Emergency Plan available from <http://www.floodsafe.com.au/home-emergency-plan> is to be compiled and printed and kept at the dwelling at all times. All occupants are to be made aware of the Home Emergency Plan.
19. Prior to the completion of works, all declared noxious weeds are to be removed/controlled in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and controlled. Refer to Pittwater Council website http://www.pittwater.nsw.gov.au/environment/noxious_weeds for noxious/environmental weed lists.
20. No environmental weeds are to be planted on the site. Refer to Pittwater Council website http://www.pittwater.nsw.gov.au/environment/noxious_weeds for environmental weed lists.
21. Domestic pet animals are to be kept from entering wildlife habitat areas at all times. Dogs and cats are to be kept in an enclosed area or on a leash such that they cannot enter areas of bushland or foreshore, unrestrained, on the site or on surrounding properties or reserves. Ferrets and rabbits are to be kept in a locked hutch/run at all times.
22. A maximum of 2 dogs are permitted to be kept at the property. Cats and ferrets are not permitted to be kept at the property.
23. Any vegetation planted onsite outside approved landscape zones is to be consistent with:
 - . Species listed in the Ecological Sustainability Plan or Bushland Management Plan (if applicable)
 - a. Species listed from the Endangered Ecological Community
 - b. Locally native species growing onsite and/or selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and Native Plants for Your Garden available on the Pittwater Council website http://www.pittwater.nsw.gov.au/environment/species_lists
24. No building materials or other materials are to be placed on Saltmarsh or other vegetation. Sediment is not to leave the site or enter areas of Saltmarsh or other foreshore vegetation, and the appropriate sediment fencing is to be installed.
25. So as to reduce the levels of P, as well as sodium, discharged to the On-Site Wastewater Treatment System and absorption trenching, 'environmentally friendly' cleaning, washing and detergent products must be used.
26. The site must include a water tank/s totalling at least 45,000L and connected to the dwelling for drinking water.

This consent does not authorise any excavation for water tanks within the footprint of the dwelling.
27. The On-Site Wastewater Treatment System must be operated continuously and the power must not be turned off.
28. Stormwater shall be controlled such that the waters do not infiltrate the land application system associated with on-site wastewater treatment system.
29. All natural landscape features, including natural rock outcrops, natural vegetation, soil and watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

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30. In accordance with Pittwater Council's DCP Control B4.2.2 Protection of Trees and Bushland Vegetation, all existing trees as indicated in the Survey Plan and/or approved Landscape Plan shall be retained except where Council's prior written consent has been obtained, for trees that stand within the envelope of approved development areas and removal is approved through an arborist report. For all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.
31. Kitchen window GW01 on the eastern elevation shall be either
- a) raised to a sill height of at least 1.7m above finished floor level, or
 - b) not be openable and finished in translucent glazing until 1.7m above the finished floor level, or
 - c) affixed with a privacy screen with a minimum height of 1.8m, when measured from the finished floor level. This screen is to run the full length of window and should consist of a solid translucent screen or perforated panels or trellises which have a maximum of 20% openings, and which are:
 - permanent and fixed;
 - made of durable materials and;
 - designed and painted or coloured to blend in with the house.
32. No water pollution shall result from the operation of any plant or equipment or activity carried out.
33. Noise from the operation of any plant or equipment at the premises shall comply with the noise provisions of the Protection of the Environment Operations Act, 1997.
34. No odour nuisance to the public or any adjoining premises, shall be created by the operation of any plant or equipment or any procedure carried out at the premises.
35. No emissions causing air pollution shall be created by the operation of any plant equipment or any procedure carried out at the premise.
36. The operation of any plant or equipment or any procedure carried out at the premises shall not cause land pollution.
37. All sanitary drainage must be concealed in service ducts or otherwise hidden from external view to the satisfaction of the Responsible Authority.
38. All external glazing is to have a maximum reflectivity index of 25%.
39. Materials and colour schemes are to be in accordance with the sample scheme approved by Council with the exception that
- walls - weathered hardwood mid-tones, silver-grey
- may not be painted or treated so as to be silver-grey. 'Silver-grey' is only permitted to the extent that wood naturally ages; If the walls are painted or treated, the walls must be finished in dark & earthy tones (mid-grey or darker, green, brown or dark-blue) and must be non-glare and of low reflectivity in accordance with *Pittwater Development Control Plan D9.3 Building colours and materials*.
40. Timber log retaining walls are not permitted and are not to be included in the proposed development.
41. The commitments identified in the BASIX Certificate and on the plans or specifications are to be fulfilled and maintained for the life of the development.

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C. Matters to be satisfied prior to the issue of the Construction Certificate:

Note: All outstanding matters referred to in this section are to be submitted to the accredited certifier together. Incomplete Construction Certificate applications / details cannot be accepted.

1. Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia and satisfy all conditions shown in Part B above are to be submitted to the Principal Certifying Authority.
2. The person having the benefit of this consent is required to notify the Principal Certifying Authority to ensure that the following critical stage inspections are undertaken, as required under clause 162A(4) of the Environmental Planning and Assessment Regulation 2000:
 1. after excavation for, and prior to the placement of, any footings, and
 2. prior to pouring any in-situ reinforced concrete building element, and
 3. prior to covering of the framework for any floor, wall, roof or other building element, and
 4. prior to covering waterproofing in any wet areas, and
 5. prior to covering any stormwater drainage connections, and
 6. after building work has been completed and prior to any occupation certificate being issued in relation to the building.

To allow a Principal Certifying Authority to carry out critical stage inspections, at least 48 hours notice must be given before building work is commenced and prior to further work being undertaken.

3. Construction works approved by this consent must not commence until:
 1. Construction Certificate has been issued by a Principal Certifying Authority
 2. a Principal Certifying Authority has been appointed and Council has been notified in writing of the appointment, and
 3. at least 2 days notice, in writing has been given to Council of the intention to commence work.
4. In accordance with section 34 of the Building and Construction Industry Long Service Payments Act 1986, the applicant must pay a long service levy at the prescribed rate of 0.0035 of the total cost of the work to either the Long Service Payment Corporation or Council for any work costing \$25,000 or more.
5. Structural Engineering details relating to the development are to be submitted to the Accredited Certifier or Council prior to release of the Construction Certificate. Each plan/sheet is to be signed by a qualified practising Structural Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a corporate member and has appropriate experience and competence in the related field.
6. Prior to issue of the Construction Certificate, Form 2 of the Geotechnical Risk Management Policy for Pittwater (Appendix 5 of P21 DCP) is to be completed and submitted to the Accredited Certifier.
7. Dwellings in bushfire prone areas are to be designed and constructed in accordance with BAL 19 in AS 3959 *Construction of Buildings in Bush Fire Prone Areas*. Construction

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specification to achieve this are to be provided to Principal Certifying Authority with the Construction Certificate application

8. Details in the Construction Certificate are to reflect all RFS requirements on Bushfire protection as conditioned in Part B, as well as the requirements of the Bushfire Risk Assessment Report, prepared by Roger Fenwick and Terence O'Toole, dated August 2015.
9. A stormwater plan showing water tanks of at least 45,000L and in accordance with bushfire requirements must be provided.
10. The applicant shall submit to Council a copy of the NSW Health Certificate of Accreditation for the proposed On-Site Wastewater Treatment System. The Certificate shall identify the model/type of system, the manufacturer's name and business address/contact details, date of issue of the Certificate, Certificate number and expiry date of the Certificate.
11. The applicant shall submit to Council six copies of the Certified Engineering Details for the On-Site Wastewater Treatment System drawn to scale on A3 paper. The drawings shall be dimensioned and accompanied by a listing of all components with name, model, size, description, function, material of manufacture and location of the wastewater system. All components are to be shown including electric motor(s), gearbox, compressor, pump(s), valves, diffusers, venturi, media, media fixings, chlorinator, pipework, scum collection and sludge pumping equipment, baffles, partitions, brackets, fastenings, electrodes, float switches, control panel and the arrangement of alarms.
12. The geotechnical engineering report must be updated with reference to the water tanks as required by this consent.
13. Drainage plans including specifications and details showing the site stormwater management are to be submitted to the Accredited Certifier with the Construction Certificate application. Such details are to be accompanied by a certificate from (as appropriate) either a Licensed plumber or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the stormwater management system complies with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage. The details shall include disposal of site stormwater (if the site is in a known slip area the stormwater disposal system must comply with the recommendations of a Geotechnical Engineers Report).

Note: Where Council is the Principal Certifying Authority 3 sets of plans/specifications are to be submitted.

14. Plans and details demonstrating that the commitments identified in the BASIX Certificate that apply to the construction certificate or complying development plans and specifications are fulfilled.

D. Matters to be satisfied prior to the commencement of works and maintained during the works:

Note: It is an offence to commence works prior to issue of a Construction Certificate.

1. The hours of construction are restricted to between the hours of 7.00am and 5.00pm Monday - Friday and 7.00am to 1.00pm on Saturdays. No works are to be carried out on Sundays or Public Holidays. Internal building work may be carried out at any time outside these hours, subject to noise emissions from the building or works not being audible at any

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adjoining boundary.

Note: This condition does not apply in relation to Crown building work that is certified, in accordance with Section 116G of the Act, to comply with the technical provisions of the States building laws.

2. Any proposed demolition works shall be carried out in accordance with the requirements of AS2601-2001 The Demolition of Structures.

Amongst others, precautions to be taken shall include compliance with the requirements of the WorkCover Authority of New South Wales, including but not limited to:

1. Protection of site workers and the general public.
2. Erection of hoardings where appropriate.
3. Asbestos handling and disposal where applicable.
4. Any disused service connections shall be capped off.

Council is to be given 48 hours written notice of the destination/s of any excavation or demolition material. The disposal of refuse is to be to an approved waste disposal depot.

3. A stamped copy of the approved plans is to be kept on the site at all times, during construction.
4. The following facilities must be provided on the site:
 1. toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 2. a garbage receptacle for food scrapes and papers, with a tight fitting lid.

Toilet facilities are to be provided in a location which will not detrimentally affect the amenity of any adjoining residents at or in the vicinity of the work site during the duration of the development.

5. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must give the owner of the adjoining property at least seven (7) days written notice of their intention to excavate below the level of the base of the footing and furnish the adjoining property owner with particulars of the proposed work.
6. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.
7. Sedimentation and erosion controls are to be effectively maintained at all times during the course of construction and shall not be removed until the site has been stabilised or landscaped to the Principal Certifying Authority's satisfaction.
8. Personnel with appropriate training, or demonstrated knowledge and experience in erosion and sediment control shall be responsible for supervising the installation and maintenance of approved erosion and sediment control measures – during and after construction and until the site has been restored to the satisfaction of council.

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9. No works are to be carried out in Council's Road Reserve without the written approval of the Council.

Note: Separate approval is required for access driveways, paths, connections to underground services (stormwater, gas, sewer, electricity, etc.), and landscaping works within Council's Road Reserve.

10. No skip bins or materials are to be stored on Council's Road Reserve.
11. A clearly legible *Site Management Sign* is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following:
 1. The builder's name, builder's telephone contact number both during work hours and after hours.
 2. That no works are to be carried out in Council's Road Reserve without prior application and approval of a Road Opening Permit from Council.
 3. That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council's Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
 4. That no skip bins or materials are to be stored on Council's Road Reserve.
 5. That the contact number for Pittwater Council for permits is 9970 1111.
12. No storage of building materials or building waste, excavated fill or topsoil storage is to occur within the dripline of trees shown on the approved landscape working drawing(s) as being retained or within protective fenced areas.

Drainage is to be arranged such that fill, building materials or contaminants are not washed into protective fenced areas.

E. Matters to be satisfied prior to the issue of Occupation Certificate:

Note: Prior to the issue of an Occupation Certificate the principal certifying authority is to ensure that Council's assets, including road, kerb and gutter and drainage facilities adjacent or near to the site have not been damaged as a result of the works. Where such damage has occurred, it is to be repaired to Council's written satisfaction prior to the issue of an Occupation Certificate or suitable arrangements put in place to effect those repairs at a future date to Council's written satisfaction. Should this process not be followed, Council will pursue action against the principal accredited certifier in relation to the recovery of costs to effect such works.

Note: It is an offence to occupy the building or part thereof to which this consent relates prior to the issue of an Occupation Certificate.

1. An Occupation Certificate application stating that the development complies with the Development Consent, the requirements of the Building Code of Australia and that a Construction Certificate has been issued must be obtained before the building is occupied or on completion of the construction work approved by this Development Consent.
2. All existing and /or proposed dwellings/sole occupancy units are to have approved hard-wired smoke alarms installed and maintained over the life of the development. All hard-wired smoke alarms are to be Australian Standard compliant and must be installed and

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certified by any appropriately qualified electrician prior to the issue of any Occupation Certificate.

3. Prior to issue of the Occupation Certificate, Form 3 of the Geotechnical Risk Management Policy (Appendix 5 of P21 DCP) is to be completed and submitted to the Accredited Certifier.
4. Prior to the issue of an Occupation Certificate, a suitably qualified professional is to provide a certification to the Private Certifying Authority that the requirements of any matters related to Bushfire protection as conditioned in Part B as well as the Bushfire Risk Assessment Report, prepared by Roger Fenwick and Terence O'Toole, dated August 2015, have been complied with.
5. Prior to the issue of an Occupation Certificate a certificate by a Registered Surveyor stating the finished floor levels are at or above the FPL for the storm room, and 2.4m AHD for the watercraft garage is to be provided to the Private Certifying Authority.
6. Completion of the SES Home Emergency Plan available from <http://www.floodsafe.com.au/home-emergency-plan>.
7. Prior to issuing an occupation certificate, the structural integrity of the building/dwelling to withstand immersion and impact of velocity and debris up to the level of the 1% AEP (2.4m AHD) needs to be provided to Council by an appropriately qualified engineer.
8. A suitably qualified person is to certify that the site includes a water tank/s totalling at least 45,000L and connected to the dwelling for drinking water.
9. The installed absorption trench/bed system shall be inspected and certified by an appropriately qualified and experienced Wastewater Consultant prior to backfilling with topsoil. Written confirmation shall be submitted to the Principal Certifying Authority by an appropriately qualified and practising Wastewater Consultant following inspection of the installed absorption trench/bed system certifying that the works have been completed in accordance with the report by Blue Mountains Geological and Environmental Services Pty Ltd, Ref. No. 150806 dated August 2015.
10. Prior to release of the Occupation Certificate the applicant shall submit to the Principal Certifying Authority written documentation from an appropriately qualified and practising Wastewater Consultant confirming that all works associated with the domestic on-site wastewater treatment system and land application area have been completed on site in accordance with the report by Blue Mountains Geological and Environmental Services Pty Ltd, Ref. No. 150806 dated August 2015.
11. Prior to release of the Occupation Certificate a practising and licensed Plumber shall submit to the Principal Certifying Authority documentation certifying that the on-site wastewater treatment system complies with the following conditions of consent:
 - a. All plumbing and drainage works have been carried out by a practising licensed plumber/drainier.
 - b. All effluent is managed wholly within the premises where the system is installed.
 - c. The onsite wastewater system is not installed in such a way that it can contaminate domestic water supply.
 - d. All irrigation pipework and fittings comply with AS 2698 plastic pipes and fittings for irrigation and rural application standard household hose fittings may not be used.
 - e. The irrigation system is not capable of being connected to a mains water supply.
 - f. Effluent does not discharge into any natural watercourse or stormwater drain.
 - g. Soaker hoses and standard household sprinklers and attachments are not used for the irrigation effluent.

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- h. The on-site wastewater treatment system is installed in strict accordance with manufacturers specifications.
 - i. Works have been carried out in accordance with the NSW Code of Practice Plumbing and Drainage.
12. Written confirmation shall be submitted (from the persons contracted to carry out the demolition works associated with the existing wastewater system) confirming that the existing on-site wastewater treatment system has been completely decommissioned and demolished in accordance with the following NSW Health requirements:
- a. All solid and liquid waste contents from the wastewater tanks shall be removed and either fed into the existing effluent disposal area on-site or desludged by tanker removal to an authorised liquid waste disposal facility.
 - b. The sides, lid, baffle (if fitted) and square junctions of the tank are to be hosed down as the waste is being removed.
 - c. The tank is to be disinfected by broadcasting builders lime over the exposed surfaces.
 - d. Several holes are to be punched into the base of the tank. The lid and those parts of the walls, baffles and square junctions above the ground are to be demolished and collapsed into the tank and the tank filled with clean soil or rubble and topped with clean soil.
13. All effluent land application areas must be completely prepared or landscaped to the satisfaction of Principal Certifying Authority before occupation of the dwelling and in any case, commissioning of the onsite wastewater system treatment.
14. Owners of sewage management systems are required to register their system with Council. You are required to submit to Council an application for "approval to operate" an on-site sewage management system. The application form shall be accompanied with the appropriate registration fee, signed and returned to Council prior to release of the Occupation Certificate.
15. All water devices and fixtures must be water-reduction devices and fixtures including low litreage dual-flush toilets (e.g. 3/6L variety), aerator taps, low-flow showerheads and a water-conserving top or front loading washing machine.
16. The tank associated with the Wastewater System shall have the following information permanently and legibly marked on a non-corrosive metal plaque attached to the lid.
- 1. The brand name of the system,
 - 2. The manufacturer's name or registered trademark,
 - 3. The month and year of manufacture.
17. Prior to release of the Occupation Certificate, the applicant is to enter into a service agreement with an aerated waste water treatment system service provider. A copy of the service agreement is to be forwarded to the Principal Certifying Authority. The service agreement is to provide for:
- 0. Quarterly testing of the system, as required by the Department of Public Health.
 - 1. The keeping of an operator's manual, incorporating a service record.

A copy of the quarterly service sheet is to be forwarded to Council within 14 days of each service.

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18. All upsurface stormwater runoff is to be effectively diverted away from the land application area so that it only deals with treated effluent and direct rainfall. A shallow dish-drain or contour bank should be utilised.
19. The stormwater drainage system must be constructed and completed in accordance with the approved design and relevant Australian Standards.

A plan showing pipe locations and diameters of the stormwater drainage system, together with certification by a Licensed Plumber or qualified practicing Civil Engineer that the drainage system has been constructed in accordance with the approved design and relevant Australian Standards must be provided.
20. Restoration of all damaged public infrastructure caused as a result of the development to Council's satisfaction. Council's written approval that all restorations have been completed satisfactorily must be obtained and provided to the Private Certifying Authority with the Occupation Certificate application.
21. Certification is to be provided that the commitments identified in the BASIX Certificate have been fulfilled.

G. Advice:

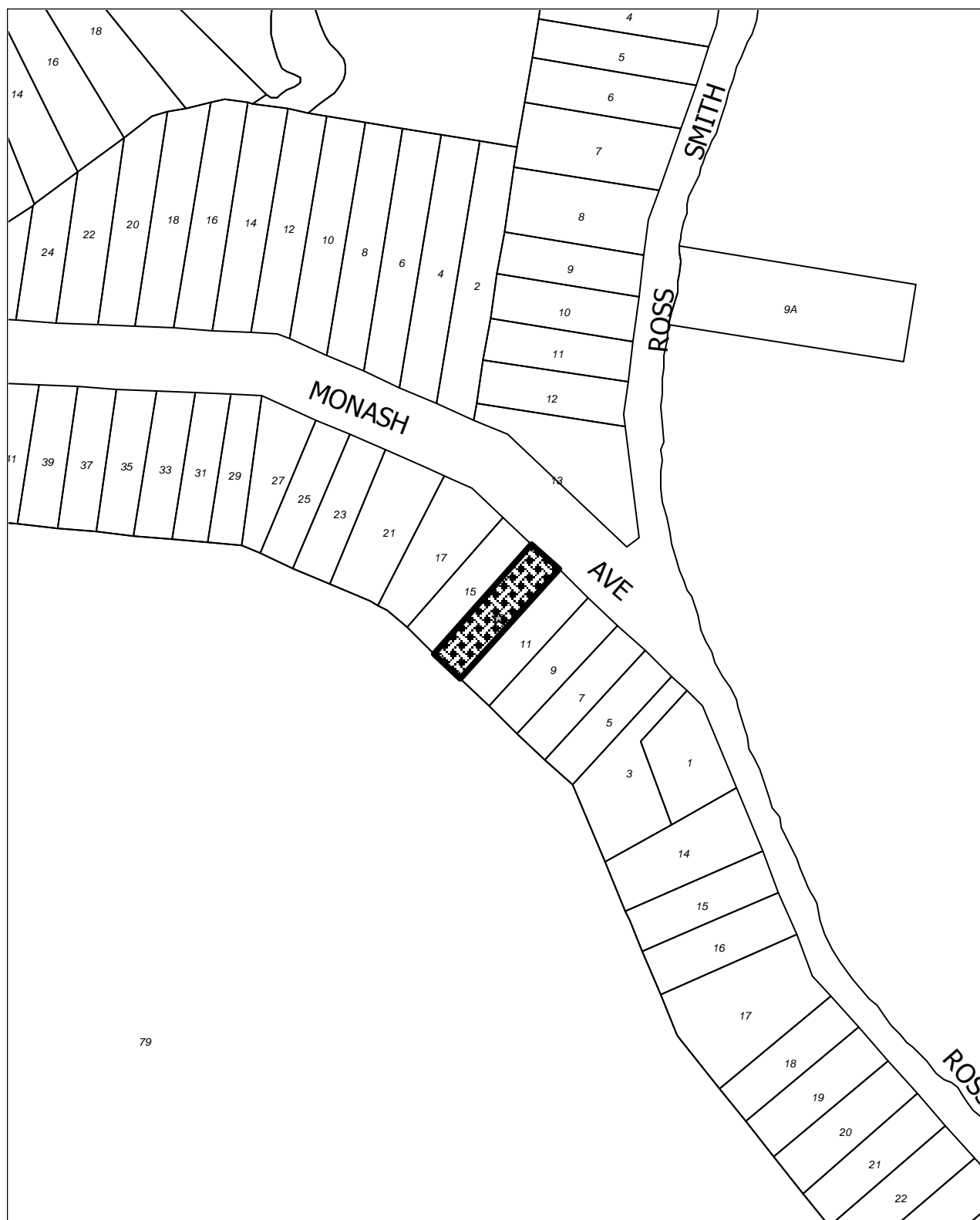
1. Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act, 1979* (as amended) and/or the conditions of this Development Consent may result in the serving of penalty notices (on-the-spot fines) under the summary offences provisions of the above legislation or legal action through the Land and Environment Court, again pursuant to the above legislation.
2. Dial before you dig: Prior to excavation the applicant is advised to contact Australia's National Referral Service for Information on Underground Pipes and Cables telephone 1100 or www.1100.com.au
3. It is the Project Managers responsibility to ensure that all of the Component Certificates/certification issued during the course of the project are lodged with the Principal Certifying Authority. Failure to comply with the conditions of approval or lodge the Component Certificates/certification will prevent the Principal Certifying Authority issuing an Occupation Certificate.
4. In accordance with Section 95(1) of the EPA Act 1979, this development consent lapses 5 years after the date from which this consent operates if the development is not commenced.
5. To ascertain the date upon which a consent operates, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979* (as amended).
6. Should any of the determination not be acceptable, you are entitled to request reconsideration under Section 82A of the Environmental Planning and Assessment Act, 1979. Such request to Council must be made in writing, together with appropriate fees as advised at the time of lodgement of such request, within 6 months of the determination.
7. If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act, 1979, gives you a right of appeal to the Land and Environment Court within 6 months of the date of endorsement of this Consent.
8. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Waters sewer and water mains, stormwater drains and/or easements, and if further requirements need to be

DRAFT

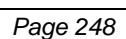
met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at www.sydneywater.com.au then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.

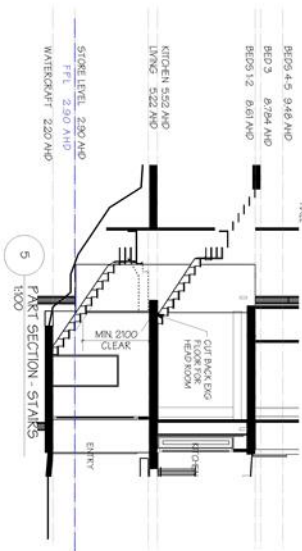
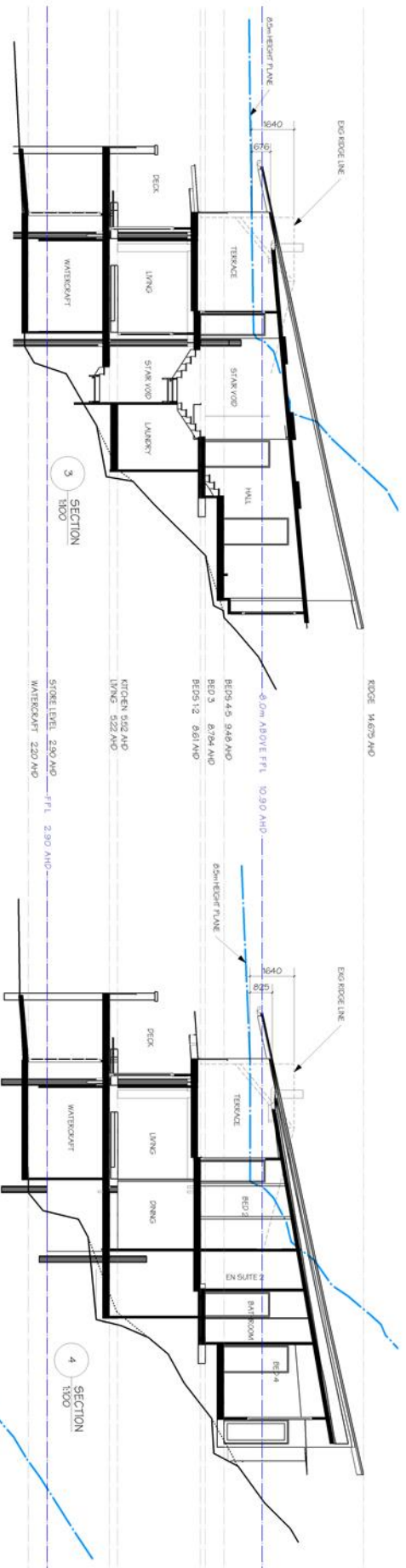
9. This approval does not prejudice any action in respect of upgrading the building pursuant to the provisions of the Section 121B of the *Environmental Planning and Assessment (Amendment) Act, 1997*.
10. This approval/consent is also made on the basis of the retained floors and internal walls, posts and external walls. Any future modification application seeking to replace these elements which are to be retained under the subject development application may lead the development to no longer being classified as alterations and additions to the existing dwelling.
11. Portions of the site may be liable to flooding from the 1% AEP and the PMF (Probable Maximum Flood) and effective precautions should be taken by the owner(s) and/or occupier(s) of the building to reduce any potential risk to personal safety and to minimise any property damage to the structure, its fixtures and contents.
12. No bush rock is to be removed from site or destroyed without prior approval from NSW Office of Environment and Heritage (OEH) and Pittwater Council. The removal or destruction of bush rock has been listed as a Key Threatening Process by the Threatened Species Conservation Act 1995. Bush rock within an approved building footprint is to be re-used elsewhere onsite as a habitat feature.

LOCALITY MAP



ALL CONSTRUCTION TO BE COMPLIANT WITH THE REQUIREMENTS OF A53359-2009 AS FOLLOWS:
WHOLE HOUSE, WALLS AND ROOF - BAL-19
TIMBER DECKS - BAL-29





ALL CONSTRUCTION TO BE COMPLIANT WITH THE REQUIREMENTS
OF AS3959-2009 AS FOLLOWS:
WHOLE HOUSE, WALLS AND ROOF - BAL-19
TIMBER DECKS - BAL-29

envirostructure

11 KILLING ROAD, LILYHOLM, PT 13, AUCKLAND 1011
WWW.ENVIROSTRUCTURE.CO.NZ

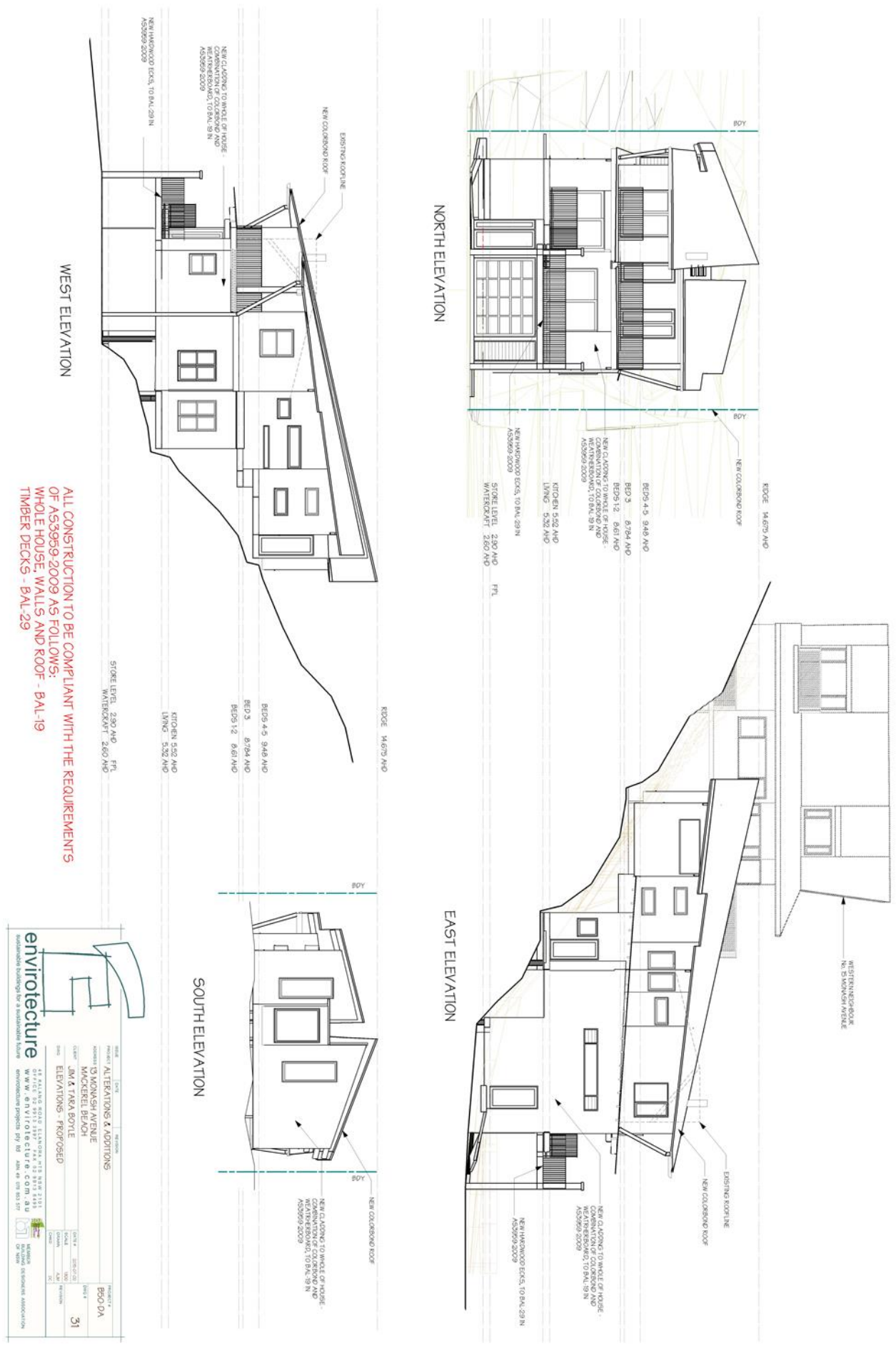
PROJECT: ALTERATIONS & ADDITIONS
ADDRESS: 13 MONASH AVENUE
CLIENT: JIM & TARA BOYLE
SECTION: PROPOSED

DATE: 11/11/15
DRAWN: JIM BOYLE
CHECKED: TARA BOYLE
SCALE: 1:100
SHEET: 41

envirostructure projects pty ltd. Auck 40 09 83 57

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C12.5	Submission - Standard Instrument (Local Environmental Plans) Amendment Order 2015
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Meeting: Sustainable Towns & Villages Committee

Date: 21 December 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Land Use & Development

COMMUNITY STRATEGIC PLAN OBJECTIVE: To effectively respond to state and regional planning initiatives

DELIVERY PROGRAM ACTION: Monitor legislative and regulatory reforms relating to land use planning and respond and advocate on behalf of Council

1.0 EXECUTIVE SUMMARY

The Department of Planning and Environment (DP&E) is proposing to introduce the Standard Instrument (Local Environmental Plans) Amendment Order 2015. This order seeks to make a number of changes to the Standard Instrument Local Environmental Plan (SILEP). The SILEP is the template for which all Councils must follow when preparing local environmental plans (LEPs) for their area. As such, changes to the instrument will make changes to Pittwater's Local Environmental Plan 2014 (PLEP 2014).

The SILEP was originally introduced in 2006 with the aim of standardising planning controls across NSW through the adoption of a single format for LEPs. It was also introduced to reduce the number of potential land zones and complexity in the planning system. Subsequently, following the introduction of the Standard Instrument, the State required each Council to prepare new LEPs which followed the standard format.

Council's Pittwater Local Environmental Plan 2014 is consistent with the Standard Instrument.

The DP&E is now proposing to amend the Standard Instrument LEP and has placed the proposed amendments on public exhibition. There are five changes in the Amendment Order 2015 proposed. Three of the changes are deemed to have an impact upon Pittwater, while the other two are considered to be minor. The changes are described below:

- Changes to State Environmental Planning Policy (Major Developments)
- Changes to State Environmental Planning Policy (Western Sydney Employment Lands)
- Inclusion of new mandatory land uses in the IN2 Light Industrial and B7 Business Park zones, and
- Changes in how building height limits may be set

The Department has exhibited the proposed Amendment Order 2015 and related material from the 14th of October to the 18th of November 2015 exhibition, with comments and submissions invited during this period. Given the limited exhibition period, Council's submission was not able to be reported to Council prior to being submitted to the DP&E.

2.0 RECOMMENDATION

That Council note the submission made by staff in relation to the Standard Instrument (Local Environmental Plan) Amendment Order 2015, (at Attachment 1).

3.0 BACKGROUND

3.1 PURPOSE

The purpose of this report is:

- Provide Council a copy of the submission prepared regarding the Department of Planning and Environment's proposed Standard Instrument (Local Environmental Plans) Amendment Order
- Inform Council of the Standard Instrument (Local Environmental Plans) Amendment Order, including issues and implications for Pittwater Council

3.2 HISTORY

In 2006 the then Department of Planning introduced the Standard Instrument - Local Environmental Plans (SILEP). This change sought to introduce a simplified planning system for the entire state of NSW through the reduction in the number of different Local Environmental Plans (LEPs) and a corresponding reduction in the number of different formats and styles of land use zones.

As part of the introduction of the Standard Instrument, the NSW State Government sought each Council in NSW to prepare and adopt a new LEP based on the Standard Instrument. Pittwater Local Environmental Plan 2014 was gazetted in June 2014.

The SILEP has been subject to a number of changes since the original gazettal. The Department is now seeking to make a number of additional changes to the instrument through the Amendment Order 2015. These changes are expected to apply retrospectively to PLEP 2014.

There are five major changes proposed to the SILEP. The first two relate to Western Sydney and are of minor impact for Pittwater. The proposed changes include:

- Changes to State Environmental Planning Policy (Major Developments)
- Changes to State Environmental Planning Policy (Western Sydney Employment Lands)
- Inclusion of new mandatory land uses in the IN2 Light Industrial and B7 Business Park zones, and
- Changes in how building height limits may be set

The changes to mandatory permitted uses in certain zones and the changes to how building height limits may be set are dealt with in greater detail under **Section 4 – Key Issues** of this report. The remaining two changes are considered to be minor and relate to subdivision standards and a change in the definition of one land use term.

3.3 POLICY IMPLICATIONS

There are policy implications associated with the Amendment Order. If the proposed changes proceed there will be subsequent amendments to the Pittwater Local Environmental Plan as it will change the permitted uses in certain zones.

3.4 RELATED LEGISLATION

The proposed changes to the Standard Instrument will involve changes to legislation, specifically the Standard Instrument (Local Environmental Plans).

FINANCIAL ISSUES

3.4.1 Budget

Preparation and management of the Amendment Order process can be accommodated within current budgetary allocations

3.4.2 Resources Implications

Work associated with the Amendment Order process can be accommodated within current budgetary allocations

4.0 KEY ISSUES

The changes to mandatory permitted uses in certain zones and the changes in how height limits may be set are the key issues in this amendment order. These new land uses are considered contradictory to the zones objectives and intentions with potential ramifications for the retention and attraction of employment generating businesses. The change in height limits could also have an impact upon Council's 'Housekeeping' amendments to the Pittwater Local Environmental Plan 2014.

4.1 Mandatory Permitted Uses in certain zones

The mandatory permitted uses in the IN2 Light Industrial and B7 Business Park zonings within Pittwater are of a concern. The Standard Instrument sets a number of mandatory land uses that all Councils must adopt. As part of the changes, there is a proposal to add additional non industrial land uses to industrial zones. Specifically the changes seek to introduce garden centres and hardware and building supplies land uses to the B7 Business Park and IN2 Light Industrial zonings. Furthermore, places of public worship are proposed to be included in the IN2 Light Industrial zone. Council currently permits hardware and building supplies in the IN2 Light Industrial Zoning, so this is not considered an issue. However the other land uses proposed to be added are. The introduction of land uses that are not major employment generators or have a more commercial and retail base undermine the purposes of the zones, and impact on the amount of land zoned for the purpose of generating employment and supporting population growth.

The addition of major changes to the instrument through the provision of large scale retail development undermines Council's ability to protect and retain as well as attract new employment opportunities in the B7 and IN2 zones. Furthermore, the addition of places of public worship (churches and the like) is considered a further impost. The Department's information sheets on the proposed amendments indicate the changes are minor given that such uses operate outside business hours and will not form traffic or noise issues, however this completely ignores the fact the land use generates very few employment opportunities and could unfortunately replace existing business. Pittwater Local Environmental Plan 2014 currently provides a number of zones where places of public worship are permitted. Given the relative price difference in land zoned industrial and residential in Pittwater, the changes will ultimately lead to places of public worship being more likely to be established in industrial zones than other zones.

4.2 Changes in Height Measurements

Setting height limits by proposing an alternative method through “Australian Height Datum” is another area of concern. Currently the SILEP defines building heights through the height of buildings map and the dictionary definition of ‘...*the vertical distance between ground level (existing) and the highest point of the building...*’ The proposed amendment seeks to change this definition to include the following. ‘...*the vertical distance between ground level (existing) or **Australian Height Datum** and the highest point of the building...*’ This amendment will provide Councils the ability to change how they set heights. By adopting AHD, Councils can set a height limit based on mean sea level. This amendment provides clarity in relation building height above a waterway.

4.3 Clarification of Subdivision Clauses

The proposed change to subdivision relates to Part 4 Principal development standards and clause 4.1 Minimum subdivision lot size. This clause is optional and Pittwater has adopted it. This clause relates to the minimum amount of land needed for any lot that is created through a subdivision. The proposal seeks to change subsection (4) of that clause by removing “*this clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme*” and replace it with

- (4) This clause does not apply in relation to the following:
 - (a) the subdivision of land under the *Community Land Development Act 1989*
 - (b) the subdivision of land into lots as a strata plan under the *Strata Schemes (Freehold Development) Act 1973*,
 - (c) the subdivision of lots in a strata plan under that Act.

This amendment seeks to clarify some confusion in relation to subdivision and minimum lot sizes in strata and community title developments. It seeks to make it obvious that this clause is only for standard Torrens title subdivisions. For Community title subdivisions, Council has adopted Clause 4.1AA Minimum subdivision lot sizes for community title schemes which require them to also meet the minimum subdivision lot sizes as shown on the subdivision lot size map. Strata title subdivisions are more often found in multi storey residential apartments, commercial or industrial developments. This change is considered minor as it only seeks to remove ambiguity in the standards and will not impact upon Council’s subdivision standards.

4.4 Changes in Definitions

The other minor change relates to a change in the definition of a ‘livestock processing industry’. Such industry is considered to include uses such as abattoirs, knackerries and rendering plants. This change is to remove the ‘derived principally from the surrounding districts’ clause in the definition. This change seeks to remove the implied restriction that livestock to be processed must come from within a certain range. Currently such a land use is only permitted within the RU2 Rural Landscape zone in Pittwater. Currently this zone is only present in Ingleside and with the forthcoming Ingleside Land Release, the ability to develop such an industry in Pittwater will be further reduced through land rezonings. There are no known currently operating livestock processing industries in Pittwater and there was only 13 farming rates notices issued by Council in the 2014-2015 period.

There are also proposed changes to the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* and *State Environmental Planning Policy (Major Development) 2005*. These relate to extending the additional permitted uses to industrial land in Western Sydney and do not have any relation to Pittwater.

5.0 ATTACHMENTS

Attachment 1: A copy of the submission to the Department of Planning and Environment

6.0 SUSTAINABILITY ASSESSMENT

6.1 GOVERNANCE & RISK

6.1.1 Community Engagement

The purpose of this report is to inform Council of the proposed changes to the Standard Instrument (Local Environmental Plans). The Amendment Order 2015 were formally exhibited by The Department and community comments sought.

6.1.2 Risk Management

Councils submission on the proposed amendments to the Standard Instrument (Local Environmental Plans) Order 2015 outlined the concerns raised in the report

There is no risk to Council anticipated from the making of a submission

6.2 ENVIRONMENT

6.2.1 Environmental Impact

- The proposed changes are not considered to have an impact upon flora and fauna as they do not change environmental protections.

6.2.2 Mitigation Measures

- The proposed changes will not be affected by climate change
- The proposed changes may impact water use and
- The proposed changes may impact energy use and greenhouse gases

6.3 SOCIAL

6.3.1 Address Community Need & Aspirations

- The proposed changes will not affect the quality of cultural, community or recreational services available to the community.
- The proposed changes will not affect the health, safety and well-being of residents.
- The proposed changes may affect the services of our community.
- The proposed changes will not affect the mobility of residents.

6.3.2 Strengthening local community

- The proposed changes will not affect the community feeling of connectedness.
- The proposed changes may affect the liveability of our villages.
- The proposed changes will not promote education and knowledge generation.

6.4 **ECONOMIC**

6.4.1 **Economic Development**

- The proposed changes may not create or support opportunities for local economic growth.

Report prepared by
Brendan Gavin, Assistant Strategic Planner

Anne-Maree Newbery, Principal Officer Strategic

Andrew Pigott
MANAGER, PLANNING & ASSESSMENT

Andrew Pigott, Manager Planning and Assessment
8:00am to 5:30pm Monday - Thursday, 8:00am to 5:00pm Friday
Phone 9970 1111

25 November 2015

Director,
Policies and System Implementation
GPO Box 39
Sydney NSW 2001

Dear Sir or Madam,

Proposed Standard Instrument (Local Environmental Plans) Amendment Order 2015

Pittwater Council would like to thank the Department of Planning and Environment for providing Council with the opportunity to comment on the Proposed Standard Instrument (Local Environmental Plans) Amendment Order 2015.

Council has reviewed the explanatory material and has identified concerns relating to three of the proposed amendments. The concerns relate to the changes in permitted uses in certain zones and the change in measuring building height (Item No. 1 and No.3).

Item No. 1 – Additional uses in zones

Our concerns with the changes in permitted uses relate to the IN2 Light Industrial and B7 Business Park zones (Council has not adopted the IN1 General Industrial zone).

The addition of garden centres and hardware and building supplies land uses in the B7 Business Park zone is not supported. The objectives of the zone under the Standard Instrument are for a range of office and light industrial uses, to encourage employment opportunities and to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. Garden centres and hardware and building supplies are not considered to meet these objectives. Council does not support the notion that the addition of non-industrial uses into the zone will increase local employment opportunities, on the contrary it could potentially jeopardise existing employment figures and industrial floor space.

In addition, Council is concerned with permitting places of public worship in the IN2 Light Industrial zone. While the intentions of the changes are considered reasonable, the outcome poses a number of challenges for Council. Currently under the Standard Instrument places of public worship are permitted in a number of residential and business zones in Pittwater and is therefore considered well catered for.

Increasing the range of permitted uses in the industrial zones area presents challenges for Council in protecting local employment lands from such uses that are not significant employment generators and/ or permitted in a range of other zones. If the amendment advances industrial zones will be eroded and employment lands jeopardised. Council notes that the additional uses proposed may not create additional noise or parking issues, they will however subsume land for industrial uses and employment thus effectively sterilising it from the primary use it was designed to cater for.

The Department's Metropolitan Employment Lands Program notes that within Pittwater Local Government Area (LGA) there is a lack of industrially zoned land with little potential for more to be brought online. Furthermore, within the Manly, Warringah and Pittwater locality there is approximately only 2.8ha of industrially zoned land. Current studies and reports recognise the scarcity of Industrial land in the region and the need to protect these lands. Pittwater has a high containment of employment within the LGA and is keen to meet the Department's strategies for having housing and employment closer together ("homes closer to jobs"), however the loss of productive employment lands will impact upon Council's ability to retain existing industrial land, let alone provide for growth.

Item No. 2 - Dictionary terms

Concern is also raised regarding changes in the definition of building height, specifically in relation to how it is measured. Allowing the provision of building height limits based on Australian Height Datum is supported as it allows for heights based on a level above mean sea level to be implemented. However, the clause as it is proposed to be amended is considered ambiguous and would benefit from additional refinement and clarification, such as the inclusion of 'or Australian Height Datum as set by Council or by the relevant authority'. A stronger definition would remove the ambiguity and create greater certainty.

If you have any enquires about this matter please do not hesitate to contact Anne-Maree Newbery on 9970 1164.

Yours sincerely,

Andrew Pigott
MANAGER – PLANNING AND ASSESSMENT

C12.6	Submission - State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Miscellaneous and Affordable Housing) 2015
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Meeting: Sustainable Towns & Villages Committee **Date:** 21 December 2015

COMMUNITY STRATEGIC PLAN STRATEGY: **Land Use & Development**

COMMUNITY STRATEGIC PLAN OBJECTIVE: To effectively respond to state and regional planning initiatives

DELIVERY PROGRAM ACTION: Monitor legislative and regulatory reforms relating to land use planning and respond and advocate on behalf of Council

1.0 EXECUTIVE SUMMARY

In 2008 the Department of Planning and Environment (The Department) introduced the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. This legislation was introduced to give effect to two major changes. The first change was to introduce a state-wide policy covering works could be done without the need for Council approval as 'Exempt Development'. The second effect was to introduce 'Complying Development'. Complying Development is a code based assessment pathway for a range of development types including alterations and additions, new dwellings and granny flats that can be undertaken by Councils or licensed private certifiers.

On the 10th of October 2015 the Department announced it is preparing to amend the legislation to give effect to a number of changes. Some changes are considered minor involving the rewording or clauses of minor adjustments in definitions or clause ordering. However, there are number of other amendments that are considered a substantial shift away from the original premise of Complying Development as well as outstanding concerns over a number of issues. The proposed amendments will also impose changes to other legislation including the State Environmental Planning Policy (Affordable Rental Housing).

The proposed amendments were on exhibition from the 19th of October until the 16th of November. Council staff prepared a submission outlining specific area of concern and implications for the Pittwater Local Government Area. Given the limited exhibition period, Councils submission was not able to be reported to Council prior to being submitted to the Department of Planning and Environment.

2.0 RECOMMENDATION

That Council note, the submission made by staff in relation to the State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Miscellaneous and Affordable Housing) 2015, (at Attachment 1).

3.0 BACKGROUND

3.1 PURPOSE

The purpose of this report is to:

- Inform Council of the proposed changes to the (Exempt and Complying Codes) announced by the Department of Planning & Environment (The Department), and
- Outline the issues and implications for Pittwater Local Government area as a consequence of the proposed amendments

3.2 HISTORY

In 2008 the Department of Planning and Environment (The Department) introduced the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 to introduce two substantial changes to the NSW planning system. The first was to establish a state-wide policy on minor development that did not require development approval. The second was the introduction of state-wide Complying Development to provide a quick approval process for larger development with minor impacts.

Exempt Development covers minor development that is deemed not to need approval. This includes minor works such as balconies and decking, driveways, garden sheds and fencing. It also covers minor excavation, signage and carports. Before the introduction of the Exempt and Complying Development Codes, each Council established their own policy on what work was considered minor and exempt from approval.

Complying Development was introduced to provide a streamlined development approval process based on a state-wide code assessment of larger development types. Development under this assessment pathway is required to meet all of the predetermined requirements as stipulated in the Code. The approval issued under this system is referred to as a Complying Development Certificate (CDC) and acts as development consent and approval to commence works. Complying Development includes substantial alterations and additions to existing dwellings, new dwellings up to two storeys in height, or ancillary development such as pools and garages.

The Department is now seeking to make substantial amendments to the Exempt and Complying Development legislation and subsequent changes to other relevant legislation. The majority of changes are considered minor, providing further clarification, rewording or ordering of clauses. They relate to such things as clarifying areas of confusion in the legislation through rewording or ordering of clauses or the removal of clauses that are no longer relevant. However there are a number of changes that are considered to be either a major deviation from the principles of complying development or an expansion of complying development that will have a significant impact upon the Pittwater Local Government Area. These changes are discussed in detail in Section 4.0 Key Issues.

3.3 POLICY IMPLICATIONS

There are direct policy implications associated with the Proposed Amendment Order as a consequence of permitted uses in certain zones, and building height limits

3.4 RELATED LEGISLATION

The proposed Amendment to the Exempt and Complying Development Codes will involve changes to legislation, including State Environmental Planning Policy (SEPP) Affordable Rental Housing and SEPP Infrastructure.

3.5 FINANCIAL ISSUES

3.5.1 Budget

The proposed amendments will have an impact upon the Strategic Planning budget, however the proposed work can be accommodated within current budgetary allocations

3.5.2 Resources Implications

The Review of the proposed Amendment Order will require the allocation of staff responding however this can be accommodated within current budgetary allocations.

4.0 KEY ISSUES

In reviewing the State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Miscellaneous and Affordable Housing) staff have identified eight substantial changes in the application of the Code, or a change in established standards.

4.1 Site Coverage

The first change proposed in the amendment order relates to what constitutes site coverage. This change seeks to clarify the calculation of site coverage and confirms what is in and what is out. This is important as under the policy, site coverage is set on a sliding scale and complying development can only be used on lots that are 200sqm or greater in size. The proposed will no longer use the Standard Instrument (Local Environmental Plan) definition of site coverage and to introduce a new definition into the code.

Concern is raised regarding the new definition of site coverage as it will remove driveways, swimming pools and any deck, balcony, pergola, terrace or verandah attached to a dwelling house and not enclosed by a wall higher than 1.4m from the purpose of calculation in site coverage. Exclusion of these works has the potential to lead to development covering entire lots.

4.2 Clause 2.75 Subdivision

The second change relates to clause 2.75 Subdivision for boundary adjustments. The amendment seeks to remove the requirement for undersized lots to become larger. This is not supported. Under the current requirements, boundary adjustments on lots smaller than the minimum lot size can only be undertaken where they will become larger. The proposed amendments open up the opportunity for existing undersized lots to become smaller, and reduce natural and landscaped areas.

4.3 Encroachment of certain building works into easements

The proposed amendments also include provisions for certain building works to encroach on registered easements, provided they do not violate the terms of the easement. This includes building works such as aerials, awnings, eaves, flues, chimneys and heating or cooling appliances. These works must be located 1 metre above the ground and not exceed the maximum height limit.

This clause is not supported as most easements when registered will not have provisions preventing specific works and would be relying on general prohibitions on development over them. This amendment may produce negative outcomes when access to easements is required resulting in the need for works to be removed.

4.4 Setbacks for garages, carport and parking spaces

The amendments propose changes to setbacks for existing carports, parking spots and garages.

The current setback requirements for such development are either 5.5m from a primary road or 1m behind the front building line for where a dwelling is setback from a primary road by 4.5m or more. The changes proposed seek to exempt existing developments from these provisions. This change is not supported. Due to the topography of Pittwater (many steep blocks), Council's current Development Control Plan (DCP) currently allows for some carports and parking spots on property boundary lines, where appropriate, to avoid significant cut and fill of land. Structures have been approved and conditioned as carports or open structures to ensure they do not dominate the streetscape or diminish sight lines. The proposed changes will potentially allow the existing car parking spaces and carports to be tuned into garages. This may impact upon the Pittwater locality significantly.

Fortunately most steeply sloping properties in Pittwater are protected through the E4 Living Zone which prevents complying development. However, those in the R2 zone are subject to the changes

4.5 Geotechnical Hazards

There is also an outstanding concern in relation to geotechnical risk hazards. While complying development considers trees, and fire and flooding hazards, it still does not take into account geotechnical hazards. The lack of regard for geotechnical hazards is a concern as Pittwater has many rocky outcrops and steeply sloping land. While current changes proposed to excavation are only minor rewording, it considered crucial for Complying Development to take geotechnical hazards into account when approving applications in areas subject to the hazard.

4.6 Subdivision Code

The Amendment Order also seeks to make two substantial changes to the Subdivision Code. The first change relates to removing the requirement for strata subdivision under the Code to take place within 5 years of the original consent. The proposed amendment removes the 5 year provision completely without nominating a new timeframe. The proposed amendment means that any development (other than a dual occupancy) could be subdivided regardless of a stipulated timeframe. This amendment is not supported in this current format as planning controls may have substantially changed since development consent was granted and works constructed no longer reflecting current requirements.

4.7 Subdivision Code Parking Standards

The proposal incorporates the inclusion of a significant amendment under the Subdivision Code relating to parking provisions. The new clause proposes that where parking cannot be provided as required in the subdivision, a contribution under a S94 Contributions Plan will be made to the relevant Council.

It is unclear how this would operate and Council seeks additional advice. Many Councils including Pittwater will not have a S94 plan in place for parking. If the amendment proceeds Council will need to prepare, review and adopt a new S94 plan to cater for the proposed change.

5.0 ATTACHMENTS

Attachment 1: Pittwater Council's submission to the Department of Planning and Environment.

6.0 SUSTAINABILITY ASSESSMENT

6.1 GOVERNANCE & RISK

6.1.1 Community Engagement

The purpose of this report is to inform Council of the proposed changes to the Exempt and Complying Development Codes legislation. The amendments were formally exhibited by The Department and community comments sought.

6.1.2 Risk Management

Council submission clarified Council's position and concerns regarding the proposed changes

There is no risk to Council anticipated from the making of a submission

6.2 ENVIRONMENT

6.2.1 Environmental Impact

- The proposed changes are not considered to have an impact upon flora and fauna as they do not change or alter any of the existing environmental protection requirements.

6.2.2 Mitigation Measures

- The proposed changes may impact water use and
- The proposed changes will not be affected by climate change
- The proposed changes may impact energy use and greenhouse gases

6.3 SOCIAL

6.3.1 Address Community Need & Aspirations

- The changes will impact upon streetscapes and sight lines on steep streets due to changes in parking setbacks and excavation requirements
- The change may result in a reduction in parking spaces when buildings are converted to more intensive uses
- There will be impacts upon easements as encroachments will be permitted
- The proposed changes will not affect the quality of cultural, community or recreational services available to the community.
- The proposed changes will not affect the health, safety and well-being of residents.
- The proposed changes may affect the services of our community.
- The proposed changes will not affect the mobility of residents.

6.3.2 Strengthening local community

- The proposed changes will not affect the community feeling of connectedness.
- The proposed changes may affect the liveability of our villages.
- The proposed changes will not promote education and knowledge generation.

6.4 **ECONOMIC**

6.4.1 **Economic Development**

- The proposed changes may create or support opportunities for local economic growth.

Report prepared by
Brendan Gavin, Assistant Strategic Planner

Anne-Maree Newbery, Principal Officer Strategic

Andrew Pigott
MANAGER, PLANNING & ASSESSMENT

Andrew Pigott, Manager Planning and Assessment
8:00am to 5:30pm Monday - Thursday, 8:00am to 5:00pm Friday
Phone 9970 1164

30th November 2015

Manager,
Codes and Approval Pathways
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Miscellaneous Affordable Housing) 2025

Pittwater Council has reviewed the Amendment Order for Exempt and Complying Development Codes and the Affordable Housing SEPP. Council broadly welcomes the review and proposed amendments to the SEPPs as they provide greater clarity, readability and understanding in a number of different areas.

The principles of Exempt and Complying Development, as well as Affordable Housing, are laudable and are supported by Council. However some concerns have been identified regarding the following issues that will impact upon Council and the broader Pittwater community. These are identified and addressed below.

1. The change in the definition of site coverage is not supported. The exemption of driveways swimming pools and decking, terraces or patios from the site coverage requirement is considered an issue that will result in a loss of open undeveloped land upon a site.
2. Changes to clause 2.75 Specified Development for boundary adjustments are not supported. The change to remove the requirement for undersized lots to become larger is a concern and could potentially result in the creation of smaller lots without the basis of a merit assessment.
3. The encroachment of buildings into easements is also a concern. The code proposes that where the easement does not allow the specified development to occur above it, works will not be permitted. However many old easements were prepared on the basis of no building works permitted over them, thus they will not incorporate detailed prescriptions on permitted works and non-permitted works.
4. Council is concerned that changes to clause 3.27 Garages, carports and parking spaces could have a detrimental impact upon Pittwater. Council's Development Control Plan has allowed for carports and car parking spaces on property boundary lines where the property is particularly steep to avoid significant excavation or filling of land. They have been approved on the provision that they are not garages so as to not produce excessive bulk and scale of development on the street and not impact upon sight lines. The proposed changes seek to remove the requirement for existing spaces to meet the requirements for setbacks amongst other things. This raises an issue for Pittwater, as such development could be turned into garages through a Complying Development Certificate without a merit assessment and have profound negative outcomes. Council would like to ask that either this clause not apply to Pittwater or that an alternative solution be provided.

5. Earthworks – Council notes that the proposed changes relating to earthworks are mostly a reordering and rewording of clauses through all the relevant Codes. This is supported to increase clarity in the legislation. However concern is raised that geotechnical hazards are still not catered for in complying development. Concerns and hazards such as trees, flooding and bushfire risk are, but geotechnical hazards are not. Council has a number of rocky outcrops and steeply sloping land that are prone to landslips. Council considers it appropriate that complying development should also take these hazards into consideration when processing applications. Council also considers it appropriate that there should be consideration given to the amount of excavation and fill. Within Council there is a number of larger blocks and the open nature of the clauses does not prevent entire sites being levelled with no consideration given to the amount of soil or rock removed, and the impact it may have on neighbouring properties.
6. Concern is also raised in relation to Clause 5.2 Development Standards and car parking. The proposed amendments to the clause include the assessment of car parking standards as per a Council's LEP or DCP. Complying development was established as non-discretionary assessment against pre-determined criteria, such as a checklist. Council does support the discretionary merit assessment of development standards on any controls under complying development.
7. Concern is also raised over both changes proposed to the subdivision code under clause 6.1. The removal of the 5 year time period for which to act upon a consent is not supported.
8. The second proposed change under clause 6.2 of the subdivision code permitting a contribution instead of required parking raises major concerns. The introduction of the new paragraph (c) allowing for a contribution to a S94 Plan is questioned where paragraph (a) clearly states that a subdivision cannot violate a development standard. How these two clauses relate to each other is unclear. It is also noted that many Councils do not have a S94 Plan in relation to parking, including Pittwater Council. Therefore contributions outside the scope of S94 are not permitted. Furthermore this again represents a planning merit assessment which goes against the philosophy of complying development. Both changes to the Subdivision Code are unclear and contradictory. Council asks that the Department remove these two changes from the Amendment Order pending further consultation with local government.

In general, Council recognises that a number of the changes proposed in the Amendment Order have merit and will improve current legislation by reducing complexity and red tape, and these amendments are supported. In relation to the issues raised above, we look forward to working closely with the Department to resolve Council's concerns.

Yours sincerely

Andrew Pigott
MANAGER - PLANNING AND ASSESSMENT

C12.7	Repeal of Bungan Lane Carpark Section 94 Contributions Plan
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Meeting: Sustainable Towns & Villages Committee

Date: 21 December 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Corporate Management Strategy

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To provide the community with a broad range of quality natural and built assets in a sustainable manner to meet the needs of current and future generations

DELIVERY PROGRAM ACTION:

- Continue to implement Council's suite of developer contributions plans
-

1.0 EXECUTIVE SUMMARY

1.1 SUMMARY

The Bungan Lane Car Park was completed in late 2014. The project was funded largely through section 94 funds collected under the *Bungan Lane Car Park Section 94 Contributions Plan*.

With the car park now complete, the *Bungan Lane Car Park Section 94 Contributions Plan* is required to be repealed.

The need for a separate section 94 plan for Mona Vale will be considered once the Mona Vale Place Plan is finalised. Should the Place Plan identify expansion of the existing commercially zoned areas in the town centre, consideration will be given to the need for a separate section 94 plan for Mona Vale.

2.0 RECOMMENDATION

1. *That Council revoke the Bungan Lane Car Park Section 94 Contributions Plan.*
2. *That a notice be published in the Manly Daily notifying of the intention to repeal the Bungan Lane Car Park Section 94 Contributions Plan.*
3. *That a further notice, two weeks subsequent, be published in the Manly Daily notifying of the repeal of the Bungan Lane Car Park Section 94 Contributions Plan.*
4. *That the need for a separate section 94 plan for Mona Vale be considered following the finalisation of the Mona Vale Place Plan.*

3.0 BACKGROUND

3.1 PURPOSE

The purpose of this report is to seek Council's support to revoke the *Bungan Lane Car Park Section 94 Contributions Plan*.

3.2 BACKGROUND

- 3.2.1 Council adopted the *Bungan Lane Car Park Section 94 Contributions Plan* in June 1993. The Plan was prepared to enable Council to levy commercial development within the Mona Vale town centre that would generate a need for additional parking that could not be provided on-site.
- 3.2.2 The Plan when it was initially prepared proposed 64 parking spaces on Level 1, with the ability to provide additional parking spaces in stages through the construction of additional parking levels.
- 3.2.3 By 2014, approximately \$3.5 million had been collected under the *Bungan Lane Car Park Section 94 Contributions Plan* (this figure includes interest accrued). These funds represent approximately 162 parking spaces.
- 3.2.4 In late 2014 the multi-story Bungan Lane Car Park was completed on the site of existing Council car park. The completed car park provides 219 car parking spaces over 4 levels, representing a net increase of 162 spaces (57 parking spaces contained in the original at-grade car park).
- 3.2.5 The cost of the construction was approximately \$7.5 million, with \$3.5 million coming from the Bungan Lane Car Park section 94 fund and \$4 million from loan borrowings.

3.3 POLICY IMPLICATIONS

The *Bungan Lane Car Park Section 94 Contributions Plan* is an adopted policy of Council. The plan provides the legal framework and funding mechanism to enable the delivery of parking spaces to meet the needs generated by commercial development in the Mona Vale town centre where the required spaces could not be provided on-site.

With the works originally planned for under the *Bungan Lane Car Park Section 94 Contributions Plan* now complete, Council is unable to continue to levy contributions under the current Plan and therefore should now repeal the Plan.

Should the Mona Vale Place Plan identify the expansion of the existing commercially zoned areas in the Mona Vale town centre, consideration will be given to the need for a separate section 94 plan for Mona Vale.

3.4 RELATED LEGISLATION

Environmental Planning and Assessment Act 1979, Part 4, Division 6.
Environmental Planning and Assessment Regulation 2000, Part 4.

3.5 FINANCIAL ISSUES

3.5.1 Budget

The *Bungan Lane Car Park Section 94 Contributions Plan* has collected approximately \$3.5 million (including interest accrued) since 1993.

These funds were used to fund the Bungan Lane Car Park, completed in late 2014.

3.5.2 Resources Implications

Regular and ongoing review of Council's suite of section 94 plans is necessary to take account of projected growth, the community's needs, cost of local infrastructure and services and progress in providing scheduled works.

4.0 KEY ISSUES

4.1 Completion of Works

4.1.1 In late 2014 the multi-story Bungan Lane Car Park was completed on the site of existing Council car park. A large proportion of the funding for the project was from section 94 funds collected under the *Bungan Lane Car Park Section 94 Contributions Plan*.

4.1.2 With the Bungan Lane Car Park now complete, the *Bungan Lane Car Park Section 94 Contributions Plan* should now be repealed.

4.2 Need for future Mona Vale Section 94 Plan

4.2.1 With the works originally planned for under the *Bungan Lane Car Park Section 94 Contributions Plan* now complete, Council is unable to continue to levy contributions under the current Plan.

4.2.2 The Mona Vale Place Plan is currently being finalised and may identify expansion of the existing commercially zoned areas in the town centre. Should this occur, there may be a need to consider a separate section 94 plan for Mona Vale to facilitate the funding and delivery of commensurate infrastructure requirements.

4.2.3 The need for a separate section 94 plan for Mona Vale will be considered once the Mona Vale Place Plan is finalised.

5.0 ATTACHMENTS / TABLED DOCUMENTS

Nil.

6.0 SUSTAINABILITY ASSESSMENT

6.1 GOVERNANCE & RISK

6.1.1 Community Engagement

In accordance with the EP&A Regulation, two public notices will be published in the Manly Daily notifying the repeal of the *Bungan Lane Car Park Section 94 Contributions Plan*.

6.1.2 Risk Management

With the works originally planned for under the *Bungan Lane Car Park Section 94 Contributions Plan* now complete, Council is unable to continue to levy contributions under the current Plan and therefore should now repeal the Plan.

Should the Mona Vale Place Plan identify the expansion of the existing commercially zoned areas in the Mona Vale town centre, consideration will be given to the need for a separate section 94 plan for Mona Vale.

6.2 ENVIRONMENT

6.2.1 Environmental Impact

Nil.

6.2.2 Mitigation Measures

Nil.

6.3 SOCIAL

6.3.1 Address Community Need & Aspirations

The *Bungan Lane Car Park Section 94 Contributions Plan* provides the legal framework and funding mechanism to enable the delivery of parking spaces to meet the needs generated by commercial development in the Mona Vale town centre where the required spaces could not be provided on-site.

With the car park now complete, the *Bungan Lane Car Park Section 94 Contributions Plan* is required to be repealed.

6.3.2 Strengthening local community

The *Bungan Lane Car Park Section 94 Contributions Plan* provides the legal framework and funding mechanism to allow the continued liveability of the LGA by facilitating the delivery of necessary infrastructure to meet future demand.

With the car park now complete, the *Bungan Lane Car Park Section 94 Contributions Plan* is required to be repealed.

6.4 ECONOMIC

6.4.1 Economic Development

Funds levied for under the *Bungan Lane Car Park Section 94 Contributions Plan* have enabled the delivery of necessary infrastructure to facilitate economic growth within the LGA.

Report prepared by
Tija Stagni, Local Infrastructure Coordinator

Simonne Johnson
A/MANAGER, COMMERCIAL PROPERTY & PROJECTS

Les Munn
A/MANAGER, URBAN INFRASTRUCTURE

C12.8	Mona Vale Surf Life Saving Club - Proposed Rebuild
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Meeting: Sustainable Towns and Villages Committee **Date:** 21 December 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Building Communities & Corporate Management

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To provide the community with a broad range of quality natural and built assets in a sustainable manner to meet the needs of current and future generations
- To sustainably and strategically manage the community's assets on a whole of life basis taking into account risks, community expectations and Quadruple Bottom Line (social, economic, environmental & governance)
- To create, acquire, maintain, enhance and manage assets in line with best practice, use of technology and innovation
- To ensure all levels of government provide infrastructure to meet the community's needs and expectations

DELIVERY PROGRAM ACTION:

To be added into the 2016/2020 Delivery Program.

1.0 EXECUTIVE SUMMARY

1.1 SUMMARY

Following the refurbishment of Avalon Surf Club, Mona Vale Surf Club has been earmarked as the next priority project, with money being allocated in the SRV for capital improvements. Council has been in conversations with the Mona Vale Surf Life Saving Club Inc. (Mona Vale SLSC) in recent years and it has been established that due to the current state of repair of the building, major improvements will be required in order for the building to meet current standards.

A rebuild of the facility in the existing location will ensure the building's structural longevity and sustainability, in turn ensuring a suitable facility for volunteer and paid lifeguards, as well as an opportunity for commercial return to fund the ongoing maintenance of Council. Any rebuild will form part of the holistic Mona Vale's Place Plan.

At this stage, Council is still in discussions with the relevant stakeholders; however works are estimated to be in the order of \$4.75 million. It is proposed that funding be sought from a number of sources including grant funding, contributions from the Mona Vale SLSC sale of Council assets, loan funding, SRV funding and other Council contributions.

Council currently has \$150,000 committed in the 2015/16 budget to undertake preliminary investigations and broad concept designs. It is envisaged that these investigations will help develop the detailed business case which will outline the proposed scope, costs and timeframe.

The purpose of this report is to seek in principle support for the project and the commencement of preliminary investigations to inform a detailed business case for the project. It is recommended that the detailed business case will be brought back to Council for consideration in 2016.

2.0 RECOMMENDATION

1. *That Council provide in principle support for the rebuild of Mona Vale Surf Club.*
 2. *That following preliminary investigations, a detailed business case for the project, including scope, costings and timeframes, be brought back to Council for consideration.*
-

3.0 BACKGROUND

3.1 PURPOSE

- To advise Council of the discussions that have occurred with the Mona Vale Life Saving Club in relation to the refurbishment of the Mona Vale Surf Club.
- To seek Council's in principle support for the rebuild of the Mona Vale Surf Club and improvements to the wider Mona Vale Beach sub-precinct.

3.2 BACKGROUND

The Mona Vale Surf Life Saving Club Inc. (Mona Vale SLSC) operates from Mona Vale Surf Club at 1 Surfview Road, Mona Vale (Lot 104 DP1066371). The subject lot is zoned RE1 Public Recreation. The other tenants in the building are Council's professional lifeguard contractors and a commercial food operator. Council owns the adjoining reserve known as Apex Park as well as the adjoining carpark. An aerial image of the Mona Vale Beach sub-precinct is included in **Attachment 1**.

After the refurbishment of the Avalon Surf Club, the Mona Vale Surf Club was earmarked as the next priority surf club for major capital improvements with \$1.2 million being allocated in the SRV and Council funding over the 2015-2021 period.

Council has been in discussions over the years with the Mona Vale SLSC in relation to the state of repair of the Mona Vale Surf Club and the improvement options going forward. It has been established that given the level of work required, major improvements will be necessary in order for the building to meet current building standards.

Council is currently preparing a Mona Vale Place Plan which will consider how connectivity between the Mona Vale commercial centre and the beach front can be achieved. It has been identified that a place plan for the beach sub-precinct is required. As such, any rebuild of the Mona Vale Surf Club will be undertaken within the Mona Vale place planning context.

3.3 POLICY IMPLICATIONS

Council is currently preparing a Mona Vale Place Plan which will include the Mona Vale beach sub-precinct. Any rebuild of the Mona Vale Surf Club should be considered within the place planning context.

3.4 RELATED LEGISLATION

Coastal Protection Act 1979
Environmental Planning and Assessment Act 1979

3.5 FINANCIAL ISSUES

3.5.1 Budget

It is proposed that a detailed business case be undertaken to determine accurate scope, costs and timeframe for the project. At this preliminary stage it is estimated that the necessary improvements to the Mona Vale Surf Club building and the surrounding public spaces will be in the order of \$4.75 million.

Once costs and project timelines are determined, it is proposed that Council review its future funding commitments. Council has currently set aside the following funds for the improvements to the Mona Vale Surf Club:

- 2015/16 - \$150,000
- 2016/17 - \$200,000
- 2017/18 - \$200,000
- 2019/20 - \$400,000
- 2020/21 - \$400,000

It is proposed that the funding package incorporate grant funding, contributions from the Mona Vale SLSC, sale of Council assets, loan funding, SRV funding and other Council contributions.

3.5.2 Resources Implications

The proposed upgrade of an existing lower quality asset will reduce Council's current liabilities under the Asset Management Plan.

The proposed project is also expected to improve Council's future revenue stream, increasing the revenue that can be expected from the future commercial tenant/s.

4.0 KEY ISSUES

4.1 Necessary Improvements

Council has been in discussions with the Mona Vale SLSC Building Committee in relation to the state of repair of the Surf Club building and the best way forward.

It has been identified that Mona Vale SLSC building is in need of major works to ensure its structural longevity and provide a fit, safe structure for its tenants. It is considered by Council that due to the level of works required, a rebuild of the facility in its existing location is the most feasible option.

4.2 Next Steps

In moving forward with the project, it is proposed that a detailed business case, including scope, costings and timeframes be undertaken. Council currently has \$150,000 committed in the 2015/16 budget to undertake preliminary investigations, community engagement and broad concept designs. It is envisaged that these investigations will help develop the detailed business case. It is recommended that following these investigations a report be brought back to Council presenting the recommendations of the business case.

It is intended that Council will work in partnership with Mona Vale SLSC and other stakeholders to deliver the project, noting that the current Mona Vale SLSC lease and the commercial operators' sub-lease will run to 2021.

It is anticipated that Council will enter into a Memorandum of Understanding (MoU) with Mona Vale SLSC to outline roles and responsibilities and funding commitments for the project. As part of the MoU, Council will consider the appropriate leasing arrangements for all tenants in the new facility. It is envisaged that the terms of the MoU will be detailed in a future report to Council.

5.0 ATTACHMENTS

Attachment 1: Aerial Photograph of Mona Vale Beach sub-precinct

6.0 SUSTAINABILITY ASSESSMENT

6.1 GOVERNANCE & RISK

6.1.1 Community Engagement

- Mona Vale SLSC has held consultation with their members and will continue to do so throughout the process.
- Mona Vale Beach Plan of Management has been adopted and implemented that includes the current types of tenants in Mona Vale SLSC. Community Consultation occurred during adoption of the plan of management.
- It is proposed to complete community engagement throughout different stages of the current proposed project.
- Community engagement will be completed once a preliminary concept design is completed.
- Community consultation will occur as part of the Mona Vale Place Plan process.

6.1.2 Risk Management

- There are reputational risks associated with the proposed project if planning, design or construction errors occur.
- Due to potential sale, loan and grant funding required for the current proposed funding model, there are financial risks.
- Prior to the project proceeding, a business case will be completed assessing the project against all relevant risks.
- A Development Application will be submitted and subject to the development assessment process.

6.2 ENVIRONMENT

6.2.1 Environmental Impact

- Any impacts from the proposed building and wider Mona Vale beach front precinct will be assessed during the development assessment process.

6.2.2 Mitigation Measures

- The proposed project is impacted by coastal inundation and sea level rise. Hence, a suitably qualified and practicing Coastal Engineer will be engaged to provide advice and design requirements.
- Any impacts from the proposed building will be assessed during the development assessment process.

6.3 **SOCIAL**

6.3.1 **Address Community Need & Aspirations**

- The proposed project will provide improved services and facilities for Mona Vale SLSC, assisting in ongoing water safety education and lifesaving activities that the Club undertakes.
- The adjoining precinct upgrades as part of the Mona Vale Place Plan will provide improved connectivity and usage of the area.
- The proposed project will provide improved accessibility for people with a disability across the facilities.

6.3.2 **Strengthening local community**

- The proposed project will provide an improved surf club, commercial food service and connectedness to the Mona Vale commercial centre.
- The proposed project will improve the usability and liveability of Mona Vale village by providing an improved community building and improved adjoining infrastructure.

6.4 **ECONOMIC**

6.4.1 **Economic Development**

- The proposed project and future operation of Mona Vale SLSC will create or support and enhance opportunities local employment, business and tourism.

Report prepared by
Peter Rodham, Property & Building Projects Officer

Simonne Johnston
ACTING MANAGER, COMMERCIAL PROPERTY & PROJECTS

Steve Lawler
ACTING MANAGER, RESERVES AND RECREATION

Paul William-Smith
ACTING MANAGER, PLACE MANAGEMENT



Aerial Photography - 2014
Licensed from NearMap.
This plan is not survey accurate.

Mona Vale Beach Sub-Precinct



C12.9	Minutes of the Ingleside Community Reference Group Meeting held on 8 December 2015
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Meeting: Sustainable Towns & Villages Committee

Date: 21 December 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Land Use & Development

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To establish land uses that respond to environmental, cultural, social and economic needs in a sustainable manner

DELIVERY PROGRAM ACTION:

- Commence and progress the Ingleside Precinct Planning Process with the Stage Government
-

1.0 EXECUTIVE SUMMARY

1.1 SUMMARY

At the Ingleside Community Reference Group meeting of 8 December 2015, members were given presentations on the following:

- Program Update from Department of Planning & Environment
 - Update on Ecological Issues from EcoLogical Australia
 - Dissemination of Information by David Bremner (Acting Manager – Community Engagement & Corporate Strategy)
-

2.0 RECOMMENDATION

That the minutes of the Ingleside Community Reference Group meeting of 8 December 2015 be noted.

3.0 BACKGROUND

3.1 PURPOSE

- 3.1.1 To present to Council the minutes of the Ingleside Community Reference Group Meeting held on 8 December 2015.

3.2 Ingleside Community Reference Group

- 3.2.1 At its meeting of 24 June 2013, Council resolved (in part) as follows:

1. *“That the establishment of the Ingleside Community Reference Group for the Ingleside Precinct Plan in accordance with 3.5 of this report be endorsed and the attached Terms for Reference be adopted.*
2. *That an Expression of Interest for the membership of the Ingleside Community Reference Group be called.”*

3.2.2 The Ingleside Community Reference Group was established to provide a forum for discussion between Council, the Ingleside Project Control Group and Precinct Working Group (comprising officers from the Department of Planning & Environment, UrbanGrowth NSW and Pittwater Council), the community and other interested groups on a range of issues throughout the various stages of the Precinct Planning Process. The Reference Group brings together the expertise and diverse community knowledge required to suitably manage any potential release of land in Ingleside.

3.2.3 To fulfil its role, the Ingleside Community Reference Group is to:

- provide a safe and equitable forum where members, derived from registered community groups, community organisations and Pittwater residents, have equal opportunity to contribute and be involved in discussions with the Ingleside Project Team on relevant issues;
- complement other elements of the broader consultation framework established for the Ingleside Precinct Planning project;
- act as another mechanism through which Council and the Ingleside Project Team can bring items where consultation is required;
- be a means of identifying innovative ideas that can enhance the precinct planning for Ingleside.

3.3 POLICY IMPLICATIONS

3.3.1 Precinct Planning for Ingleside comprises evidence based investigations facilitated by the Environmental Planning & Assessment Act 1979 and Regulations, and associated legislation.

3.4 RELATED LEGISLATION

Nil

3.5 FINANCIAL ISSUES

3.5.1 **Budget**
Nil

3.5.2 **Resources Implications**
Nil

4.0 KEY ISSUES

4.1 At the Ingleside Community Reference Group meeting of 8 December 2015, Mr Paul Robilliard from the Department of Planning & Environment gave a presentation on the revised program, identifying new key milestones following the outcomes of the field surveys and genetic testing of the Angus Onion Orchid.

An E-newsletter has been distributed to all relevant stakeholders providing an update on the Precinct Planning Process.

4.2 Dr Stephen Ward of EcoLogical Australia gave a presentation on ecological issues. The presentation informed members of the results of the field surveys and genetic testing of the Angus Onion Orchid.

The presentations are available on the Ingleside Planning website:
www.inglesideplanning.com.au

5.0 ATTACHMENTS

Attachment 1: Minutes of the Ingleside Community Reference Group meeting of 8 December 2015

6.0 SUSTAINABILITY ASSESSMENT

A sustainability report is not required for minutes of meetings.

Report prepared by
Robbie Platt – Planner Land Release

Andrew Pigott
MANAGER, PLANNING & ASSESSMENT



INGLESIDE COMMUNITY REFERENCE GROUP

MINUTES

Meeting held at the Newport Community Centre,
11-13 The Boulevard Newport on

8 December 2015

Commencing at 4.00pm.

M J Ferguson
General Manager



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Voting Members of the Committee, namely

Cr Julie Hegarty, Chairperson
Mr Glen Ilic, Wilga Wilson Residents Association
Mr David Seymour, Katandra Bushland Sanctuary
Mr David Palmer, Pittwater Natural Heritage Association
Mr Dick Clarke, Elanora Heights Residents Association
Mr Stephen Choularton, Bayview & Ingleside Residents Association
Ms Linda Haefeli, Climate Action Pittwater
Ms Lynne Czinner, Warriewood Valley Residents Association
Ms Roberta Conroy, Bayview – Church Point Residents Association
Ms Jacqui Marlow, Friends of Narrabeen Lagoon Catchment
Mr Stephen Smith, Wirreanda Valley Residents Association
Mr Ian Longbottom, Galstaun College
Ms Anne Jeffrey, Bayview Heights Estate Owners Group
Ms Tess Wiseman, Garigal Deep Creek Residents Association

The following Technical Advisors (non-voting):

Mr Paul Robilliard, NSW DP&E
Mr Bruce Colman, NSW DP&E
Ms Liz Gonzalez, NSW DP&E
Mr Aaron Nangle, NSW DP&E
Mr Stuart McCowan, UrbanGrowth NSW
Mr Steven Ward, EcoLogical Australia

The following Council Advisors (non-voting)

Mr Mark Ferguson, General Manager
Ms Melinda Hewitt, Director Environmental Planning & Community
Mr Ben Taylor, Director Urban & Environmental Assets
Mr Andrew Pigott, Manager Planning & Assessment
Mr Mark Beharrell, Manager Natural Environment & Education
Ms Liza Cordoba, Principal Officer Land Release
Mr Gordon Edgar, Executive Planner Land Release
Ms Anja Ralph, Senior Strategic Planner Land Release
Mr Robbie Platt, Strategic Planner Land Release
Ms David Bremner, Acting Manager Community Engagement & Corporate Strategy
Ms Pamela Tasker, Minute Secretary / Administration Officer

Observers:

Mr Graeme Jessup, Sustainability Pittwater
Mr Tony Edye, Climate Action Pittwater
Ms Joanne Tulau, Curtin University
Mr Ivor Dacic, Wilga Wilson / Sunland Group
Mr Ben De Montemas, Mirvac
Ms Penny Grey
Mr Harry Groves
Mr Phil Walker

Ingleside Community Reference Group Meeting
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1.0 Apologies

1. The following apologies were received and leave of absence from the Ingleside Community Reference Group Meeting was granted:
 - Mr Chris Hornsby, Warriewood Residents Association
 - Mr Conrad Grayson, Pittwater Resident Representative
2. Ms Lynne Czinner attended as alternative delegate on behalf of the Warriewood Residents Association.
3. Ms Tess Wiseman attended the meeting as delegate on behalf of the Garigal Deep Creek Residents Association. Ms Wiseman has replaced Mr John Simmonds (Sydney Conference Training Centre) on the Committee. The Chair welcomed Ms Wiseman to the meeting.
4. The Chair also extended a welcome to the two new Pittwater Council Directors, Ms Melinda Hewitt (Environmental Planning & Community) and Mr Ben Taylor (Urban & Environmental Assets).
5. Mr Paul Robilliard advised that he has resigned from the Department of Planning & Environment (DP&E). Mr Robilliard introduced Mr Bruce Coleman who has been appointed as the DP&E's Project Director for the Ingleside Precinct Planning process.

2.0 Declarations of Pecuniary Interest/Non-Pecuniary Conflict of Interest

Nil.

3.0 Confirmation of Minutes

COMMITTEE RECOMMENDATION

That the Minutes of the Ingleside Community Reference Group Meeting held on 1 July 2015, copies of which were distributed to all Reference Group Members, be and are hereby accepted as a true and accurate record of that meeting.

(Mr Ian Longbottom / Mr Stephen Choularton)

4.0 Issues Arising From Last Meeting

4.1 Biocertification Meeting with Ms Jacqui Marlow, EcoLogical Australia, Department of Planning & Environment and Pittwater Council

At the Ingleside Community Reference Group Meeting held on 1 July 2015 the Chair requested a further meeting be arranged between Ms Jacqui Marlow, Dr Steven Ward (EcoLogical Australia), the DP&E and Mr Mark Beharrell (Manager – Natural Environment and Education) to discuss the biocertification process in Ingleside.

The meeting was held on 19 August 2015 and a copy of the minutes of that meeting were provided to members at Appendix 2 on the Agenda.

4.2 Acknowledgement Letter to John Simmonds

A letter was sent to Mr John Simmonds (Sydney Conference Training Centre) to thank him for his contributions to the ICRG. A copy of that letter was provided to members at Appendix 3 on the Agenda.

5.0 Discussion Topics

5.1 Program Update

Mr Paul Robilliard of the DP&E addressed the meeting on this item. The PowerPoint presentation is at **Appendix 1** to the Minutes.

Mr Robilliard provided an overview on the work done to date, particularly outcomes of the Angus Onion Orchid surveys and genetic testing. These results have impacted on the project's timeframes, and necessitated further liaison with the Office of Environmental Heritage (OEH).

It is anticipated that a non-statutory public exhibition will now be held in early 2016 which will include the presentation of a draft Indicative Layout Plan (ILP) to the community for comments. The draft ILP is currently being amended to reflect the results of the Angus Onion Orchid survey and initial advice from OEH.

A formal statutory public exhibition is then anticipated in mid-2016 which will include draft development controls and the Biocertification Strategy. Following the statutory public exhibition, rezoning of land is anticipated to occur towards the end of 2016.

Members were advised that the following draft reports were publicly released on the project website on 4 August 2015:

- Traffic and Transport Assessment - prepared by AECOM
- Infrastructure Delivery Plan - prepared by Cardno
- On-Site Effluent Assessment for Subdivision - prepared by SMEC

This was followed by the release of an additional three Ingleside draft technical reports on 14 October 2015:

- Employment and Retail Assessment – prepared by SGS Economics and Planning
- Draft Preliminary Land Capability, Salinity and Contamination Assessment – prepared by SMEC
- Noise and Vibration Assessment - prepared by AECOM

Q: Will the Species Impact Statement for Roads & Maritime Services (RMS) be incorporated into the Biocertification Strategy?

A: We are working with RMS and are sharing all of our information. In regard to biocertification, the impacts of the Mona Vale Road upgrade will be considered and addressed by the RMS as part of their project.

A program update has been included in the E-newsletter which will be distributed soon and made available on the website <http://www.inglesideplanning.com.au/>.

5.2 Update on Ecological Issues

Dr Steven Ward of EcoLogical Australia addressed the meeting on this item, providing an update on the field surveys and genetic testing of the Angus Onion Orchid. A copy of the PowerPoint presentation is at **Appendix 2** to the Minutes.

Dr Ward advised that there was a discrepancy in the findings of the field survey and genetic testing. Few *Microtis angusii* (endangered) plants were identified in the field survey however genetic testing positively identified thousands of plants. *Microtis unifolia*, a similar but more common species of orchid, appears to have genetically tested as *Microtis angusii*.

There are two possible explanations for this discrepancy:

- 1) *Microtis angusii* and *Microtis unifolia* are the same species;
- 2) Genetic testing is not detecting the differences between the species.

To resolve this issue we are in ongoing discussions with OEH and are collecting samples of *Microtis unifolia* from other locations (Armidale, Tasmania, Blue Mountains) for genetic testing to determine if they are the same species.

If they are confirmed as separate species of orchid, the field surveys have quadrupled the known population of *Microtis angusii* and the known location spread is larger than previously thought.

Microtis unifolia is quite common and widespread. If the orchids are proven to be the same species, the Angus Onion Orchid may be delisted under the *Threatened Species Conservation Act 1995*.

Q: What is the process for delisting a species? How long does it take?

A: A panel of scientists reviews new information and makes a recommendation for delisting based on the evidence presented. The process could take over a year and there is no guarantee that delisting will occur.

Q: Are there restrictions on site disturbance during the delisting process?

A: Most of the orchids appear in clusters throughout the precinct. We are refining the ILP to accommodate precautionary protection of these orchids and continuing to liaise with OEH to confirm that we can consult on this plan with the community. It is hoped that this process can occur concurrent to any delisting investigations.

- Q:** Is there a policy in regard to an acceptable level of loss to a threatened species?
- A:** No. Under the biocertification process there are thresholds which alert us to when further detailed consideration is necessary. These thresholds, called 'red flags', vary from species to species.
- Q:** What is considered the acceptable level of loss to other threatened species such as fauna?
- A:** It depends on the species. Some fauna species don't have a threshold, others do. There are three species that will require further consideration in the Ingleside precinct. This information will be presented as part of the Biocertification Package during the statutory public exhibition.
- Q:** What level of protection is currently offered to the orchid on private property?
- A:** The land is not yet biocertified so it is currently offered the same levels of protection and assessment for any development. The Angus Onion Orchid prefers disturbed habitat so site disturbance may not have caused the same level of concern as for other species.
- Q:** Was the orchid found on private land?
- A:** Yes, where the land has been disturbed as well as within the road edges.
- Q:** Can the orchid be propagated?
- A:** The RMS are investigating this in collaboration with the Royal Botanic Gardens but it is a difficult process.

5.3 Dissemination of Information

Mr David Bremner (Acting Manager - Community Engagement & Corporate Strategy) addressed the meeting concerning the Reference Group members' role in communicating information to their various associations. A copy of the PowerPoint presentation is at **Appendix 3** to the Minutes.

Mr Bremner circulated the Ingleside Community Reference Group Terms of Reference to members and discussed the role of members as representatives of their communities and community associations.

Responsibilities of members:

- Members attend meetings as representatives of their community / community association. Views expressed at meetings should be unbiased and communicate community concerns and aspirations.
- Meetings are an opportunity for the Ingleside Precinct Working Group and the Project Control Group to be informed on community attitudes, aspirations, innovations and local knowledge.
- Meetings are an opportunity for community representatives to be informed on a range of issues throughout the various stages of the Precinct Planning process.
- It is important for members to communicate outwards to their community organisations and networks. Methods of communication were identified as follows:
 - Face to face
 - Public Meetings
 - Phone; Email; Facebook
 - Newsletters
 - Resident Association Meetings

6.0 General Business

6.1 Fit for the Future (Council Amalgamations)

Q: Will forced Council Amalgamations affect this process?

A: The General Manager advised that any future Council amalgamations would not impact on the Ingleside Precinct Planning process.

7.0 Next Meeting

The next meeting date of the Ingleside Community Reference Group is anticipated to be held in early 2016.

**There being no further business
The Ingleside Community Reference Group Meeting
closed at 4.55pm on Tuesday 8 December 2015**

Key activities since last ICRG meeting

KEY STEPS	ESTIMATED TIMEFRAME
Prepare and refine the Structure Plan, draft zoning and development controls based on technical evidence and feedback from our draft Structure Plan workshops.	Late 2014 to early 2016
Release of: <ul style="list-style-type: none"> Draft Traffic & Transport Report (AECOM) Draft Infrastructure Delivery Plan (Cardno) Draft On-site Effluent Management Capability Report (SMEC) 	July 2015
Release of: <ul style="list-style-type: none"> Draft Retail and Employment Study (SGS Economics) Preliminary Land Capability, Salinity and Contamination Assessment (SMEC) Draft Noise and Vibration Impact Assessment (AECOM) 	October 2015

Revised program and way forward

KEY STEPS	ESTIMATED TIMEFRAME
Field survey for Angus' Onion Orchid and genetic testing.	September – November 2015
Ingleside Community Reference Group meeting - report on findings of Orchid field surveys and genetic testing and program update.	8 December 2015
Program update via e-news and Ingleside website – landowners & broader community.	December 2015
Consultation on draft Plans and draft technical studies.	Early 2016
Review of submissions	Following consultation
Public exhibition of draft Precinct Plan – draft planning controls including Section 94 Plan, statutory controls and Biodiversity Certification package.	Mid 2016
Review of submissions.	Following public exhibition
Rezoning of Ingleside.	Late 2016
Post rezoning information sessions	Following Gazettal



Ingleside –Angus's Onion Orchid (*Microtis angusii*) – Survey Results

Dr Steven Ward

eco
logical
AUSTRALIA



Background

- Cryptic (hard to detect) plant
- Listed as Endangered





Background

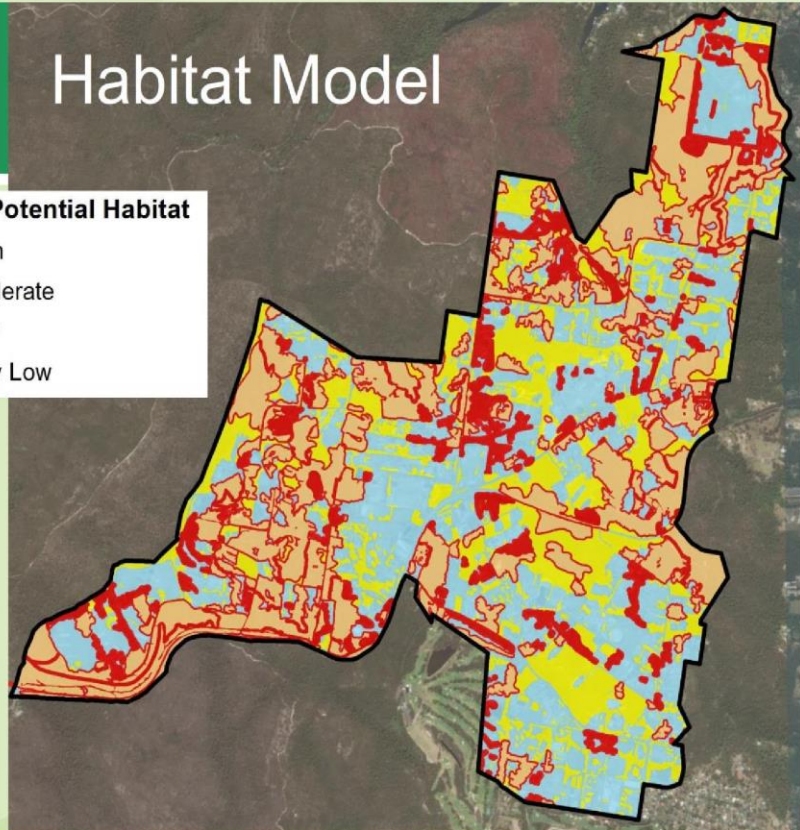
- Need to survey when flowering (Sep - Oct)
- Genetic testing to confirm identification
- Often occurs in roadside edge habitat
- Roads and Maritime results used to generate a habitat model



Habitat Model

Orchid Potential Habitat

- High
- Moderate
- Low
- Very Low

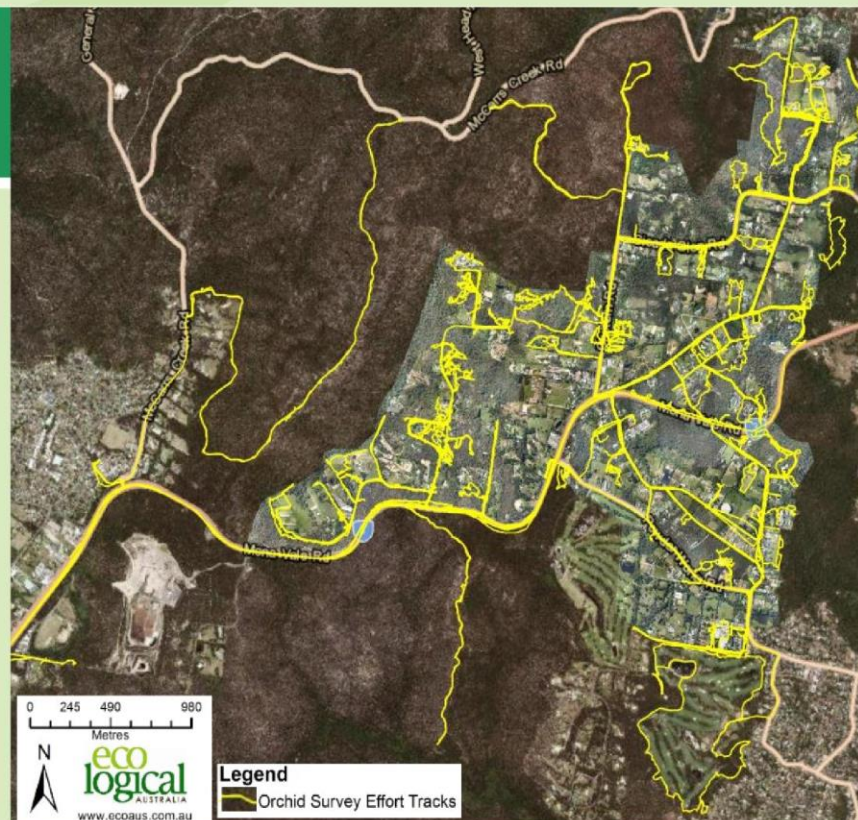




Methods

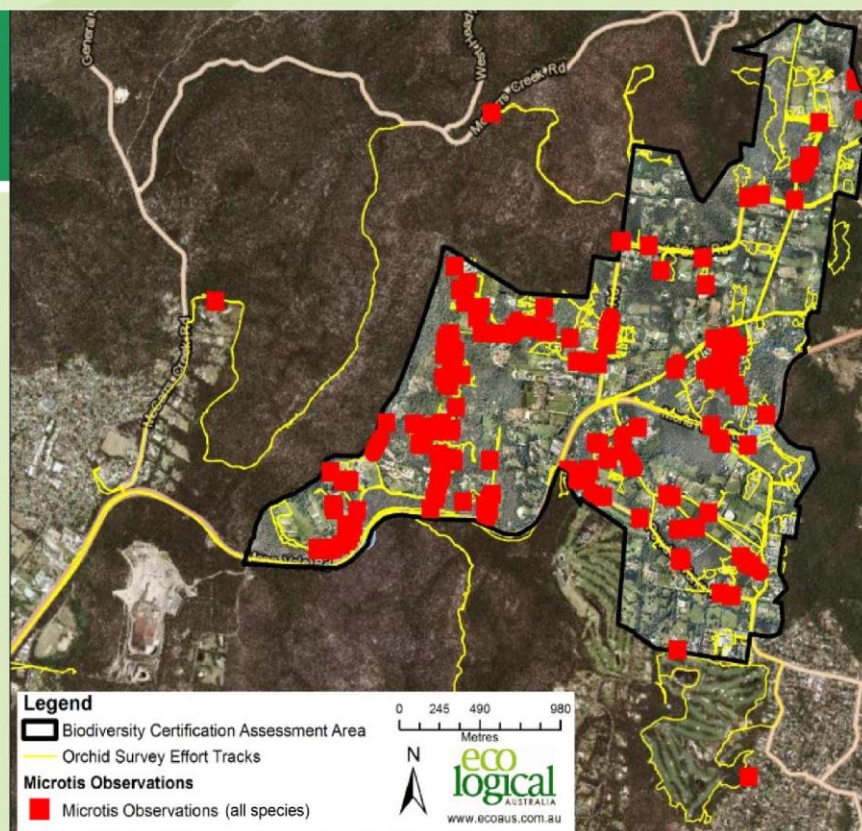


- Known population checked every 2 weeks
- Survey done over two weeks (Sep - Oct)
- Two teams of 2 ecologists = 40 person days
- Habitat of modelled higher potential targeted
- GPS points taken when located
- Number of plants counted
- Small piece(s) of leaf sample taken and sent off for genetic analysis
- Also surveyed adjoining National Parks (map on next slide)



Results - Field

- Field identifications of four (4) *Microtis* species:
 - *Microtis angusii* - low numbers (Endangered)
 - *Microtis unifolia* – high numbers
 - *Microtis parviflora* – high numbers
 - *Microtis rara* – low numbers
- Some large populations of *Microtis*, generally in the road corridors – map on next slide.





Results – Genetic Testing



Species	<i>Microtis</i> populations estimated from field survey	Samples confirmed from genetic analysis	Population count based on genetic results
<i>Microtis angusii</i>	139	101	4276
<i>Microtis unifolia</i>	4107	0	0
<i>Microtis parviflora</i>	1976 ¹	113	3659 ¹
<i>Microtis rara</i>	52	2	573
<i>Microtis</i> spp.	2240	N/A	N/A
<i>Microtis affiliate angusii</i>	0	1	6
Total	8514¹	217	8514¹

1 = Estimate for two large populations of *Microtis parviflora*

- The key genetic results were :
 - Zero *Microtis unifolia* (field = high no's)
 - Many *Microtis angusii* (field = low no's)



Why the Difference?



- Two possibilities :
 1. *Microtis angusii* and *Microtis unifolia* are actually the same species.
 - *Microtis angusii* – “tall and robust”
 - *Microtis unifolia* – smaller, but size can overlap with *Microtis angusii*.
 2. Genetic testing is not detecting differences between the species.



Which is correct?



- Currently unknown which is correct
- However, to resolve this we are:
 - Discussing the results with Office of Environment and Heritage
 - Obtaining *Microtis unifolia* samples from elsewhere in NSW for genetic analysis. If these also come back as *Microtis angusii* suggests that they are the same species.



Implications



- Based on genetic results
 - Known population more than quadrupled (~1,300 to ~5,500)
 - Known distribution area has increased
- Genetic tests for other locations:
 - If other sites = *Microtis angusii*, this supports that the two are same species
 - *Microtis unifolia* is widespread and common
 - Species might be “delisted”

INGLESIDE COMMUNITY REFERENCE GROUP

Responsibilities of members

- Review relevant documents and provide feedback
- Attend meetings and workshops
- Participate in group deliberations
- Communicate with your networks and seek feedback
- Engage with members of the broader community
- Represent the views of all residents in an unbiased way
- Abide by the Council's Values and Code of Conduct etc

INGLESIDE COMMUNITY REFERENCE GROUP

Engaging with your groups/ other community members

- Face-to-face discussions
- Group meetings
- Phone calls
- Email lists
- Facebook (messages, groups etc)
- Are there other channels?

C12.10	Minutes of the Sustainable Towns and Villages Reference Group Meeting held on 19 August 2015
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Meeting: Sustainable Towns & Villages Committee

Date: 18 November 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Corporate Management

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To provide leadership through ethical, accountable and legislative decision-making processes
- To ensure local democratic representation
- To engage proactively with the community in a way that is consistent, appropriate and effective

DELIVERY PROGRAM ACTION:

Maintain and Service Council's Range of Committees

1.0 EXECUTIVE SUMMARY

1.1 SUMMARY

The 18 November 2015 Meeting considered the following discussion topics:

- STV4.1- Mona Vale Place Plan
 - STV4.2 - Greater Sydney Commission
 - STV4.3 -Discussion Points - Survey Results
-

2.0 RECOMMENDATION

1. That Council note the Minutes of the Sustainable Towns and Villages Reference Group Reference Group Meeting held on 20 May 2015 that relate to the discussion.

2. That Council note, in particular, the following Reference Points from that meeting:

2.1 Mona Vale Place Plan

That a presentation and workshop regarding access and linkages and key active travel studies outlined within this report will occur during the meeting of the Reference Group 18 November 2015.

2.2 Greater Sydney Commission

1 *The report introducing the Greater Sydney Commission and outlining its structure, role and function be noted.*

2 *That the Reference Group thank Mr Andrew Pigott, Manager – Planning and Assessment for his presentation on this item.*

2.3 Discussion Points – Survey Results

That the verbal update presented by Mr David Bremner on the Survey Results be noted.