

# **Agenda**

## **Council Meeting**

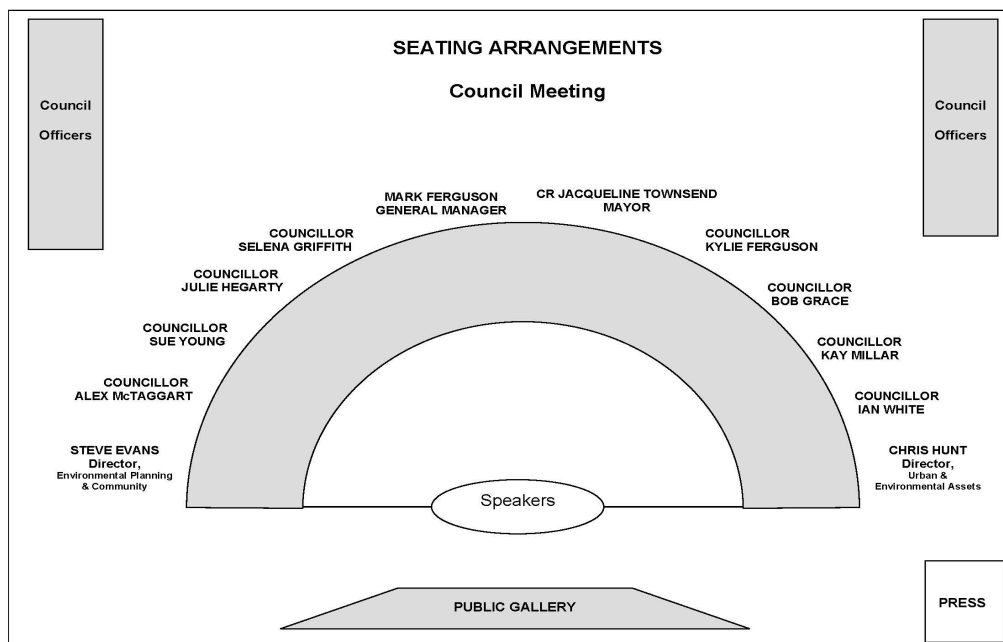
Notice is hereby given that a Council Meeting of Pittwater Council will be held at Mona Vale Memorial Hall on

***20 May 2013***

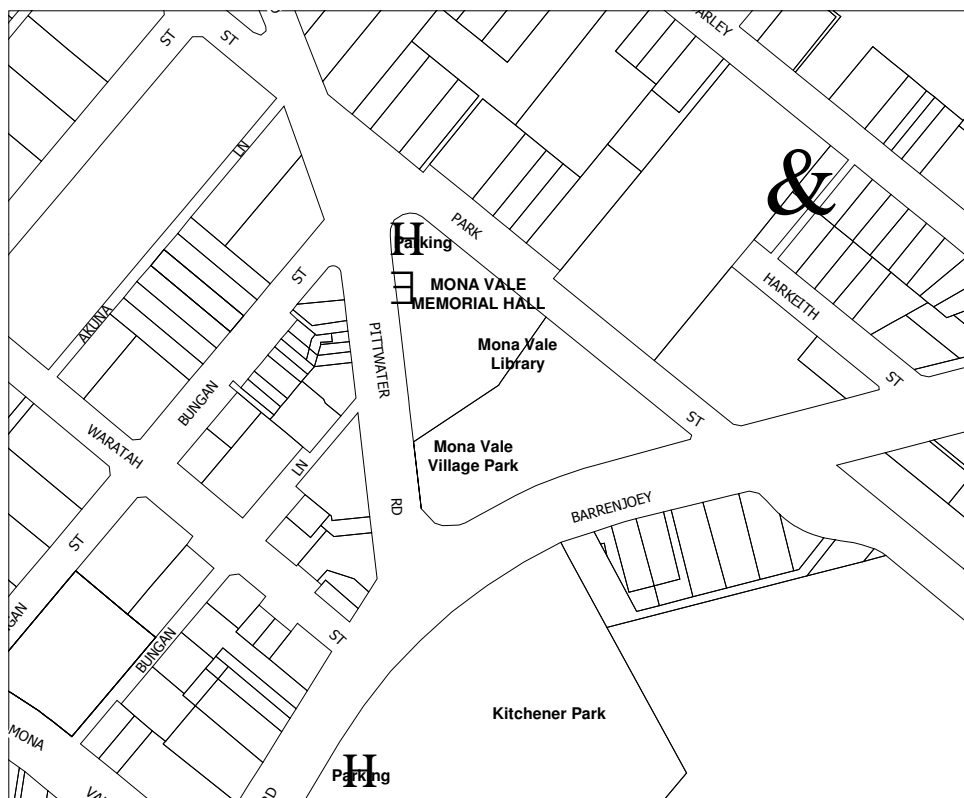
Commencing at 6.30pm for the purpose of considering the items included on the Agenda.

Mark Ferguson  
**GENERAL MANAGER**

## Seating Arrangements



## Meeting Location



All Pittwater Council's Agenda and Minutes are available on the Pittwater website at [www.pittwater.nsw.gov.au](http://www.pittwater.nsw.gov.au)

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## **Acknowledgement of Country**

**Pittwater Council honours and respects the spirits of the  
Guringai people.**

**Council acknowledges their traditional custodianship of  
the Pittwater area.**

## **Statement of Respect**

**Pittwater Council promotes and strives to achieve a climate of respect  
for all and endeavours to inspire in our community shared civic pride by  
valuing and protecting our unique environment, both natural and built,  
for current and future generations.**

**We, the elected members and staff of Pittwater Council, undertake to  
act with honesty and integrity, to conduct ourselves in a way that  
engenders trust and confidence in the decisions we make on behalf  
of the Pittwater Community.**

# Council Meeting

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**The Senior Management Team  
has approved the inclusion of  
all reports in this agenda.**

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## Council Meeting

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### 1.0 Public Forum

#### GUIDELINES FOR RESIDENTS - PUBLIC FORUM

##### Objective

**The purpose of the Public Forum is to gain information or suggestions from the community on new and positive initiatives that Council can consider in order to better serve the Pittwater community.**

- The Public Forum is not a decision making forum for the Council;
- Residents should not use the Public Forum to raise routine matters or complaints. Such matters should be forwarded in writing to Council's Customer Service Centres at Mona Vale or Avalon where they will be responded to by appropriate Council Officers;
- There will be no debate or questions with, or by, Councillors during/following a resident submission;
- Council's general meeting procedures apply to Public Forums, in particular, no insults or inferences of improper behaviour in relation to any other person/s is permitted;
- No defamatory or slanderous comments will be permitted. Should a resident make such a comment, their submission will be immediately terminated by the Chair of the Meeting;
- Up to 20 minutes is allocated to the Public Forum;
- A maximum of 1 submission per person per meeting is permitted, with a maximum of 4 submissions in total per meeting;
- A maximum of 5 minutes is allocated to each submission;
- Public submissions will not be permitted in relation to the following matters:
  - Matters involving current dealings with Council (eg. development applications, contractual matters, tenders, legal matters, Council matters under investigation, etc);
  - Items on the current Council Meeting agenda;
- The subject matter of a submission is not to be repeated by a subsequent submission on the same topic by the same person within a 3 month period;
- Participants are not permitted to use Council's audio visual or computer equipment as part of their submission. However, photographs, documents etc may be circulated to Councillors as part of the submission;
- Any requests to participate in the Public Forum shall be lodged with Council staff by 12 noon on the day of the Council Meeting. To register a request for a submission, please contact Warwick Lawrence, phone 9970 1112.

Mark Ferguson  
**GENERAL MANAGER**

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## **2.0 Resident Questions**

### **RESIDENT QUESTION TIME**

#### **Objective**

**The purpose of Resident Question Time is to provide the community with a forum to ask questions of the elected Council on matters that concern or interest individual members of the community.**

The following guidelines apply to any person addressing a Council / Committee meeting in relation to a Resident Question:

- 1. Residents Question Time is conducted at the commencement of the second Council Meeting of the month and prior to the handling of General Business.*
- 2. A maximum of 10 minutes is allocated to Residents Question Time.*
- 3. Each Resident is restricted to two (2) questions per meeting.*
- 4. All questions are to be in writing or made electronically and lodged with the General Manager no later than 6.15pm on the day of the Council meeting at which it is to be considered.*
- 5. Questions must be precise and succinct and free of ambiguity and not contain any comments that may be offensive, defamatory or slanderous in any way.*
- 6. A brief preamble may accompany the question to clarify the issue however only the actual question will be included in the minutes of the Council meeting.*
- 7. Responses to residents questions made at the meeting will also be included in the minutes of the Council meeting.*
- 8. There will be no debate or questions with, or by, Councillors during / following a resident question and response.*

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## **3.0 Apologies**

Apologies must be received and accepted from absent Members and leave of absence from the Council Meeting must be granted.

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## 4.0 Declarations of Pecuniary and Conflict of Interest including any Political Donations and Gifts

Councillors are advised of the following definitions of a "pecuniary" or "conflict" of interest for their assistance:

\* Section 442 of the Local Government Act, 1993 states that a "pecuniary" interest is as follows:

- "(1) **[Pecuniary interest]** A Pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.
- (2) **[Remoteness]** A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter."

Councillors should reference the Local Government Act, 1993 for detailed provisions relating to pecuniary interests.

\* Council's Code of Conduct states that a "conflict of interest" exists when you could be influenced, or a reasonable person would perceive that you could be influenced by a personal interest when carrying out your public duty.

Councillors are also reminded of their responsibility to declare any Political donation or Gift in relation to the Local Government & Planning Legislation Amendment (Political Donations) Act 2008.

\* A reportable political donation is a donation of:

- \$1,000 or more made to or for the benefit of the party, elected member, group or candidate; or
- \$1,000 or more made by a major political donor to or for the benefit of a party, elected member, group or candidate, or made to the major political donor; or
- Less than \$1,000 if the aggregated total of the donations made by the entity or person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) is \$1,000 or more.

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## 5.0 Confirmation of Minutes

"Councillors are advised that when the confirmation of minutes is being considered, the only question that can arise is whether they faithfully record the proceedings at the meeting referred to. A member of a council who votes for the confirmation of the minutes does not thereby make himself a party to the resolutions recorded: **Re Lands Allotment Co (1894) 1 Ch 616, 63 LJ Ch 291.**"

Minutes of the Council Meeting held on 6 May 2013.

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## **6.0 Public Addresses**

The following guidelines apply to any person addressing a Council / Committee meeting in relation to an item on the Council / Committee meeting agenda:

1. *A member of the public may be granted leave to address a meeting of Council or a Committee, where such a request is received by the General Manager no later than 3.00pm on the day of the meeting. This is subject to:*
  - (a) *A maximum of up to six speakers may address on any one item, with a maximum of three speakers in support of the recommendation in the report, and three speakers in opposition.*
  - (b) *A limitation of three minutes is allowed for any one speaker, with no extensions.*
  - (c) *An objector/s to a development application is to speak first with the applicant always being given the right to reply.*

*Exceptions to these requirements may apply where:*

- (a) *The Meeting specifically requests that a person be interviewed at a meeting.*
  - (b) *The Meeting resolves that a person be heard at the meeting without having given prior notice to the General Manager*
2. *Once a public/resident speaker has completed their submission and responded to any Councillor questions, they are to return to their seat in the public gallery prior to the formal debate commencing.*
3. *No defamatory or slanderous comments will be permitted. Should a resident make such a comment, their address will be immediately terminated by the Chair of the meeting.*
4. *Council's general meeting procedures apply to Public Addresses, in particular, no insults or inferences of improper behaviour in relation to any other person is permitted.*
5. *Residents are not permitted to use Council's audio visual or computer equipment as part of their address. However, photographs, documents etc may be circulated to Councillors as part of their address.*

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## **7.0 Councillor Questions with Notice**

Nil.

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## **8.0 Mayoral Minutes**

Nil.

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## **9.0 Business by Exception**

Items that are dealt with by exception are items where the recommendations contained in the reports in the Agenda are adopted without discussion.

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## **10.0 Council Meeting Business**

Nil.

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## **Governance Committee**

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## **11.0 Governance Committee Business**

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<b>C11.1</b>	<b>Quarterly Budget Review Statement for the Quarter Ending 31 March 2013</b>
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**Meeting:** Governance Committee

**Date:** 20 May 2013

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**STRATEGY:** Business Management

**Action:** To provide monthly, quarterly and annual budgets and financial statements

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## **PURPOSE OF REPORT**

To provide Council with the financial results for the quarter ending 31 March 2013 of the 2012/2013 Financial Year, as per Local Government (General) Regulations Clause 203. These Reports are to be produced and reported, *"No later than 2 months after the end of each quarter (except the June quarter), and the Responsible Accounting Officer of a Council must prepare and submit to the council a budget review statement."*

### **1.0 BACKGROUND**

- 1.1 The Integrated Planning and Reporting Framework as developed by the Division of Local Government requires Council to use a minimum standard of reporting that will assist in adequately disclosing its overall financial position and additionally provide sufficient information to enable informed decision making while ensuring transparency.

This reporting requirement, known as the Quarterly Budget Review Statement (QBRS) will facilitate progress reporting against the original and revised budgets at the end of a quarter. They will also provide explanations for major variations that result in budgetary changes and enable the Responsible Accounting Officer (RAO) to indicate whether the Council will be in a satisfactory financial position at the end of the Financial Year.

For the information of Council and the Community, the Original 2012/2013 Budget was adopted by Council as part of the 2012-2016 Delivery Program & Budget on 18 June 2012. The Revised 2012/13 Budget was adopted by Council on 18 February 2013, and has been transferred to the Revised Budget column in this report.

- 1.2 Council's reporting structure undertakes a dual format of both financial and strategic information which includes:

- Budget Review Statement
- Performance Indicators
- Summary of Financial Statements
- Financial Statements (Consolidated, Operating, Cash flow, Reserve Balance, Balance Sheet),
- Total Works Program (Including Capital Budget Review Statement)
- Loan Projections
- Special Rates Variation and Stormwater Management Service Charge
- Developer Contribution Plans
- Consultancy and Legal Expenses
- Key Directions and Associated Strategies

## 2.0 ISSUES

### 2.1 Responsible Accounting Officer (RAO) Budget Review Statement

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

"It is my opinion as the Chief Financial Officer that the Quarterly Budget Review for Pittwater Council for the quarter ended 31/3/13 indicates that Council's financial position at 31/3/13 is satisfactory."

*Mark Jones - Chief Financial Officer (7/5/13)*

"This position is summarised in the performance indicators of 2.2 of this report."

#### Investment Statement

The Responsible Accounting Officer (ROA) certifies that all funds including those under restriction have been invested in accordance with Section 625 of the Local Government Act, 1993 the Local Government (General) Regulations, and Council's Investment Policy (No 143).

Such restricted funds amount to \$27.972 million and form part of Council's total funds invested that amount to \$36.754 million as at 31st March 2013 (as per Council's March Investment Report).

#### Cash (Bank) Statement

The Responsible Accounting Officer (ROA) certifies that Council's Bank Statement has been reconciled up to and including the 31st March 2013 and the closing balance of cash of \$36.754 million forms part of Council's Current Assets on Council's Balance Sheet.

#### Reconciliation Statement

The Responsible Accounting Officer (ROA) certifies that the Year to Date (YTD) Cash and Investments (as per Council's Balance Sheet) have been reconciled with funds invested and those held at cash at bank. The table below outlines Council's Cash and Investment reconciliation.

#### Cash & Investment Reconciliation as at 31st March 2013

Total Cash on Hand	9,380
Council's Bank Account Ledger	(2,105,658)
Investments	38,850,000
<b>Total Cash &amp; Investments</b>	<b>36,753,722</b>



## 2.2 Performance Indicators

In assessing an organisations financial position, there are a number of performance indicators that can assist to easily identify whether or not an organisation is financially sound. These indicators and their associated benchmarks, as stipulated by the Local Government Association of NSW and Shires Association of NSW are set out below.

#	Performance Indicator	2012/13 <i>Projected</i>	2011/12 Actual	2010/11 Actual	Local Government Bench Mark
1	Operating Result (before Capital amounts)	\$350,000 Surplus	\$1.106m Surplus	\$669,000 Surplus	Surplus
2	Consolidated Result	\$55,000 Surplus	\$579,000 Surplus	\$196,000 Surplus	N/A
3	Unrestricted Current Ratio	2.33:1	2.55:1	3.47:1	>100% or 1:1
4	Debt Service Ratio	2.38%	2.06%	2.20%	<10%
5	Rates and Annual Charges Coverage ratio	63.84%	55.44%	59.16%	>50%
6	Rates and Annual Charges Outstanding %	5%	5.49%	5.23%	<5%
7	Building and Infrastructure Renewals Ratio	91.39%	71.98%	74.85%	>100%

### 1. Operating Result (before Capital Contributions)

The Operating result is the Profit or Loss that Council makes from normal Operations (Excluding expenditure on Capital items). A Surplus is a positive financial indicator.

### 2. Consolidated Result

The Consolidated Result is the increase or call on Council funds which shows the source and application of both Operating and Capital Income and Expenditure along with transfers to and from Reserves applicable to those activities. A Surplus is a positive financial indicator.

### 3. Unrestricted Current Ratio

The Unrestricted Current ratio is the ratio of Unrestricted Cash Assets held that are available to meet any current liabilities. The above ratio indicates that Council currently projects to have \$2.33 (excluding externally restricted funds such as S94 and grant monies) available to service every \$1 of debt as it falls due at the end of the financial year. A ratio greater than one is a positive financial indicator.

### 4. Debt Service Ratio

This ratio demonstrates the cost of servicing Council's annual debt obligations (loan repayments, both principal and interest) as a portion of available Revenue from Ordinary Activities. A lower ratio is a positive financial indicator.

### 5. Rates and Annual Charges Coverage Ratio

This ratio indicates the dependency of Rates and Annual charges over Council's total Revenue from continuing operations. A higher ratio is a positive financial indicator.

### 6. Rates and Annual Charges Outstanding %

This indicates the percentage of Rates and Annual charges outstanding at the end of the financial year. A lower ratio is a positive financial indicator.

### 7. Building and Infrastructure Renewal Ratio

This ratio indicates the rate of renewal/replacement of existing assets as against the depreciation of the same category of Assets. A ratio greater than one is a positive financial indicator.

## 2.3 Summary of Financial Statements

### 2012-13 Statement of **Consolidated Financial Position**

Consolidated Statement shows the source and application of both Capital & Operating Income and Expenditure along with the movements in Reserves.

	(\$ '000)
Total direct income (Operating & Capital)	80,356
Total transfer from Reserves	15,711
<b>Total income</b>	<b>96,067</b>
Total direct Expenditure ( Operating & Capital Expenditure)	91,488
Total transfers to Reserves	12,810
<b>Total Expenditure</b>	<b>104,298</b>
<b>Add Back Depreciation - Non Cash</b>	<b>8,286</b>
<b>Increase in Council Funds (Includes Operating Results before Capital of \$350,000)</b>	<b>55</b>

### 2012-13 **Income Statement**

Income statement shows the extent to which community equity has changed by net result of ordinary activities during year.

	(\$ '000)
Operating Income	70,966
Operating Expenditure	70,616
<b>Operating Results before Capital</b>	<b>350</b>
Capital Income (Grants and Contributions)	2,364
<b>Changes in Net Assets – Resulting from Operations</b>	<b>2,714</b>

### 2012-13 Statement of **Cashflows**

The statement of cash flows shows the nature and amount of council's cash inflows and outflows for all activities.

	(\$ '000)
Cash inflows	80,426
Cash outflows	82,614
<b>NET Inflows/(Outflows)</b>	<b>-2,188</b>
Funds Carried Forward from Prior year	34,222
<b>Total General Fund</b>	<b>32,034</b>

### 2012-13 **Balance Sheet**

The Balance sheet shows council's assets & liabilities which make up community equity.

	(\$ '000)
Current Assets (Includes Cash Assets of <b>\$32,034</b> )	36,617
Non Current Assets	1,039,779
<b>Total Assets</b>	<b>1,076,396</b>
Current Liabilities	15,209
Non Current Liabilities	12,572
<b>Total Liabilities</b>	<b>27,781</b>
<b>Net Community Assets</b>	<b>1,048,615</b>
Balance at Beginning of the year	1,045,901
Net results	2,714
<b>TOTAL COMMUNITY EQUITY</b>	<b>1,048,615</b>

## 2.4 Consolidated Financial Statement

<b>Pittwater Council</b> <b>Budget Review for quarter ending - 31 March 2013</b> <b>Consolidated Statement</b>								
	\$000's							
	Original Budget	Approved Changes	Sept 2012 Variations	Dec 2012 Variations	Revised Budget	*Mar 2013 Variations	Projected Budget	YTD Actual
Direct Income								
User Fees	11,382	0	273	377	12,032	98	12,130	9,831
Regulatory Fees	1,433	0	15	36	1,484	-93	1,391	1,062
Regulatory Fines	2,626	0	0	-2	2,624	-5	2,619	1,915
Operating Grant Transfers	3,645	0	-371	71	3,345	-65	3,280	2,268
Capital Grant Transfers	977	0	314	107	1,398	-47	1,350	732
Capital Contributions	8,643	0	-5,093	4,024	7,574	-60	7,514	7,306
Operating Contributions	593	0	200	53	846	75	921	860
Rates Income	35,269	0	0	0	35,269	0	35,269	26,284
Domestic Waste Charges	11,481	0	0	0	11,481	0	11,481	8,596
Return on Investments & Other Interest Income	1,402	0	0	284	1,686	100	1,786	1,422
Rebates Income	350	0	10	0	360	0	360	360
Other Income	392	0	70	105	567	12	579	577
Capital Sales	6,945	0	-4,500	-741	1,704	-28	1,677	1,180
<b>Total Direct Income</b>	<b>85,138</b>	<b>0</b>	<b>-9,083</b>	<b>4,314</b>	<b>80,369</b>	<b>-13</b>	<b>80,356</b>	<b>62,391</b>
Reserve Transfer								
Transfer From Reserve-S94	11,987	263	-4,380	-2,226	5,643	-618	5,025	2,973
Transfer From Reserve-Other	7,364	2,338	101	683	10,486	200	10,686	7,516
<b>Total Transfers From Reserves</b>	<b>19,351</b>	<b>2,600</b>	<b>-4,279</b>	<b>-1,544</b>	<b>16,129</b>	<b>-418</b>	<b>15,711</b>	<b>10,489</b>
Direct Expenditure								
Salaries & Wages	21,455	0	15	28	21,498	50	21,548	15,865
Other Employee Costs	7,166	0	21	117	7,305	1	7,306	5,142
Materials	2,214	0	-373	1,247	3,087	23	3,110	2,230
Stores	165	0	0	-2	163	12	175	229
Minor Plant Purchases	32	0	0	14	46	11	57	54
Plant & Equipment	2,179	0	18	86	2,282	-74	2,208	1,841
Contract Services External	26,800	2,047	-3,285	-2,931	22,631	-151	22,481	14,535
Depreciation Expense	8,230	0	56	0	8,286	0	8,286	6,192
Interest Expense	633	0	0	47	680	0	680	419
Professional Expenses	4,950	15	-179	86	4,871	-84	4,787	3,058
Legal Expenses	1,100	0	0	0	1,100	-200	900	414
Bad & Doubtful Debts	360	0	0	0	360	0	360	199
Leases/Rentals/Hire/Licences	596	0	52	95	743	29	772	670
Public Utilities	1,820	0	-22	91	1,889	60	1,950	1,489
Communications	560	0	0	4	564	6	570	371
Advertising	302	0	1	-6	297	1	299	244
Insurance	993	0	0	22	1,015	0	1,015	790
Banking	169	0	0	0	169	0	169	153
Other Expenses	500	0	-38	20	482	12	494	343
Office Expenses	350	0	0	28	379	54	433	423
Sundry Services/Waste Disposal	4,859	0	0	30	4,889	50	4,939	3,700
Memberships	120	0	0	-7	113	2	115	83
Levies/Contributions/Subsidies	3,619	0	26	20	3,665	-172	3,494	2,781
Capital Purchases/Payments	4,447	538	190	234	5,409	-69	5,340	3,868
<b>Total Direct Expenditure</b>	<b>93,620</b>	<b>2,600</b>	<b>-3,519</b>	<b>-776</b>	<b>91,926</b>	<b>-437</b>	<b>91,488</b>	<b>65,092</b>
Reserve Transfer								
Transfer To Reserve-S94	6,331	0	-5,093	0	1,237	-60	1,177	782
Transfer To Reserve-Other	12,679	0	-4,664	3,568	11,584	49	11,633	9,651
<b>Total Transfer to Reserves</b>	<b>19,010</b>	<b>0</b>	<b>-9,757</b>	<b>3,568</b>	<b>12,821</b>	<b>-11</b>	<b>12,810</b>	<b>10,433</b>
<b>Increase/(call) on Council Funds(Inc Dep'n)</b>	<b>-8,141</b>	<b>0</b>	<b>-86</b>	<b>-22</b>	<b>-8,249</b>	<b>18</b>	<b>-8,231</b>	<b>-2,645</b>
<b>Add back Depreciation - Non Cash</b>	<b>8,230</b>	<b>0</b>	<b>56</b>	<b>0</b>	<b>8,286</b>	<b>0</b>	<b>8,286</b>	<b>6,192</b>
<b>Increase/(call) on Council Funds</b>	<b>89</b>	<b>0</b>	<b>-30</b>	<b>-22</b>	<b>37</b>	<b>18</b>	<b>55</b>	<b>3,547</b>

As indicated in the above columns:

1. The "Original" Budget (+/-) the "Approved" Changes equals the "Revised" Budget
2. The "Revised" Budget (+/-) the "Quarterly Variations" equals the "Projected" Year End Budget.
3. \* Recommended changes to Councils Revised budget are shown below in 2.5

## 2.5 Consolidated Financial Statement Variance analysis

As a result of the March Quarterly review, the projected financial position shows a surplus in uncommitted funds of \$55,000, a increase of \$18,000 from the previously adopted budget of \$37,000.

<b>Budgeted Consolidated Result as per the Adopted Budget - Y/E 30 June 2013 Increase of Council Funds</b>		<b>\$</b>	<b>37</b>
<b>Recommended Changes to Revised Budget</b>		<b>\$000's</b>	
<b>INCOME</b>			
Additional User fees mainly relating to Sportfields, Parking/Film Permits, Rental and Road Reserve Applications		\$	98
Reduced Regulatory Fee's mainly relating to Planning DA Income		-\$	93
Reduced Grant Transfers mainly relating to Roads to Recovery & Weed Eradication Projects		-\$	112
Additional Return on Investments and Other Interest		\$	100
<b>EXPENDITURE</b>			
Reduced Contract Services External mainly relating to Narrabeen Creek Cycleway and the timing of Elanora Commercial Centre works		\$	151
Reduced Professional Expenses mainly relating to Asset & Animal Management		\$	84
Reduced Legal Expenditure		\$	200
Additional Public Utilities & Leases Expenditure Mainly relating to Water & Electricity Supplies		-\$	89
Reduced Capital Purchases/Payments mainly relating to Library Purchases & Community Centre Improvements		\$	69
Reduced Levies/Contributions/Subsidies mainly relating to the delaying of NBISC Contribution		\$	172
Additional Sundry Services & Waste disposal		-\$	50
Additional Other Expenditure mainly relating to Leases and Office Expenditure		-\$	94
<b>RESERVE MOVEMENTS</b>			
Reduced Transfers from Reserve - S94 mainly relating to Narrabeen Creek Cycleway and the timing of Elanora Commercial Centre works & NIBISC contribution		-\$	618
Increased Transfers from Reserve - Other mainly relating to Tennis Liasion works at Bayview and the Cemetery Masterplan		\$	200
<b>March Review - NET Changes</b>		<b>\$</b>	<b>18</b>
<b>Projected Budget Consolidated Result year ending 30 June 2013 - Increase of Council Funds</b>		<b>\$</b>	<b>55</b>

## 2.6 Operating Statement

<p style="text-align: center;"><b>Pittwater Council</b>  <b>Budget Review for the quarter ending - 31 March 2013</b>  <b>Operating Statement</b></p>								
	Annual Budget - \$'000's							
	Original Budget	Approved Changes	Sept 2012 Variations	'Dec 2012 Variations	Revised Budget	*Mar 2013 Variations	Projected Budget	YTD Actual
Direct Income								
User Fees	11,382	0	273	377	12,032	98	12,130	9,831
Regulatory Fees	1,433	0	15	36	1,484	-93	1,391	1,062
Regulatory Fines	2,626	0	0	-2	2,624	-5	2,619	1,915
Operating Grant Income	3,645	0	-371	71	3,345	-65	3,280	2,407
Operating Contributions	593	0	200	53	846	75	921	860
Rates Income	35,269	0	0	0	35,269	0	35,269	26,284
Domestic Waste Charges	11,481	0	0	0	11,481	0	11,481	8,596
Return on Investments & Other Interest Income	1,402	0	0	284	1,686	100	1,786	1,422
Rebates Income	350	0	10	0	360	0	360	360
Other Income	392	0	70	105	567	12	579	570
Profit / (Loss) on Sale of Assets	2,139	0	-1,000	-561	578	-27	550	274
Gain from Joint Venture Assets	0	0	500	0	500	0	500	0
<b>Total Direct Income</b>	<b>70,711</b>	<b>0</b>	<b>-303</b>	<b>363</b>	<b>70,771</b>	<b>95</b>	<b>70,866</b>	<b>53,580</b>
Internal Income								
Plant Hire/Service Agreement - Capital Works	100	0	0	0	100	0	100	160
<b>Total Internal Income</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100</b>	<b>0</b>	<b>100</b>	<b>160</b>
Direct Expenditure								
Salaries & Wages	20,883	0	15	28	20,925	50	20,976	15,326
Other Employee Costs	6,961	0	21	117	7,099	1	7,100	4,960
Materials	862	0	-2	78	938	32	970	725
Stores	165	0	0	-7	158	12	170	180
Minor Plant Purchases	32	0	0	4	36	11	47	46
Plant & Equipment	2,179	0	9	66	2,253	-96	2,157	1,751
Contract Services External	10,090	0	468	147	10,705	83	10,788	7,644
Depreciation Expense & Ammortisation	8,370	0	57	0	8,427	0	8,427	6,298
Interest Expense	633	0	0	47	680	0	680	419
Professional Expenses	4,039	0	101	-178	3,962	-46	3,916	2,716
Legal Expenses	1,100	0	0	0	1,100	-200	900	414
Bad & Doubtful Debts	360	0	0	0	360	0	360	199
Leases/Rentals/Hire/Licences	596	0	52	3	651	22	673	518
Public Utilities	1,820	0	-22	91	1,889	60	1,950	1,489
Communications	560	0	0	4	564	6	570	374
Advertising	302	0	1	-6	297	1	299	238
Insurance	993	0	0	22	1,015	0	1,015	790
Banking	169	0	0	0	169	0	169	153
Other Expenses	500	0	-38	20	482	11	493	354
Office Expenses	350	0	0	28	379	53	432	416
Sundry Services/Waste Disposal	4,859	0	0	5	4,864	50	4,914	3,664
Memberships	120	0	0	-7	113	2	115	83
Levies/Contributions/Subsidies	3,619	0	26	20	3,665	-172	3,494	2,781
<b>Total Direct Expenditure</b>	<b>69,563</b>	<b>0</b>	<b>688</b>	<b>484</b>	<b>70,736</b>	<b>-120</b>	<b>70,616</b>	<b>51,538</b>
<b>Operating Results before Capital</b>	<b>1,248</b>	<b>0</b>	<b>-991</b>	<b>-122</b>	<b>135</b>	<b>215</b>	<b>350</b>	<b>2,201</b>
Grants & Contributions - Capital	7,120	0	-4,780	131	2,471	-107	2,364	1,734
Material Public Benefits - S94	0	0	0	0	0	0	0	0
<b>Change in Net Assets - Resulting from Op</b>	<b>8,368</b>	<b>0</b>	<b>-5,771</b>	<b>9</b>	<b>2,607</b>	<b>107</b>	<b>2,714</b>	<b>3,935</b>

As indicated in the above columns:

1. The "Original" Budget (+/-) the "Approved" Changes equals the "Revised" Budget
2. The "Revised" Budget (+/-) the "Quarterly Variations" equals the "Projected" Year End Budget.
3. \* Recommended changes to Councils Revised budget are shown below in 2.7

## 2.7 Operating Financial Statement Variance analysis

The Projected Operating Result before Capital for the financial year 2012/2013 is a surplus of \$350,000, a variance of \$215,000 compared to the previously adopted budget of \$135,000.

<b>Budgeted Operating Results before Capital as per Adopted Budget for the year ending 30/6/13</b>	<b>\$</b>	<b>135</b>
<b>Recommended Changes to Revised Budget</b>		<b>\$000's</b>
<b>INCOME</b>		
Additional User fees mainly relating to Sportfields, Parking/Film Permits, Rental and Road Reserve Applications	\$	98
Reduced Regulatory Fee's mainly relating to Planning DA Income	-\$	93
Additional Return on Investments and Other Interest	\$	100
<b>EXPENDITURE</b>		
Additional Materials, Stores & Contract Services External mainly relating to additional Works such as Pavement and roads maintenance	-\$	83
Reduced Professional Expenses mainly relating to Asset & Animal Management	\$	46
Reduced Legal Expenditure	\$	200
Additional Public Utilities & Leases Expenditure Mainly relating to Water & Electricity Supplies	-\$	60
Additional Sundry Services & Waste disposal	-\$	53
Reduced Levies/Contributions/Subsidies mainly relating to the delaying NBISC Contribution	\$	172
Additional Other Expenditure mainly relating to Leases and Office Expenditure	-\$	112
<b>March Review - NET Changes</b>	<b>\$</b>	<b>215</b>
<b>Projected Operating Results before Capital for the year ending 30 June 2013 Surplus</b>	<b>\$</b>	<b>350</b>

## 2.8 Cash Flow Statement and Reserves Balances

The Projected total General Fund for the year ended 30 June 2013 stands at \$32.034 million. Compared to the previously adopted budget this amount is an increase of \$538,000, this is mainly attributed to an increase in user fees and investment income and a decrease in materials, contracts and Legal fee's.

The Actual Result for the period ended 31 March 2013 is a net inflow of \$2.531 million.

<b>Pittwater Council</b> <b>Budget review for the quarter ended - 31 March 2013</b> <b>Cash Flow Statement</b>								
	\$000's							
	Original Budget	Approved Changes	*Sept 2012 Variations	Dec 2012 Variations	Revised Budget	*Mar 2013 Variations	Projected Budget	YTD Actual
<b>Cash Inflows</b>								
Rates & Garbage	46,605	0	0	0	46,605	0	46,605	37,760
Grants	4,622	0	46	177	4,845	0	4,845	2,945
User Charges	11,382	0	273	377	12,032	98	12,130	9,913
Regulatory Fees & Fines	4,059	0	15	34	4,108	-98	4,010	2,947
Contributions & Donations	593	0	200	77	870	75	945	884
Return on Investments & Other Interest	1,402	0	0	284	1,686	100	1,786	1,473
Sale of Assets (Excluding Land)	2,445	0	0	-741	1,704	-27	1,677	1,180
Sale of Land	4,500	0	-4,500	0	0	0	0	0
Other	742	0	80	105	927	11	938	970
S94 Contributions Received	6,143	0	-5,093	0	1,050	-60	990	782
Proceeds from loan	2,500	0	0	4,000	6,500	0	6,500	6,500
GST Net Inflow	0	0	0	0	0	0	0	325
<b>Total Inflows</b>	<b>84,994</b>	<b>0</b>	<b>-8,979</b>	<b>4,312</b>	<b>80,327</b>	<b>99</b>	<b>80,426</b>	<b>65,679</b>
<b>Cash Outflows</b>								
Employee Salary & Wages	21,455	0	15	28	21,498	50	21,548	16,840
Employee Other Costs	6,601	0	0	117	6,718	0	6,718	4,863
Insurance Claims/Premiums	993	0	0	22	1,015	0	1,015	994
Levies & Contributions	3,619	0	26	20	3,665	29	3,694	2,125
Materials/Stores/Contracts	46,009	2,062	-3,859	-1,244	42,968	-250	42,718	33,919
Legal Expenses	1,100	0	0	0	1,100	-200	900	414
Loan Interest Repayments	633	0	0	47	680	0	680	294
Loan Principal Repayments	932	0	0	54	986	-28	958	471
Purchase Of Assets	3,515	538	190	180	4,423	-40	4,383	3,227
<b>Total Outflows</b>	<b>84,857</b>	<b>2,600</b>	<b>-3,628</b>	<b>-776</b>	<b>83,053</b>	<b>-439</b>	<b>82,614</b>	<b>63,147</b>
Net Inflows/(Outflows)	137	-2,600	-5,351	5,089	-2,726	538	-2,188	2,531
Funds Carried Forward from Prior Year	22,209	12,013	0	0	34,222	0	34,222	34,222
<b>Total General Fund</b>	<b>22,346</b>	<b>9,413</b>	<b>-5,351</b>	<b>5,089</b>	<b>31,496</b>	<b>538</b>	<b>32,034</b>	<b>36,754</b>
Less Restricted Assets	4,529	4,254	-714	2,285	10,354	559	10,913	13,435
Less Unexpended Grants	900	-200	0	0	700	0	700	651
Less Internal Reserves	14,725	894	-4,765	2,828	13,682	-153	13,529	13,886
<b>Increase/(call) on Council Funds</b>	<b>2,192</b>	<b>4,465</b>	<b>128</b>	<b>-24</b>	<b>6,760</b>	<b>131</b>	<b>6,892</b>	<b>8,782</b>

The above Total Projected General Fund Results for the financial year ending 30 June 2013 are made up of Externally Restricted, Internally Restricted and Available Cash as outlined in the Reserve Balances (Cash & Investments Budget Review Statement) below:

**Pittwater Council**  
**Budget review for the quarter ended - 31 March 2013**  
**Reserve Balances**  
**(Cash & Investments Budget Review Statement)**

	Original Budget	Approved Changes	Sept 2012 Variations	Dec 2012 Variations	Revised Budget	*Mar 2013 Variations	Projected Budget	YTD Actual
<b>Externally Restricted</b>								
Section 94	2,661	4,135	-713	2,227	8,310	558	8,868	10,525
Domestic Waste Management	1,863	-92	0	0	1,984	0	1,984	1,503
Special Rates Variation	5	0	0	0	3	0	3	1261
Stormwater Levy	43	15	0	0	58	0	58	146
Grants	900	0	0	0	700	0	700	651
<b>Total Externally Restricted</b>	<b>5,472</b>	<b>4,043</b>	<b>-713</b>	<b>2,227</b>	<b>11,054</b>	<b>558</b>	<b>11,613</b>	<b>14,086</b>
<b>Internally Restricted</b>								
Avalon Golf Course	23	-9	0	0	14	0	14	7
Bus Shelter Reserve	29	-20	0	0	9	0	9	9
Capital Works Loan	0	0	0	0	0	0	0	490
Caravan Park Capital Works	307	61	0	0	367	0	367	300
Caravan Park Loan	302	0	788	-741	348	-36	312	385
Cemetery Reserve	2021	324	205	100	2650	-75	2575	2015
Church Point Carpark	411	-47	0	0	364	0	364	296
Commercial Centres Outdoor Seating	315	-1	-40	0	274	7	281	256
Community Centre Trusts	53	23	-40	-33	3	0	3	3
Election Reserve	0	0	0	0	0	0	0	0
Employee Leave Entitlement	1270	199	0	0	1469	0	1469	1469
Environmental Infrastructure Levy	144	-65	0	0	79	0	79	318
Environmental Levy (Escarpment)	157	21	0	-4	174	0	174	174
General Reserve	2726	-601	-530	-127	1469	0	1469	1823
IT Reserve	0	0	0	0	0	0	0	0
Kitchener Park Telco Tower	35	-35	0	0	0	0	0	0
Lagoon Entrance Clearing	175	-100	0	0	75	0	75	50
Marine Infrastructure	110	91	13	-181	34	33	67	64
Mona Vale Car Park Loan	0	0	0	3900	3900	0	3900	3938
Other	689	-24	0	72	737	21	758	536
Plant Replacement	20	0	0	0	20	0	20	0
Restoration Reserve	190	-75	0	0	115	0	115	115
RMS Contribution	0	1298	-742	0	556	-91	465	642
Road Reserve	408	92	-80	-100	320	9	329	327
Sportsfield Contributions	173	-173	0	0	0	0	0	0
Strategic Property Rationalisation Reserve	4402	18	-4339	0	81	0	81	81
Tennis Liason Trust Fund	195	-10	0	0	186	-21	165	117
Trust and Bonds (eg. Tree and Footpath)	529	-91	0	0	438	0	438	471
<b>Total Internally Restricted</b>	<b>14,682</b>	<b>879</b>	<b>-4,765</b>	<b>2,886</b>	<b>13,681</b>	<b>-152</b>	<b>13,529</b>	<b>13,886</b>
<b>Total Restricted</b>	<b>20,154</b>	<b>4,947</b>	<b>-5,478</b>	<b>5,113</b>	<b>24,736</b>	<b>406</b>	<b>25,142</b>	<b>27,972</b>
Available Cash	2,192	4,466	127	-25	6,760	132	6,892	8,782
<b>Total General Fund (Cash Flow Statement)</b>	<b>22,346</b>	<b>9,413</b>	<b>-5,351</b>	<b>5,088</b>	<b>31,496</b>	<b>538</b>	<b>32,034</b>	<b>36,754</b>

As indicated in the above columns:

1. The "Original" Budget (+/-) the "Approved" Changes equals the "Revised" Budget
2. The "Revised" Budget (+/-) the "Quarterly Variations" equals the "Projected" Year End Budget.
3. \* Recommended changes to Councils Revised budget are shown below

<b>Revised Restricted Reserve Balance for the year ending 30/6/13</b>	<b>\$ 24,736</b>
<b>Recommended Changes to Revised Budget</b>	<b>\$000's</b>
Additional Externally restricted Reserve - S94 mainly relating to the timing of Elanora Commercial Centre Upgrade, delaying of NBISC Contribution & Associated S94 Funds	\$ 558
Reduced Internally Restricted Reserves - Cemetery mainly relating to Cemetery Masterplan works	-\$ 75
Reduced Internally Restricted - RMS mainly relating to Pittwater Rd Works	-\$ 91
Reduced Internally Restricted Reserve - Other mainly relating to Tennis Liason Expenditure on Bayview Tennis Courts	\$ 14
<b>Projected Restricted Reserve Balance for the year ending 30/6/2013</b>	<b>\$ 25,142</b>



## 2.9 Balance Sheet

Council's Projected total increase in equity for the year ending 30 June 2013 is \$2.714 million (net change in assets resulting from operations) the increase of Total Equity is \$1.049 billion.

<b>Pittwater Council</b> <b>Balance Sheet</b> <b>For Period 9 Ending 31 March 2013</b>			
<b>Actual</b>		<b>Projected</b>	<b>Actual</b>
<b>31/03/2013</b>		<b>30/06/2013</b>	<b>30/06/2012</b>
<b>\$'000's</b>		<b>\$'000</b>	<b>\$'000</b>
<b>CURRENT ASSETS</b>			
1,004	Cash Assets	1,931	11,692
35,750	Investments	30,103	22,530
3,023	Receivables	4,192	4,122
65	Inventories	56	56
277	Other	335	335
0	Non Current Assets held for sale	0	0
<u>40,119</u>	<b>TOTAL CURRENT ASSETS</b>	<u>36,617</u>	<u>38,735</u>
<b>NON-CURRENT ASSETS</b>			
0	Investments	0	0
0	Receivables	883	883
0	Inventories	0	0
1,023,419	Infrastructure Property, Plant and Equipment	1,027,727	1,017,013
6,467	Investments Accounted for using the Equity Method	6,467	6,467
1,750	Investment Property	1,750	1,750
2,988	Intangible Assets	2,952	3,093
<u>1,034,624</u>	<b>TOTAL NON-CURRENT ASSETS</b>	<u>1,039,779</u>	<u>1,029,206</u>
<u><u>1,074,743</u></u>	<b>TOTAL ASSETS</b>	<u><u>1,076,396</u></u>	<u><u>1,067,941</u></u>
<b>CURRENT LIABILITIES</b>			
2,317	Payables	6,809	6,581
1,032	Rates & DWM Paid in Advance	0	0
457	Interest Bearing Liabilities	1,211	955
7,442	Provisions	7,189	7,189
<u>11,248</u>	<b>TOTAL CURRENT LIABILITIES</b>	<u>15,209</u>	<u>14,725</u>
<b>NON-CURRENT LIABILITIES</b>			
0	Payables	0	0
13,504	Interest Bearing Liabilities	12,417	7,160
155	Provisions	155	155
<u>13,659</u>	<b>TOTAL NON-CURRENT LIABILITIES</b>	<u>12,572</u>	<u>7,315</u>
<u><u>24,907</u></u>	<b>TOTAL LIABILITIES</b>	<u><u>27,781</u></u>	<u><u>22,040</u></u>
<u><u>1,049,836</u></u>	<b>NET ASSETS</b>	<u><u>1,048,615</u></u>	<u><u>1,045,901</u></u>
<b>EQUITY</b>			
1,049,836	Accumulated Surplus/ ( Deficit )	1,048,615	1,045,901
	Asset Revaluation Reserve		
<u><u>1,049,836</u></u>	<b>TOTAL EQUITY</b>	<u><u>1,048,615</u></u>	<u><u>1,045,901</u></u>

## 2.10 Total Works Program Including Capital Budget Review Statement

Council's Total Works Program including Maintenance and Capital (Renewals, Upgrades & New) expenditure amounts to \$29.080 million as at 31 March 2013. This expenditure has been categorised below in terms of budgeted expenditure by *Type*, associated *Funding* and by budgeted and actual expenditure by *Strategy* and *Key Direction*.

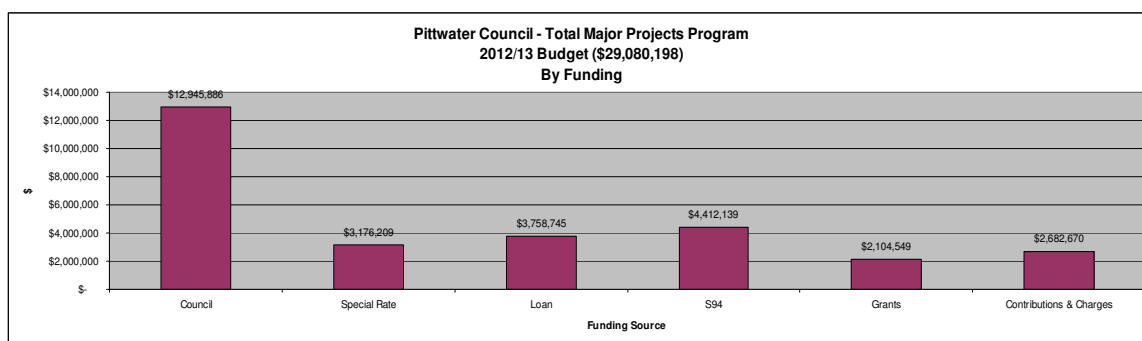
### Pittwater Council Total Major Works Program - By Type of Expenditure

Expenditure Type	2012/13 March Budget	
Buildings - New	\$ 2,658,745	9.14%
Reserves - Improvements	\$ 2,626,810	9.03%
Road - Resheet	\$ 2,424,731	8.34%
Streetscape - Maintenance	\$ 2,208,105	7.59%
Reserves - Maintenance	\$ 1,753,574	6.03%
Buildings - Maintenance	\$ 1,720,987	5.92%
Bushland Restoration & Protection	\$ 1,622,300	5.58%
Drainage	\$ 1,514,040	5.21%
Road - Heavy Patch	\$ 1,426,594	4.91%
Reserves - Playground Improvements	\$ 1,045,958	3.60%
Sports Field - Maintenance	\$ 1,005,539	3.46%
Other	\$ 997,146	3.43%
Wharfs - Improvement	\$ 857,059	2.95%
Carpark - Improvements	\$ 762,556	2.62%
Buildings - Improvements	\$ 660,506	2.27%
Traffic Facilities	\$ 610,454	2.10%
Seawalls - Improvements	\$ 608,460	2.09%
Commercial Centre - Maintenance	\$ 551,484	1.90%
Coastal Management	\$ 548,414	1.89%
Footpath	\$ 528,296	1.82%
Asset Management	\$ 474,652	1.63%
Flood Management	\$ 431,882	1.49%
Kerb & Gutter	\$ 354,697	1.22%
Rock Pools - Maintenance	\$ 348,616	1.20%
Cemetery Maintenance	\$ 301,947	1.04%
Wharfs - Maintenance	\$ 292,044	1.00%
Walkway - Improvements	\$ 210,482	0.72%
Walkway - Maintenance	\$ 150,556	0.52%
Road - Heavy Patch/Resheet	\$ 139,288	0.48%
Natural Environment	\$ 126,036	0.43%
Rock Pools - Improvements	\$ 61,240	0.21%
Carpark - Maintenance	\$ 47,000	0.16%
Commercial Centre - Improvements	\$ 10,000	0.03%
	\$ -	
<b>Total</b>	<b>\$ 29,080,198</b>	<b>100%</b>

2012/13 Budget Expenditure - By Major Categories			
Infrastructure Based		Recreational/Environmental/Education Based	
Roads & Carparks	\$ 5,923,537	Natural Environment	\$ 2,109,374
Commercial Centres	\$ 2,769,589	Reserves & Sportsfields	\$ 6,733,828
Drainage & Flooding	\$ 2,104,139	Coastal	\$ 1,566,730
Buildings	\$ 5,198,455	Wharfs	\$ 1,149,103
Footpaths	\$ 528,296	Other	\$ 503,678
Other	\$ 493,468		
<b>Total</b>	<b>\$ 17,017,485</b>	<b>Total</b>	<b>\$ 12,062,713</b>

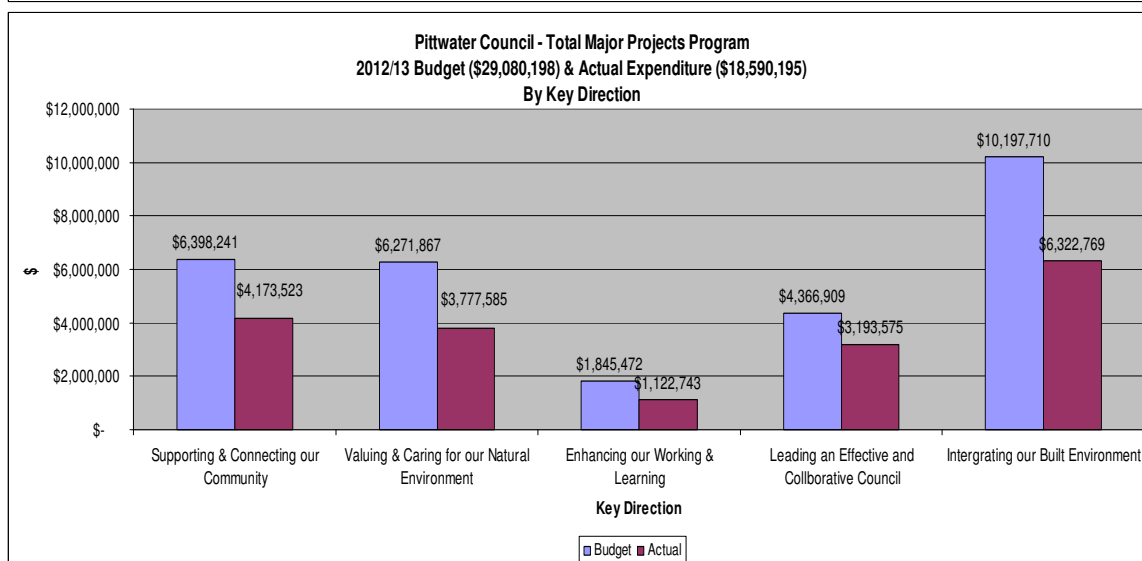
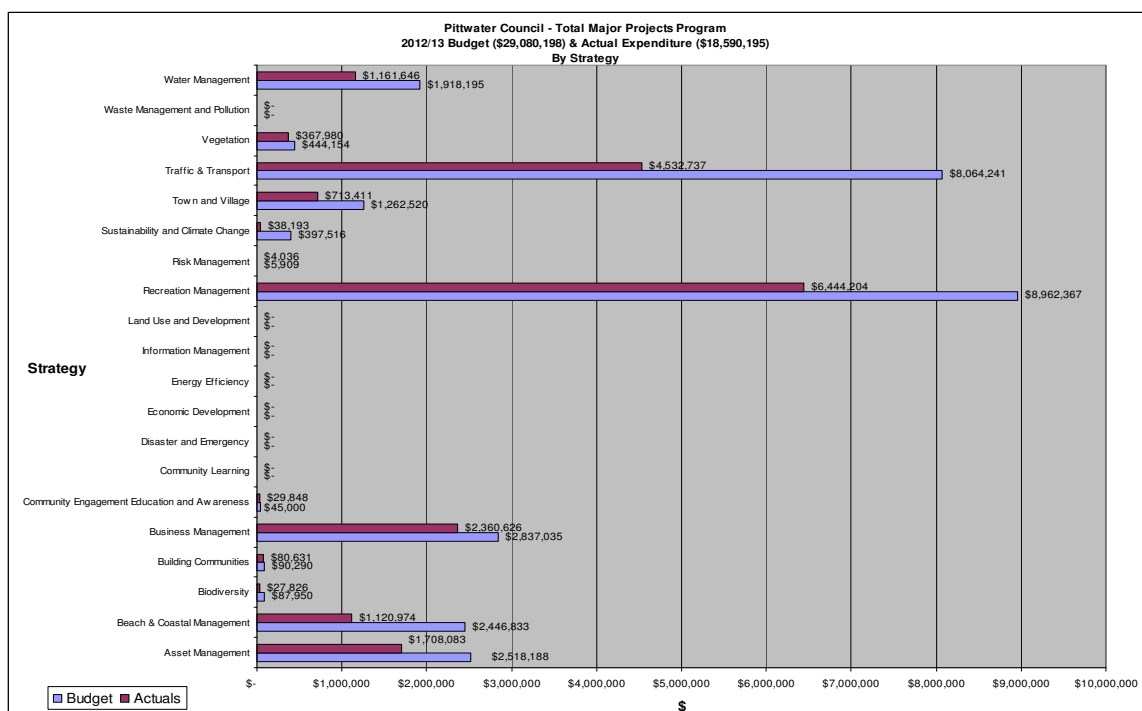
Note: Other incorporates Bridge Design,  
Cycleways, Traffic Projects, Carpark Studies etc

Note: Other incorporates Energy Initiatives,  
Education Programs, Tree Planting, Impact Studies etc

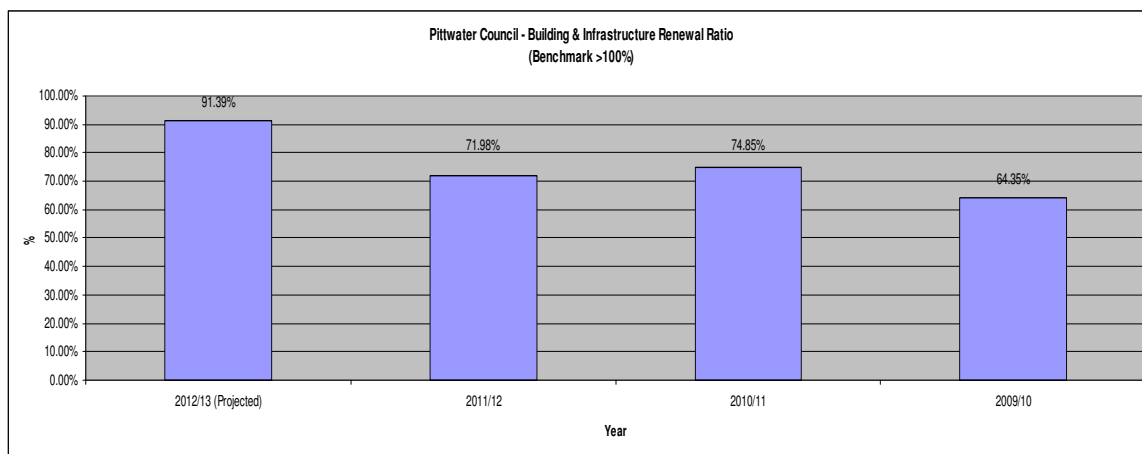


Total Major Projects Program has been categorised below by budgeted and actual expenditure in *Strategies*.

### Total Major Projects Program Summary by Strategy



As a part of Council's Major Projects Program it has been recognised that more funds are required to be spent in the area of Building and Infrastructure Renewal in order for Council to achieve the industry benchmark of 100%. This benchmark reflects that for every \$1 of depreciation associated with Buildings and Infrastructure, Council's should be spending at least \$1 in renewals. Historically, Council has been below this benchmark but with the injection of funds raised via the Special Rate Variation into the area of Building and Infrastructure renewal this ratio has improved to be projected marginally below the industry benchmark at financial year end. It is anticipated that with the continual injection of such funds on an annual basis the benchmark will be met in future years.



Further to the above Total Works Program, Council is required under the Department of Local Government Quarterly Budget Review Statement (QBRs) guidelines to report on capital expenditure in isolation.

Accordingly, Total Capital Expenditure (including revotes) under the previously adopted 2012/2013 Delivery Program amounted to \$21.431 million as indicated in the Revised Budget Column shown below. The program has now been amended to \$21.085 million to reflect \$346,000 of recommended budgetary changes within the March Quarterly Review.

<p align="center"><b>Pittwater Council</b>  <b>Budget review for the quarter ended - 31 March 2013</b>  <b>Capital Budget Review Statement</b></p>								
	Original Budget	Approved Changes	*Sept 2012 Variations	Dec 2012 Variations	Revised Budget	*Mar 2013 Variations	Projected Budget	YTD Actual
<b>Capital Funding</b>								
Rates & Other Untied Funding	2,513	0	0	830	3,344	-53	3,291	3,164
Capital Grants & Contributions	977	0	314	107	1,398	-48	1,350	928
Reserves:								
- External Restrictions/Reserves	11,464	263	-4,420	-2,227	5,080	-418	4,662	2,925
- Internal Restrictions/Reserves	4,538	1,180	849	-411	6,156	190	6,346	3,544
New Loans	2,198	1,157	-788	1,181	3,749	10	3,759	1,605
Receipts from Sale of Assets	0	0	0	0	0	0	0	0
- Plant & Equipment	1,354	0	0	0	1,354	0	1,354	1,180
- Land & Buildings	1,091	0	0	-741	350	-28	323	0
Other Funding	0	0	0	0	0	0	0	0
<b>Total Capital Funding</b>	<b>24,136</b>	<b>2,600</b>	<b>-4,045</b>	<b>-1,260</b>	<b>21,431</b>	<b>-346</b>	<b>21,085</b>	<b>13,346</b>
<b>Capital Expenditure</b>								
New Assets								
- Plant & Equipment	0	0	0	0	0	0	0	0
- Land & Buildings	2,551	1,157	-1,050	0	2,659	0	2,659	2,272
- Roads	3,813	82	-3,805	995	1,085	25	1,110	20
- Footpaths	0	143	0	0	143	-93	50	42
- Drainage	927	0	-883	38	82	0	82	82
- Foreshore Assets	0	0	0	0	0	0	0	0
- Natural Assets	0	0	0	0	0	0	0	0
- Recreational Assets	2,897	37	195	100	3,229	-28	3,201	3,005
- Other	175	0	166	45	385	0	385	104
Renewal & Upgrades of Assets								
- Land & Buildings	665	0	0	-10	655	-10	645	394
- Roads	4,984	0	744	-3,221	2,507	-16	2,491	1,980
- Footpaths	441	0	250	43	734	-60	674	227
- Drainage	1,025	0	-289	0	736	0	736	291
- Foreshore Assets	1,272	505	72	47	1,896	0	1,896	535
- Natural Assets	300	98	150	137	685	0	685	223
- Recreational Assets	185	39	266	333	823	-60	763	572
- Other	455	0	-50	0	405	-7	398	268
<b>Total Capital Works</b>	<b>19,689</b>	<b>-2,173</b>	<b>-4,235</b>	<b>-1,494</b>	<b>16,022</b>	<b>-249</b>	<b>15,773</b>	<b>10,016</b>
Other								
- Plant & Equipment Replacement	3,515	538	190	180	4,423	-68	4,355	2,668
Loan Repayments (Principal)	932	0	0	54	986	-28	958	662
Other Capital Expenditure	0	0	0	0	0	0	0	0
<b>Total Capital Expenditure</b>	<b>24,136</b>	<b>-1,635</b>	<b>-4,045</b>	<b>-1,260</b>	<b>21,431</b>	<b>-346</b>	<b>21,085</b>	<b>13,346</b>

As indicated in the above columns:

1. The "Original" Budget (+/-) the "Approved" Changes equals the "Revised" Budget
2. The "Revised" Budget (+/-) the "Quarterly Variations" equals the "Projected" Year End Budget.
3. \* Recommended changes to Councils Revised budget are shown below

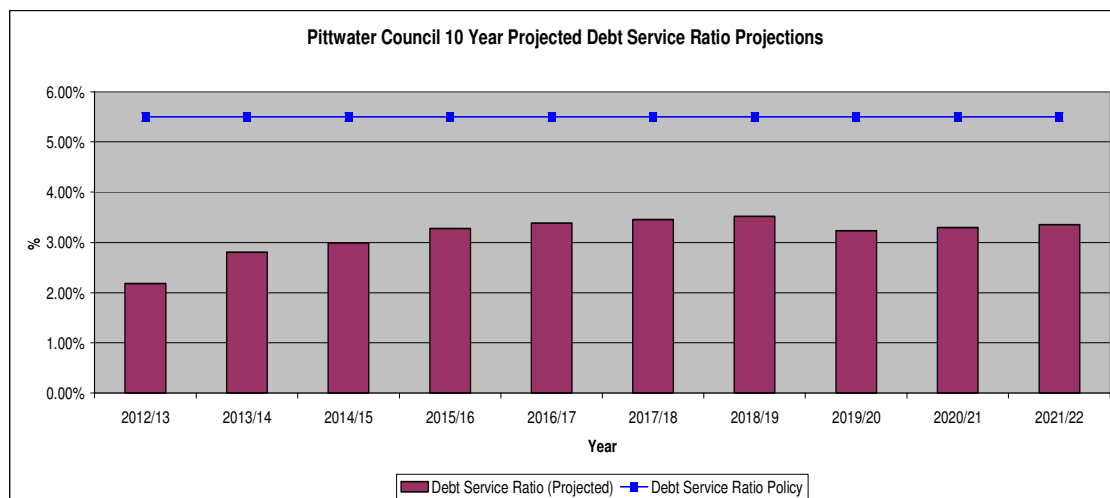
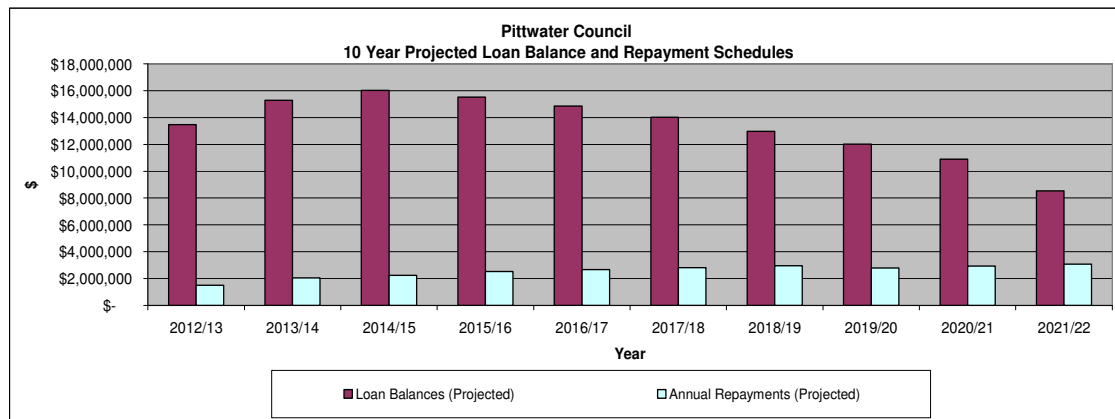
<b>Budgeted Capital Expenditure as per Adopted Budget for the year ending 30/6/13</b>	<b>\$ 21,431</b>
<b>Recommended Changes to Revised Budget</b>	<b>\$000's</b>
Additional Asset Expenditure Roads mainly relating to S94 WWV Works such as Boondah Rd/Macpherson St Upgrade	-\$ 93
Additional Recreational Assets mainly relating to Avalon Reserve Lighting Project	-\$ 60
Reduced Roads Expenditure mainly relating to timing of Mona Vale Car Park works	-\$ 60
Additional Natural Assets mainly relating to Western Foreshores Sturdee Ln East Fire Mitigation Works	-\$ 68
Additional Other Assets mainly relating to Drainage, Footpath & Foreshore Works	-\$ 65
<b>Projected Capital Expenditure for the year ending 30 June 2013</b>	<b>\$ 21,085</b>

## 2.11 Loan Projections

Council's estimated loan balances, principal and interest repayments and debt service ratio (loans only) are demonstrated below for the next ten years. As indicated, Council's Loan program is increasing in order to support Council's infrastructure renewal needs and commercial opportunities. Although increasing, the debt service ratio remains well within Council's Policy and well within financially sustainable parameters.

Period	Year	New Loan Borrowings	Loan Balance at Financial Year End	Projected Principal Repayments	Projected Interest Repayments	Projected Repayments Annually	Debt Service Ratio
1	2012/13	\$ 6,500,000	\$ 13,473,242	\$ 957,724	\$ 545,077	\$ 1,502,801	2.18%
2	2013/14	\$ 3,000,000	\$ 15,289,568	\$ 1,183,674	\$ 843,345	\$ 2,027,019	2.80%
3	2014/15	\$ 2,000,000	\$ 16,020,137	\$ 1,269,431	\$ 970,412	\$ 2,239,843	2.99%
4	2015/16	\$ 1,000,000	\$ 15,524,865	\$ 1,495,271	\$ 1,025,870	\$ 2,521,141	3.27%
5	2016/17	\$ 1,000,000	\$ 14,864,652	\$ 1,660,214	\$ 1,005,985	\$ 2,666,199	3.38%
6	2017/18	\$ 1,000,000	\$ 14,019,018	\$ 1,845,634	\$ 959,213	\$ 2,804,847	3.45%
7	2018/19	\$ 1,000,000	\$ 12,979,365	\$ 2,039,653	\$ 902,833	\$ 2,942,487	3.52%
8	2019/20	\$ 1,000,000	\$ 12,031,405	\$ 1,947,960	\$ 840,623	\$ 2,788,582	3.24%
9	2020/21	\$ 1,000,000	\$ 10,885,950	\$ 2,145,455	\$ 782,168	\$ 2,927,623	3.30%
10	2021/22	\$ -	\$ 8,529,030	\$ 2,356,921	\$ 709,654	\$ 3,066,575	3.36%

Note: The above Loan Balances & Repayments exclude Council's Short Term Finance Lease and are based on a Loan drawdown in June each year



## 2.12 Special Rates Variation Levy

In order for Pittwater Council to remain a strong, independent and sustainable Council in 2011 an application was submitted to IPART for a Special Variation to Council's rates. This application was subsequently approved in full allowing for a cumulative growth in Council's rates of 7.8% in 2011/12, 7% in 2012/13 and 6% in 2013/14 (including CPI increases).

Council's Special Rate Variation (SRV) will provide funds for a wide range of Infrastructure Works and Environmental Programs that will progressively improve both our 'urban' and 'natural' environment. The schedule of works and programs will be overseen through the Special Rate Variation (SRV) Advisory Committee.

The 2012/13 list of funds and SRV works are shown below. .

<b>Opening Reserve Balance as at 01/07/12</b>	<b>337,540</b>
Budget Income 2012/2013	2,841,222
Budget Expenditure 2012/2013 (as shown below)	3,176,209
<b>Projected Budget Reserve Balance for the year ended 30 June 2013 (restricted)</b>	<b>2,553</b>

<b>Special Rates Variation Works</b>	<b>Budget</b>	<b>YTD Actuals</b>
Addison Rd Ingleside - South end to McCowen Rd	15,842	15,842
Laurel Rd Ingleside - No 9 to Ingleside Rd	19,552	19,552
DeLauret Ave Newport - Turning Circle off Prince Alfrd Pde	13,371	22,707
Ilya Ave Bayview - Narla Rd to Turning Circle west	28,092	28,092
Coles Pde Newport - B'joey Rd to Foamcrest Ave	24,480	24,480
Calvert Pde Newport - Stanley St to Queens Pde	30,677	30,677
Beach Rd Palm Beach - Pittwater Rd to B'joey Rd	20,228	20,228
Melaleuca St Newport - Queens Pde East to Cul de sac	43,673	43,673
Park St Mona Vale - Maxwell to No 70	80,578	80,578
Grandview Pde Mona Vale - No 41 to No 49	16,140	16,140
Minkara Rd Bayview - Various Locations	62,343	62,343
Grandview Drive Newport - No 35 around Corner opposite Sybil	59,188	7,420
Barrenjoey Rd Avalon - George St to North Avalon Pde	47,239	47,239
Powderworks Rd - Warraba Rd	60,327	2,592
Narroy Rd Footpath Stage 3 Nareen Creek	102,542	929
Scotland Island Roads & Drainage Infrastructure	154,652	154,652
Careel Bay Wharf Pontoon	29,838	91,114
McCarrs Crk Reserve Carpark	40,000	52,290
Avalon Beach Reserve Carpark	45,131	132,102
Boating Infrastructure Improvements - Cargo	73,262	72,034
Hitchcock Park Drainage	44,622	82,376
Beaches and Ocean pools Upgrades	41,240	1,462
Facilities and Services at Beaches Dune Restoration	51,550	18,538
Griffin Reserve Bayview	103,100	29,748
Palm Beach Wharf	500,035	36,879
Avalon Surf Club	299,506	65,362
Church Point Seawall	223,857	-
Bicentennial Coastal Walkway upgrades	18,403	8,383
Bushland Upgrades	130,832	42,284
Ingleside Chase Escarpment Bushland Restoration	25,775	1,711
Managing & Protecting Creeks and Waterways	103,100	47,079
Bushfire Asset Protection Zones	159,522	112,997
Risk Management – Bushland	81,399	69,338
Energy Saving Initiatives and Retrofits SRV	103,100	9,106
Water Saving and Re-Use Initiatives SRV	41,240	-
Facilities and Services at Beaches (Extension of Lifeguard Services)	103,100	10,323
Keeping Villages and Surrounding Areas Beautiful	85,573	37,865
Protecting Native Plants and Animals - Feral Animal Control	51,550	24,257
Noxious and Environmental Weed Eradication	30,930	5,217
Community Bushcare Program	10,620	7,655
<b>Total Special Rates Variation Works</b>	<b>3,176,209</b>	<b>1,535,260</b>

## 2.13 Stormwater Management Service Charge

The Stormwater Management Service Charge Program (based on Section 496A to the Local Government Act 1993 made by the Local Government Amendment (Stormwater) Act 2005 and in accordance with clauses 125A, 125AA, 200A and 217 of the Local Government (General) Regulation 2005) is levied on rateable urban land that is categorised for rating purposes as residential or business (excludes vacant land – see definition in the Act). The charge levied is:

- \$25 for land categorised as residential
- \$12.50 per residential strata lot
- \$25 per 350 square metres (or part thereof) for land categorised as business
- Pro-rata apportionment for business strata complexes.

The purpose of the service charge is to fund both capital projects and recurrent expenditure relating to new or additional stormwater management services to eligible land within the 23 sub-catchments within Pittwater by taking a 'global' approach to stormwater services and ensuring a reasonable equitable distribution of Stormwater Management Services over time.

The Stormwater Management Service Charge Annual Works Program is set out below;

<b>Opening Reserve Balance as at 01/07/12</b>	<b>45,273</b>
Budget Income 2012/2013	533,162
Budget Expenditure 2012/2013 (as shown below)	520,000
<b>Projected Budget Reserve Balance for the year ended 30 June 2013 (restricted)</b>	<b>58,435</b>

<b>Stormwater Management Service Charge</b>	<b>Budget</b>	<b>YTD Actuals</b>
Pit/Pipeline Adjustments - Various Locations	9,891	5,176
5 Taminga St Bayview	16,200	16,200
307 Hudson Parade Clareville	11,504	11,504
151 Riverview Rd Avalon	31,021	31,021
Irrawong Rd Nth Narrabeen - Drainage Outlet Structure	5,000	-
Cynthea Rd Palm Beach - Drainage Outlet Structure	10,000	-
Hudson Pde Clareville - Drainage	1,384	1,384
Waterview St Mona Vale	15,000	-
Careel Creek Catchment CCTV	90,000	-
Emergency Works	58,111	55,991
Ky Wong Reserve Elanora Heights - Creekline Rehab	15,000	-
Elvina Ave Newport Drainage	31,889	39,395
S/W System Impacts Assessment	40,000	-
Community & Industry S/W Pollution Education	25,000	5,649
S/W Quality Treatment Device Improvements	150,000	142,201
S/W Mapping	10,000	-
<b>Total Stormwater Management Service Charge</b>	<b>520,000</b>	<b>308,521</b>



## 2.14 Developer Contribution Plans

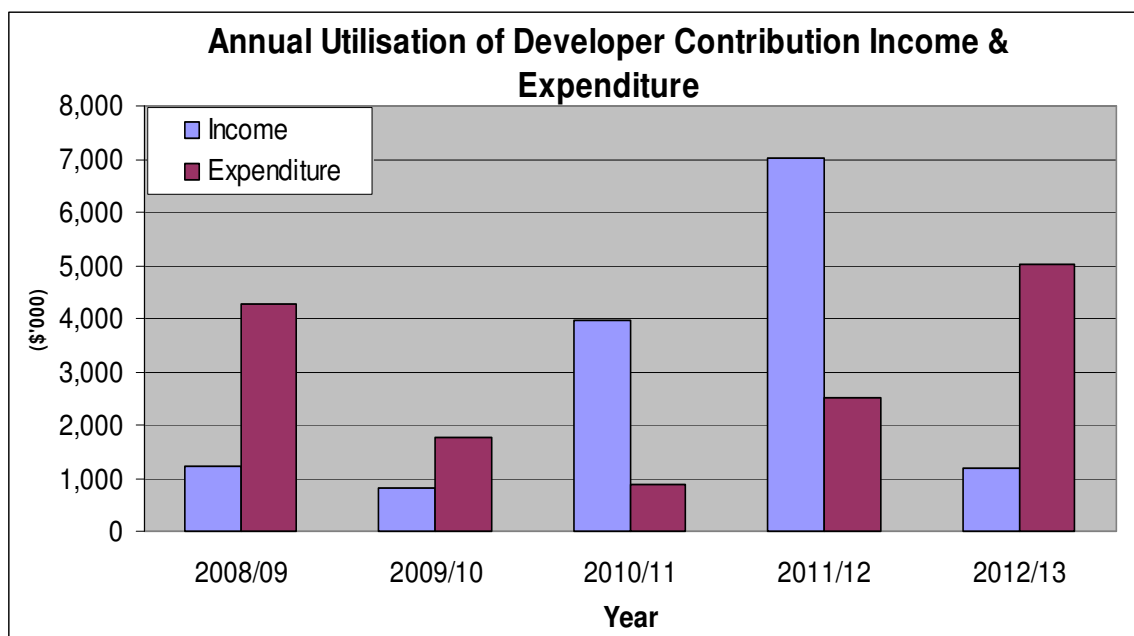
Developer Contributions are monetary contribution levied on developers at the development applications stage to pay for a proposed increase in demand for public services, such as roads and parks.

Council has a number of contribution plans, each containing income projections and work programs, enabling a financial strategy to efficiently and equitably administer the funds. A summary detailing the balances and projected income and expenditure for the current year of the various plans is contained within the table below:

DEVELOPER CONTRIBUTION PLANS	Actual	Projected			Actual
	Plan Balance as at 30/06/12	Expenditure for 2012/13	Income for 2012/13	Plan Balance as at 30/06/13	Plan Balance as at 31/3/13
Community Service Facilities	\$ 172,454	\$ 206,512	\$ 155,511	\$ 121,454	\$ 310,079
Mona Vale Car Parking	\$ 3,311,202	\$ -	\$ 58,854	\$ 3,370,056	\$ 3,311,202
Newport Car Parking	\$ 92,973	\$ -	\$ 1,653	\$ 94,625	\$ 92,973
Open Space	\$ 454,442	\$ 380,000	\$ 510,964	\$ 585,406	\$ 616,873
Village Streetscape	\$ 410,690	\$ 156,512	\$ 260,705	\$ 514,883	\$ 602,289
Public Libraries	\$ 282,062	\$ 260,000	\$ 96,414	\$ 118,476	\$ 360,841
Warriewood Valley	\$ 7,992,029	\$ 4,022,139	\$ 92,977	\$ 4,062,867	\$ 5,230,995
<b>Totals</b>	<b>\$ 12,715,851</b>	<b>\$ 5,025,163</b>	<b>\$ 1,177,078</b>	<b>\$ 8,867,766</b>	<b>\$ 10,525,252</b>

Council is required to undertake financial management of developer contributions as the authority responsible for most of the communities' infrastructure and regional facilities. The timing of the capital expenditure is heavily dependant upon the levels of development and contributions received.

To demonstrate Pittwater Council's financial management of developer contributions, a comparison of income (contributions received) versus expenditure for the provision of community facilities is shown in the graph below.



## 2.15 Consultancy and Legal Expenses

As a part of Council's Quarterly Budget Review Statement, expenditure associated with Consultancies and Legal Expenses are to be disclosed. Accordingly, YTD expenditure associated with Consultancies and Legal Fees are as follows:

<b>Expenditure Consultancies</b>	<b>Expenditure TYD</b> \$3,058,201	<b>Budgeted (Y/N)</b> Yes – Budget \$4,787,151
<b>Legal Fees</b>	<b>\$414,486</b>	<b>Yes – Budget \$900,000</b>

A decrease in the March Quarterly Budget Review associated with Consultancies has occurred. The budget has been decreased from \$4,870,818 to \$4,787,151.

A decrease in the March Quarterly Budget Review associated with the Legal Fees has occurred. The budget has been decreased from \$1,100,000 to \$900,000.

### Contracts and Other Expenses

As a part of Council's Quarterly Budget Review Statement, a list of Contracts that **exceed \$50,000** and that have been entered into during the March 2013 Quarter and have yet to be fully performed are to be disclosed (*excluding contracts selected from Council's preferred supplier list and those associated with employment*). Accordingly, a list of such Contractors is as follows:

#### Contracts entered into in the March 2013 Quarter (exceeding \$50,000)

Contractor	Detail & Purpose	Contract Value	Start	Duration	Budget (Y/N)
<b>NIL</b>					

In determining Council's Original Budget and subsequent Budget Reviews an overall budget is assigned to functions of Council that incorporate a number of contracts to fulfil projected works associated with that function of Council. Contracts that are undertaken throughout the year that give rise to an increase in the overall contractors budget assigned to a function of Council are required to be separately disclosed. Accordingly, a list of Contracts associated with a budgetary increase is listed below (*note: if no contracts are listed below, all contracts let during the Quarter have not given rise to a budgetary increase and have been facilitated with the Original or previous Quarterly Budgetary Reviews*):

#### Contracts entered into in the March 2013 Quarter that gave rise to a increase in the Budget.

Contractor	Detail & Purpose	Contract Value	Start	Duration	Budget (Y/N)
<b>NIL</b>					

### 3.0 KEY DIRECTIONS AND ASSOCIATED STRATEGIES

Over the last two years Pittwater Council, in collaboration with the Local Community, developed Pittwater 2020, the first of its kind. This strategic plan provides an overarching framework to proactively respond to the community aspirations and desires.

The Strategic Plan articulates the community vision for what Pittwater should be like in 2020 and outlines five interlinked and independent key directions and their associated strategies under which all planning will occur. The 20 key strategies have been developed providing the operational mechanism – vision, objectives, initiatives and measures – to achieve the inspirational goals and targets.

Accordingly, in an effort to assist Council's Strategic Plan and associated vision the 2012/13 budget, in addition to traditional financial reporting formats, has been broken down based upon the key five directions and their 20 associated strategies.

For information for the community the net consolidated position of each key direction and strategies are outlined below:

#### 5 Key Directions - Net Budget Position:

##### 3.1 Supporting & Connecting our Community (Social)

The net impact of the 2012/13 Budget for this key direction is a cost of \$6.144 million.

This net cost includes:	
Operating Expenditure	\$10.752 million
Capital Expenditure	\$3.405 million
Income	(\$4.373) million
Transfer from Reserve*	(\$4.055) million
Transfer to Reserve*	\$416,000
Net Cost to Council	\$6.144 million

##### 3.2 Valuing & Caring for our Natural Environment (Environmental)

The net impact of the 2012/13 Budget for this key direction is a cost of \$4.940 million.

This net cost includes:	
Operating Expenditure	\$17.424 million
Capital Expenditure	\$3.180 million
Income	(\$12.072) million
Transfer from Reserve*	(\$4.305) million
Transfer to Reserve*	\$713,000
Net Cost to Council	\$4.940 million

### 3.3 Enhancing our Working & Learning (Economic)

The net impact of the 2012/13 Budget for this key direction is a cost of \$1.239 million.

This net cost includes:	
Operating Expenditure	\$5.267 million
Capital Expenditure	\$1.484 million
Income	(\$4.325) million
Transfer from Reserve*	(\$1.889) million
Transfer to Reserve*	\$702,000
Net Cost to Council	\$1.239 million

### 3.4 Leading an Effective & Collaborative Council (Governance)

The net impact of the 2012/13 Budget for this key direction is income of \$18.424 million.

This net income includes:	
Operating Expenditure	\$22.292 million
Capital Expenditure	\$8.202 million
Income	(\$51.520) million
Transfer from Reserve*	(\$7.206) million
Transfer to Reserve*	\$9.807 million
Net Income to Council	(\$18.424) million

### 3.5 Integrating our Built Environment (Infrastructure)

The net impact of the 2012/13 Budget for this key direction is a cost of \$6.046 million.

This net cost includes:	
Operating Expenditure	\$14.781 million
Capital Expenditure	\$4.842 million
Income	(\$8.067) million
Transfer from Reserve*	(\$6.682) million
Transfer to Reserve*	\$1.172 million
Net Cost to Council	\$6.046 million

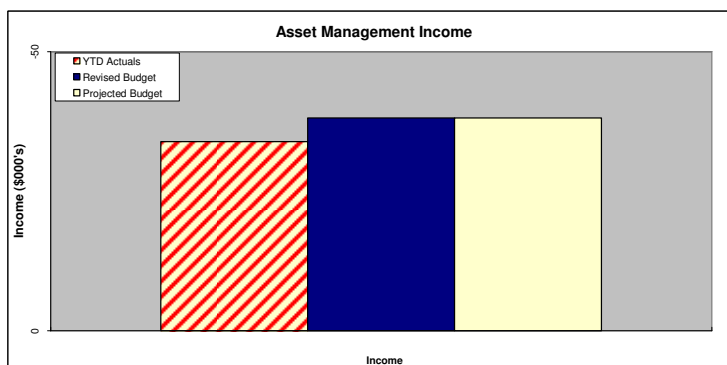
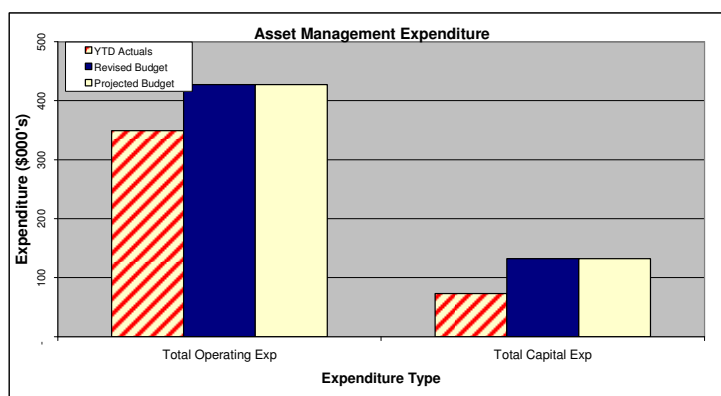
*\*Note: Transfers to and from Reserve represent funds acquired in the current and/or prior financial years but are utilised or placed into reserve in the current financial year.*

## 20 Strategies - Net Budget Position:

### ASSET MANAGEMENT

STRATEGY Asset Management Coordination			
Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	241	297	297
Other Employee Costs	93	116	116
Materials and Contracts	0	(0)	(0)
Depreciation	0	0	0
Interest	0	0	0
Other Costs	15	14	15
<b>Total Operating Exp</b>	<b>349</b>	<b>427</b>	<b>428</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	73	132	132
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>73</b>	<b>132</b>	<b>132</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(5)	0	0
Fees and Charges	0	0	0
Grant Transfers	0	0	0
Contributions	(28)	(38)	(38)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(1)	(1)	(1)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(34)</b>	<b>(38)</b>	<b>(38)</b>
<b>Transfers from Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Transfers to Reserves</b>	<b>28</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>417</b>	<b>521</b>	<b>522</b>

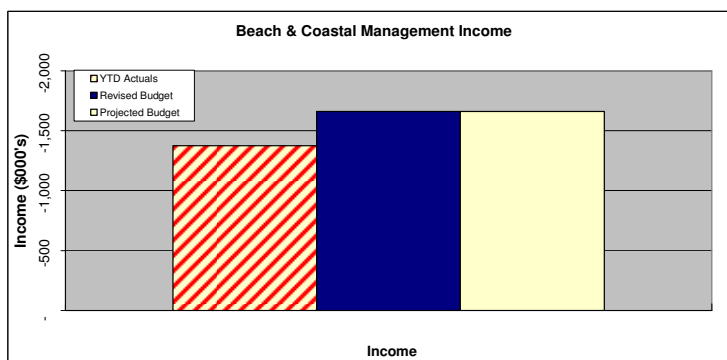
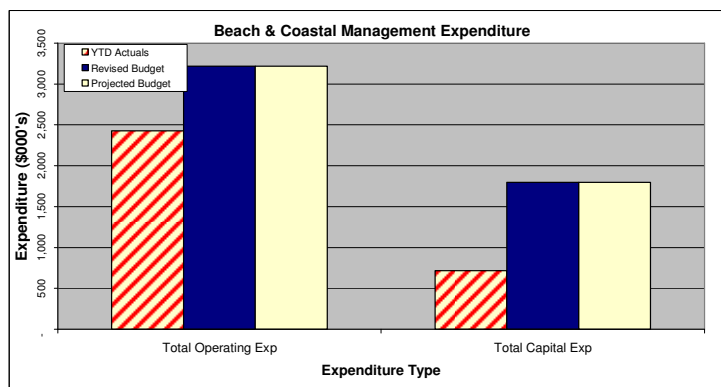
\* Net Cost Funded By Rates



### BEACH & COASTAL MANAGEMENT

STRATEGY Beach & Coastal Management			
Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	491	576	576
Other Employee Costs	149	172	172
Materials and Contracts	862	1,216	1,206
Depreciation	715	1,036	1,036
Interest	0	0	0
Other Costs	209	216	227
<b>Total Operating Exp</b>	<b>2,426</b>	<b>3,216</b>	<b>3,217</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	234	262	262
Capital Works Programs	484	1,536	1,536
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>718</b>	<b>1,797</b>	<b>1,797</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(1,312)	(1,534)	(1,534)
Fees and Charges	0	0	0
Grant Transfers	(6)	(50)	(50)
Contributions	(57)	(75)	(75)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(1)	(1)	(1)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(1,376)</b>	<b>(1,661)</b>	<b>(1,661)</b>
<b>Transfers from Reserves</b>	<b>(522)</b>	<b>(2,726)</b>	<b>(2,726)</b>
<b>Transfers to Reserves</b>	<b>167</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>1,413</b>	<b>627</b>	<b>628</b>

\* Net Cost Funded By Rates

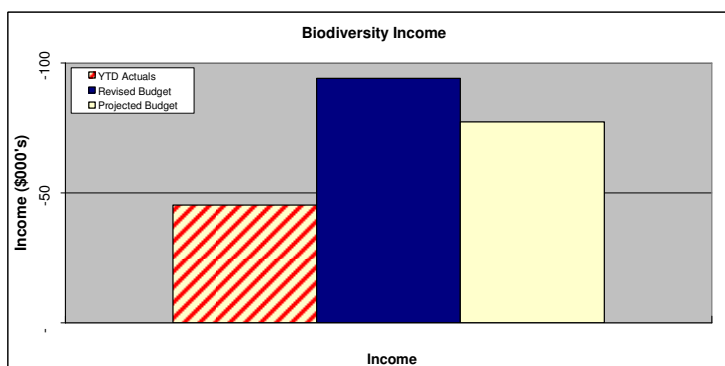
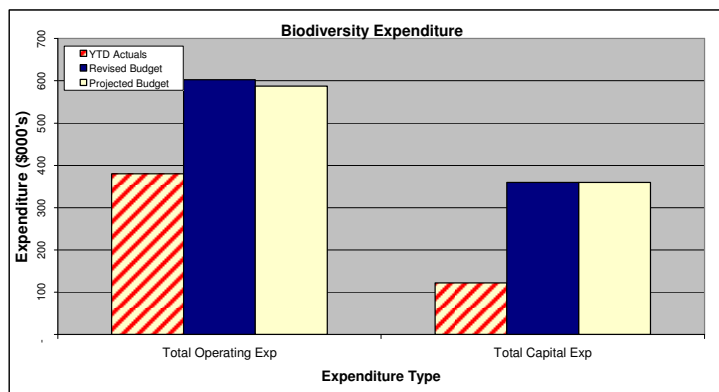


## BIODIVERSITY

### STRATEGY Biodiversity

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	168	219	219
Other Employee Costs	51	67	67
Materials and Contracts	127	247	231
Depreciation	0	0	0
Interest	0	0	0
Other Costs	35	69	71
<b>Total Operating Exp</b>	<b>380</b>	<b>603</b>	<b>587</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	122	360	360
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>122</b>	<b>360</b>	<b>360</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(0)	0	0
Fees and Charges	(9)	(7)	(7)
Grant Transfers	(32)	(85)	(68)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(4)	(3)	(3)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(45)</b>	<b>(94)</b>	<b>(77)</b>
<b>Transfers from Reserves</b>	<b>(120)</b>	<b>(363)</b>	<b>(363)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>337</b>	<b>505</b>	<b>506</b>

\* Net Cost Funded By Rates

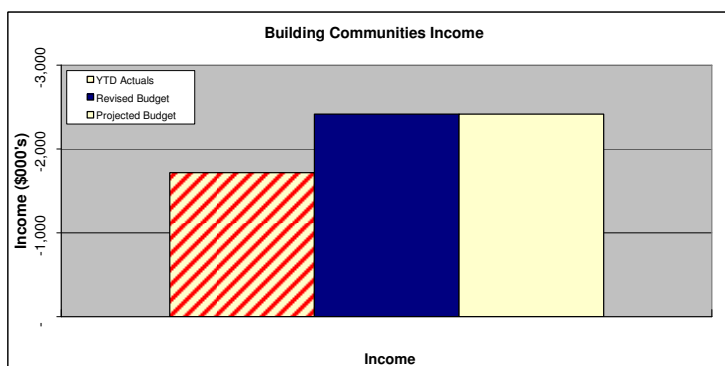
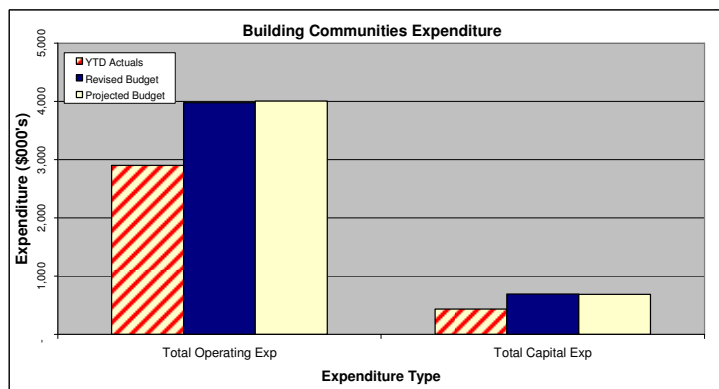


## BUILDING COMMUNITIES

### STRATEGY Building Communities

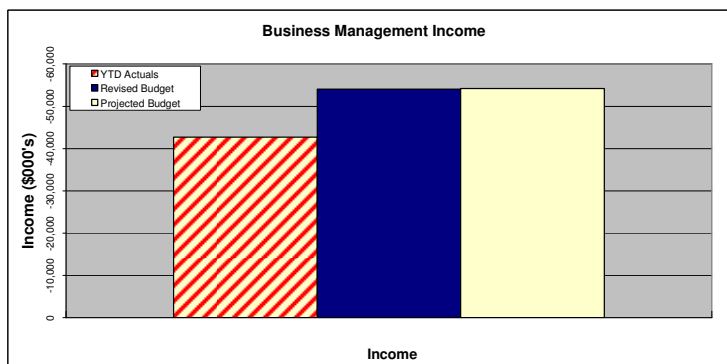
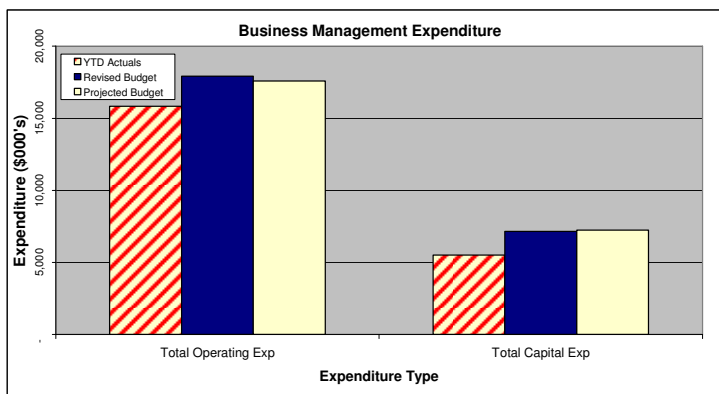
Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	1,567	2,113	2,127
Other Employee Costs	427	581	581
Materials and Contracts	186	293	303
Depreciation	0	1	1
Interest	1	2	2
Other Costs	720	984	991
<b>Total Operating Exp</b>	<b>2,901</b>	<b>3,975</b>	<b>4,005</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	1	0	0
Capital Works Programs	434	697	690
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>434</b>	<b>697</b>	<b>690</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(822)	(1,107)	(1,092)
Fees and Charges	(40)	(52)	(52)
Grant Transfers	(808)	(1,198)	(1,217)
Contributions	(42)	(52)	(52)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(7)	(7)	(6)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(1,718)</b>	<b>(2,416)</b>	<b>(2,418)</b>
<b>Transfers from Reserves</b>	<b>(397)</b>	<b>(582)</b>	<b>(573)</b>
<b>Transfers to Reserves</b>	<b>28</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>1,249</b>	<b>1,674</b>	<b>1,704</b>

\* Net Cost Funded By Rates



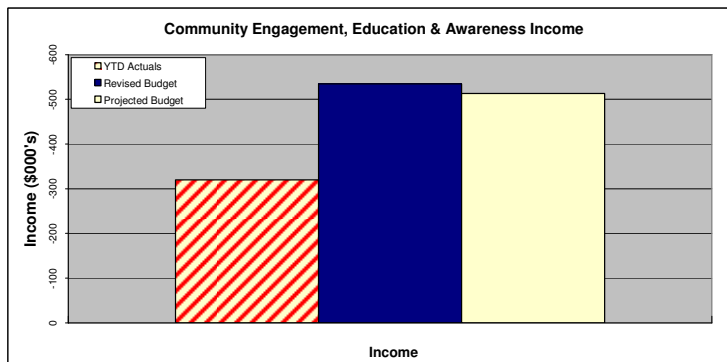
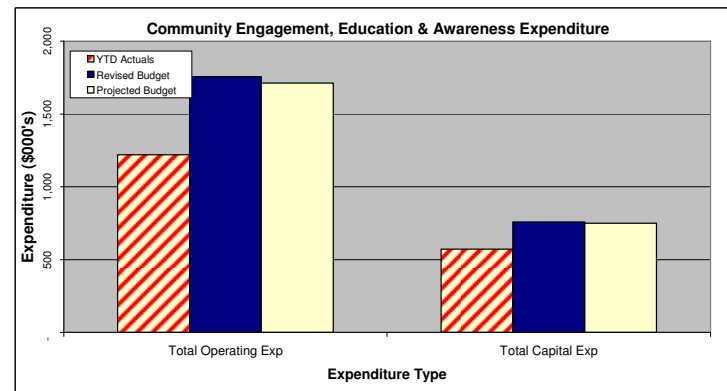
## BUSINESS MANAGEMENT

STRATEGY Business Management			
Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	3,396	4,540	4,540
Other Employee Costs	1,306	2,052	2,039
Materials and Contracts	1,583	2,000	2,139
Depreciation	4,443	2,167	2,035
Interest	410	664	664
Other Costs	4,685	6,481	6,161
<b>Total Operating Exp</b>	<b>15,823</b>	<b>17,905</b>	<b>17,579</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	2,824	3,245	3,254
Capital Works Programs	2,219	2,926	3,000
Capital Material Public Benefits	0	0	0
Loan Repayments	471	986	986
<b>Total Capital Exp</b>	<b>5,515</b>	<b>7,157</b>	<b>7,240</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(5,355)	(6,541)	(6,557)
Fees and Charges	(230)	(308)	(308)
Grant Transfers	(1,025)	(1,350)	(1,350)
Contributions	(6,528)	(6,591)	(6,591)
Rates Income	(26,284)	(35,269)	(35,269)
Domestic Waste Charge	0	0	0
Return on Investments & Other I	(1,422)	(1,686)	(1,786)
Other Income	(643)	(646)	(661)
Capital Assets Disposals	(1,180)	(1,704)	(1,677)
<b>Total Income (Op &amp; Cap)</b>	<b>(42,668)</b>	<b>(54,095)</b>	<b>(54,199)</b>
<b>Transfers from Reserves</b>	<b>(3,376)</b>	<b>(5,403)</b>	<b>(5,276)</b>
<b>Transfers to Reserves</b>	<b>9,321</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>(15,386)</b>	<b>(34,437)</b>	<b>(34,656)</b>
* Net Cost Funded By Rates			



## COMMUNITY ENGAGEMENT, EDUCATION & AWARENESS

STRATEGY Community Engagement, Education & Awareness			
Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	390	634	638
Other Employee Costs	110	178	179
Materials and Contracts	114	235	218
Depreciation	0	0	0
Interest	8	14	14
Other Costs	599	695	664
<b>Total Operating Exp</b>	<b>1,220</b>	<b>1,756</b>	<b>1,713</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	15	52	41
Capital Works Programs	556	706	710
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>571</b>	<b>758</b>	<b>750</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(229)	(298)	(312)
Fees and Charges	(20)	(30)	(26)
Grant Transfers	(25)	(128)	(128)
Contributions	(41)	(60)	(45)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(3)	(19)	(2)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(320)</b>	<b>(535)</b>	<b>(513)</b>
<b>Transfers from Reserves</b>	<b>(798)</b>	<b>(925)</b>	<b>(897)</b>
<b>Transfers to Reserves</b>	<b>41</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>715</b>	<b>1,054</b>	<b>1,053</b>
* Net Cost Funded By Rates			



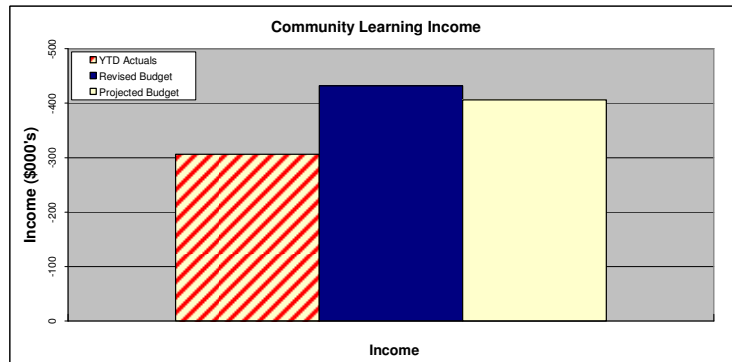
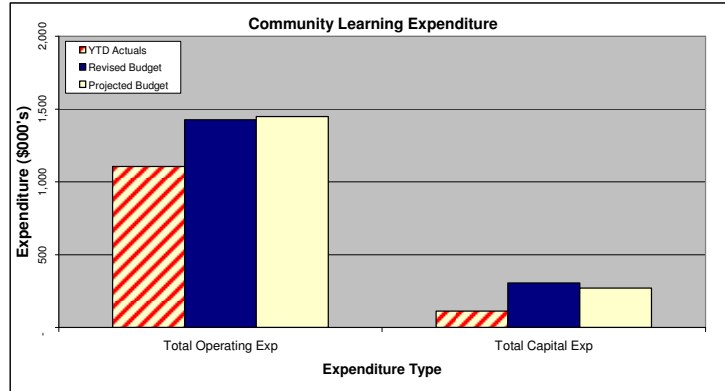
## COMMUNITY LEARNING

### STRATEGY

#### Community Learning

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	588	770	788
Other Employee Costs	162	215	219
Materials and Contracts	112	155	143
Depreciation	81	124	124
Interest	0	1	1
Other Costs	162	162	174
<b>Total Operating Exp</b>	<b>1,105</b>	<b>1,427</b>	<b>1,449</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	113	298	263
Capital Works Programs	0	7	8
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>113</b>	<b>305</b>	<b>271</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(137)	(186)	(185)
Fees and Charges	(15)	(23)	(20)
Grant Transfers	(66)	(102)	(102)
Contributions	(89)	(120)	(99)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(0)	(2)	(0)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(306)</b>	<b>(432)</b>	<b>(406)</b>
<b>Transfers from Reserves</b>	<b>(121)</b>	<b>(419)</b>	<b>(422)</b>
<b>Transfers to Reserves</b>	<b>89</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>880</b>	<b>880</b>	<b>891</b>

\* Net Cost Funded By Rates



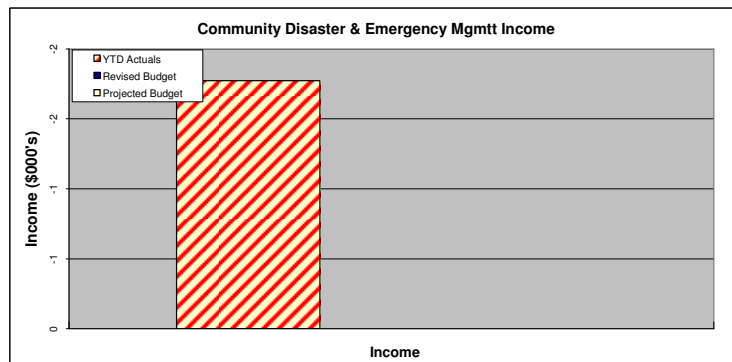
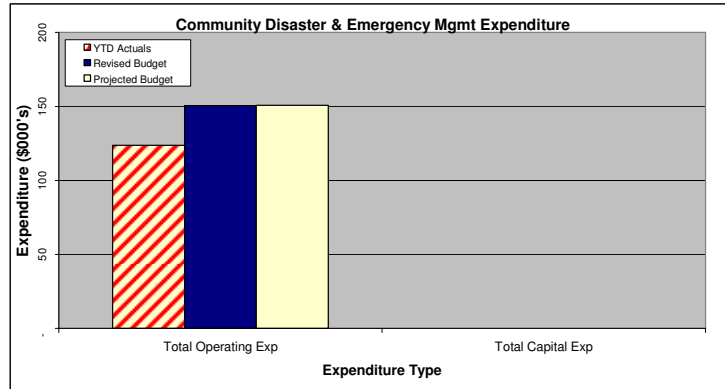
## COMMUNITY DISASTER & EMERGENCY MANAGEMENT

### STRATEGY

#### Community Disaster & Emergency Management

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	46	44	44
Other Employee Costs	12	14	14
Materials and Contracts	(1)	1	1
Depreciation	0	0	0
Interest	0	0	0
Other Costs	67	91	92
<b>Total Operating Exp</b>	<b>124</b>	<b>151</b>	<b>151</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	0	0	0
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(0)	0	0
Fees and Charges	0	0	0
Grant Transfers	0	0	0
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(2)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(2)</b>	<b>0</b>	<b>0</b>
<b>Transfers from Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>122</b>	<b>151</b>	<b>151</b>

\* Net Cost Funded By Rates





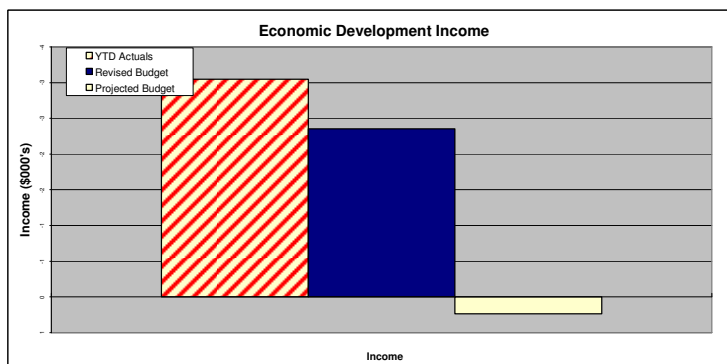
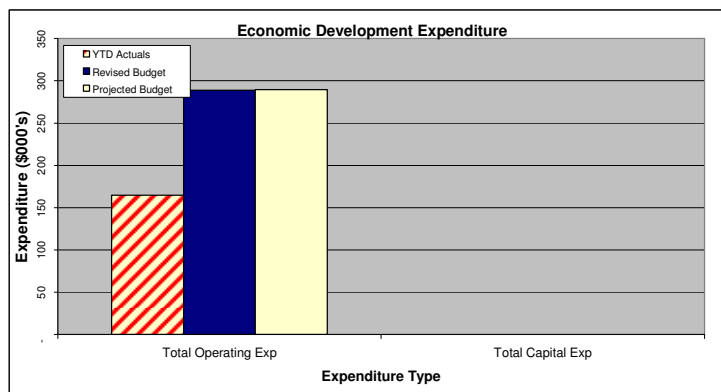
## ECONOMIC DEVELOPMENT

### STRATEGY

#### Economic Development

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	80	117	117
Other Employee Costs	23	34	34
Materials and Contracts	1	18	18
Depreciation	0	0	0
Interest	0	0	0
Other Costs	62	120	121
<b>Total Operating Exp</b>	<b>165</b>	<b>289</b>	<b>290</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	0	0	0
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(0)	0	0
Fees and Charges	(3)	0	0
Grant Transfers	0	0	0
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(0)	(3)	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(3)</b>	<b>(2)</b>	<b>0</b>
<b>Transfers from Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>162</b>	<b>286</b>	<b>290</b>

\* Net Cost Funded By Rates



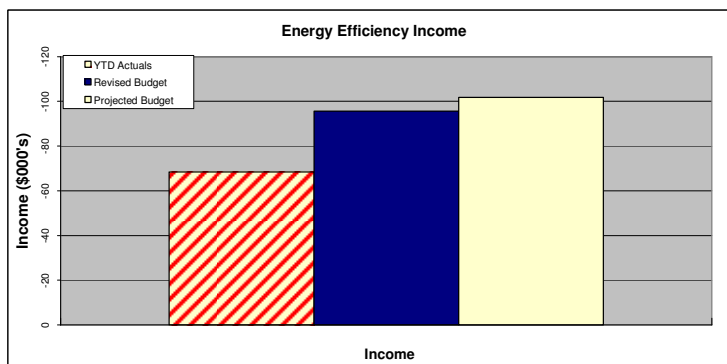
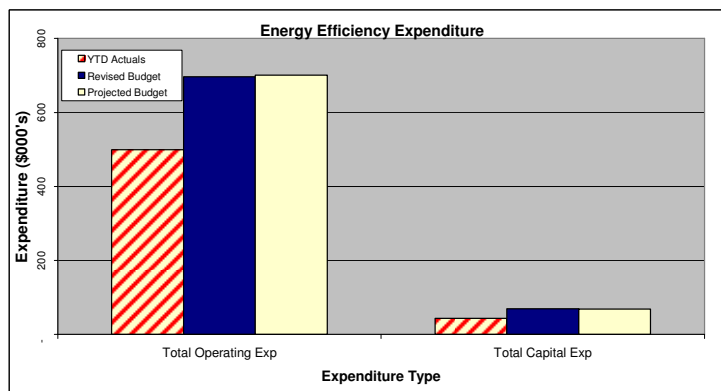
## ENERGY EFFICIENCY

### STRATEGY

#### Energy Efficiency

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	104	164	164
Other Employee Costs	32	51	51
Materials and Contracts	82	95	100
Depreciation	71	108	108
Interest	0	0	0
Other Costs	211	279	278
<b>Total Operating Exp</b>	<b>500</b>	<b>696</b>	<b>701</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	44	69	69
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>44</b>	<b>69</b>	<b>69</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(14)	(19)	(19)
Fees and Charges	(2)	0	0
Grant Transfers	(2)	(23)	(23)
Contributions	(28)	(38)	(38)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(22)	(16)	(22)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(68)</b>	<b>(96)</b>	<b>(102)</b>
<b>Transfers from Reserves</b>	<b>(37)</b>	<b>(117)</b>	<b>(116)</b>
<b>Transfers to Reserves</b>	<b>43</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>480</b>	<b>553</b>	<b>552</b>

\* Net Cost Funded By Rates



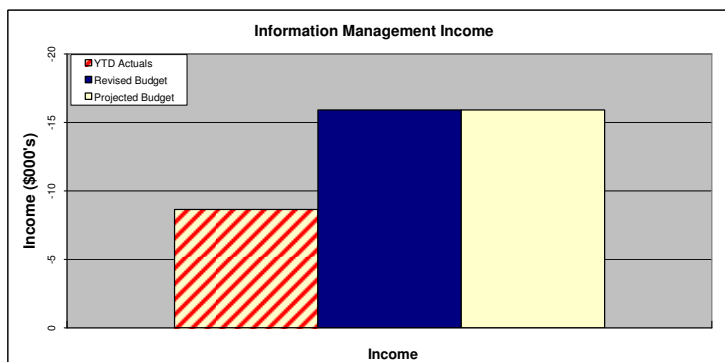
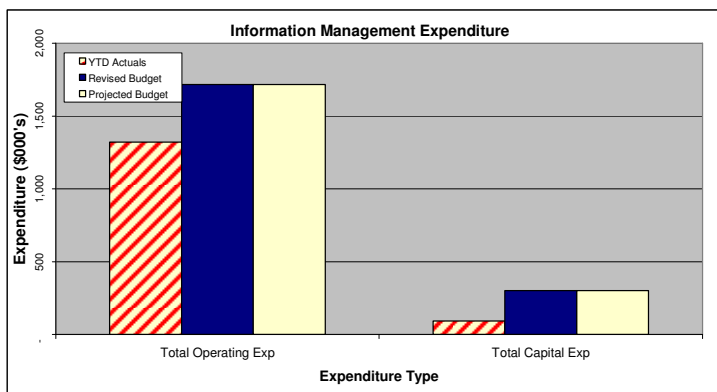
## INFORMATION MANAGEMENT

### STRATEGY

#### Information Management

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	499	681	681
Other Employee Costs	145	195	195
Materials and Contracts	205	215	215
Depreciation	323	475	475
Interest	0	0	0
Other Costs	149	151	152
<b>Total Operating Exp</b>	<b>1,321</b>	<b>1,717</b>	<b>1,718</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	93	303	303
Capital Works Programs	0	0	0
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>93</b>	<b>303</b>	<b>303</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(7)	(10)	(10)
Fees and Charges	(0)	(1)	(1)
Grant Transfers	0	0	0
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(1)	(5)	(5)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(9)</b>	<b>(16)</b>	<b>(16)</b>
<b>Transfers from Reserves</b>	<b>(64)</b>	<b>(760)</b>	<b>(760)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>1,340</b>	<b>1,244</b>	<b>1,245</b>

\* Net Cost Funded By Rates



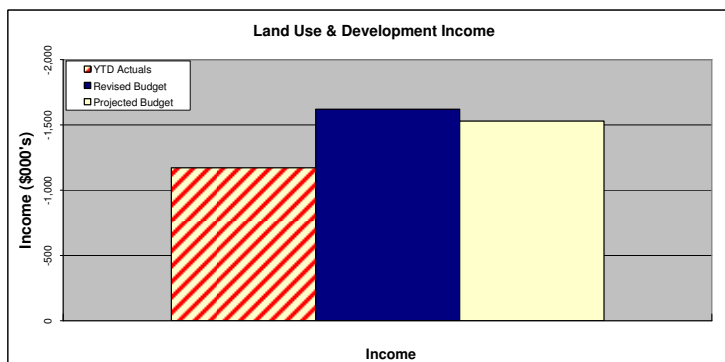
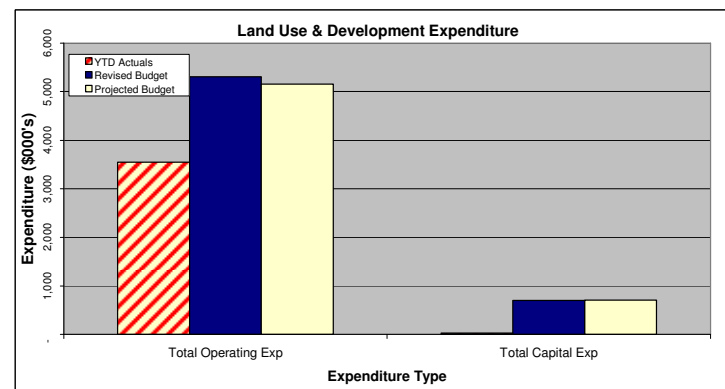
## LAND USE & DEVELOPMENT

### STRATEGY

#### Land Use & Development

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	2,045	2,788	2,788
Other Employee Costs	574	790	795
Materials and Contracts	80	164	170
Depreciation	0	7	7
Interest	0	0	0
Other Costs	851	1,560	1,397
<b>Total Operating Exp</b>	<b>3,551</b>	<b>5,308</b>	<b>5,157</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	33	697	712
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>33</b>	<b>697</b>	<b>712</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(124)	(170)	(155)
Fees and Charges	(949)	(1,297)	(1,233)
Grant Transfers	(23)	(70)	(70)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(76)	(83)	(72)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(1,171)</b>	<b>(1,620)</b>	<b>(1,530)</b>
<b>Transfers from Reserves</b>	<b>(13)</b>	<b>(651)</b>	<b>(666)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>2,400</b>	<b>3,734</b>	<b>3,673</b>

\* Net Cost Funded By Rates



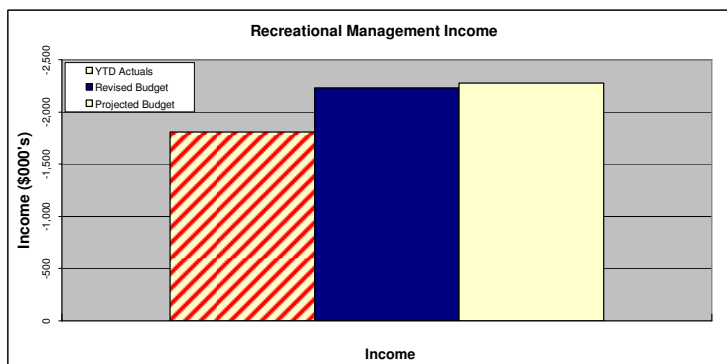
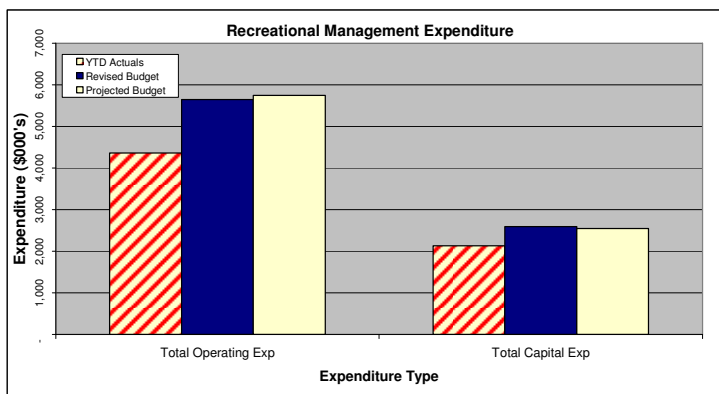
## RECREATIONAL MANAGEMENT

### STRATEGY

#### Recreational Management

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	1,585	2,249	2,264
Other Employee Costs	477	686	689
Materials and Contracts	1,226	1,404	1,416
Depreciation	415	629	629
Interest	0	0	0
Other Costs	660	675	752
<b>Total Operating Exp</b>	<b>4,363</b>	<b>5,643</b>	<b>5,750</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	116	262	231
Capital Works Programs	2,015	2,329	2,317
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>2,131</b>	<b>2,592</b>	<b>2,549</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(1,273)	(1,541)	(1,609)
Fees and Charges	(163)	(224)	(222)
Grant Transfers	(114)	(161)	(161)
Contributions	(224)	(284)	(260)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(35)	(20)	(26)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(1,808)</b>	<b>(2,231)</b>	<b>(2,278)</b>
<b>Transfers from Reserves</b>	<b>(1,991)</b>	<b>(2,795)</b>	<b>(2,774)</b>
<b>Transfers to Reserves</b>	<b>180</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>2,875</b>	<b>3,209</b>	<b>3,247</b>

\* Net Cost Funded By Rates



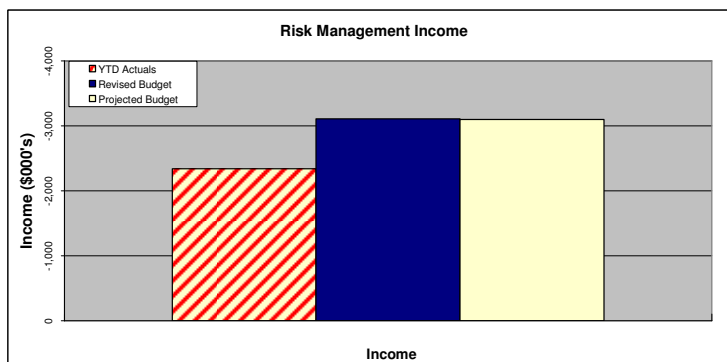
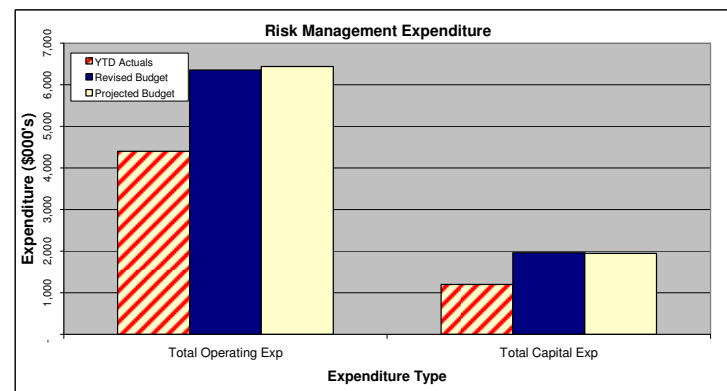
## RISK MANAGEMENT

### STRATEGY

#### Risk Management

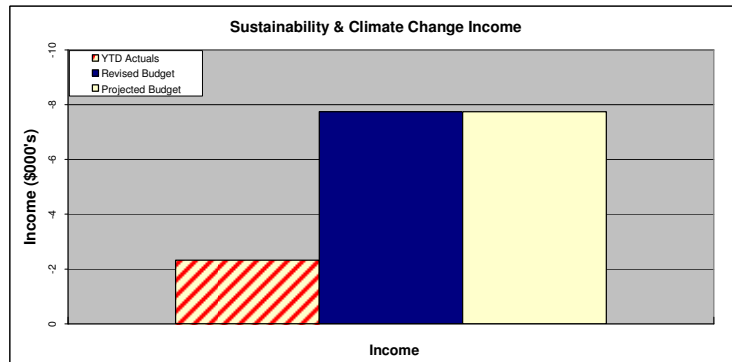
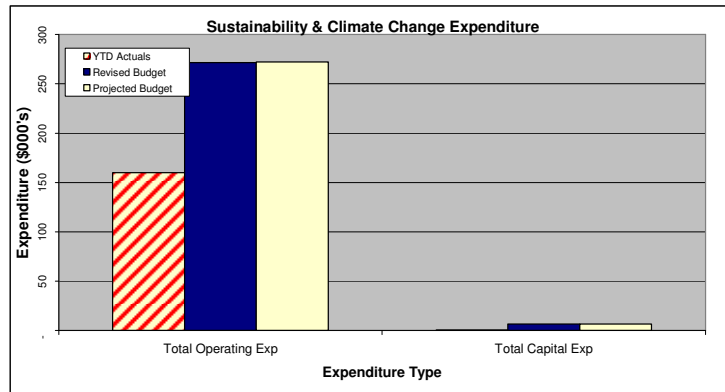
Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	1,445	2,121	2,121
Other Employee Costs	471	699	699
Materials and Contracts	1,001	1,304	1,315
Depreciation	143	250	250
Interest	0	0	0
Other Costs	1,344	1,978	2,056
<b>Total Operating Exp</b>	<b>4,403</b>	<b>6,352</b>	<b>6,441</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	1	2	2
Capital Works Programs	1,197	1,965	1,948
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>1,198</b>	<b>1,966</b>	<b>1,949</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(303)	(342)	(361)
Fees and Charges	(1,112)	(1,523)	(1,515)
Grant Transfers	(353)	(645)	(585)
Contributions	(447)	(487)	(509)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(125)	(112)	(130)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(2,339)</b>	<b>(3,108)</b>	<b>(3,100)</b>
<b>Transfers from Reserves</b>	<b>(938)</b>	<b>(1,610)</b>	<b>(1,595)</b>
<b>Transfers to Reserves</b>	<b>243</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>2,566</b>	<b>3,600</b>	<b>3,695</b>

\* Net Cost Funded By Rates



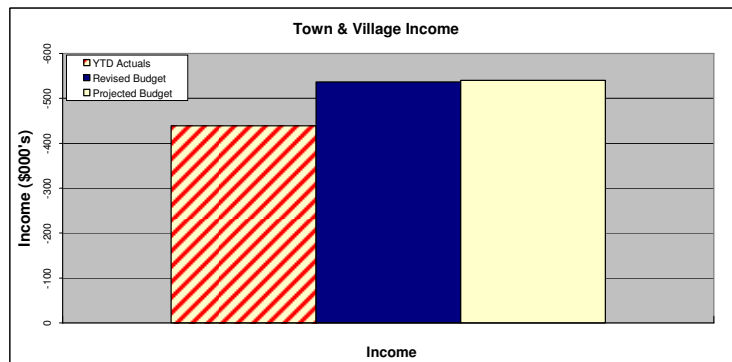
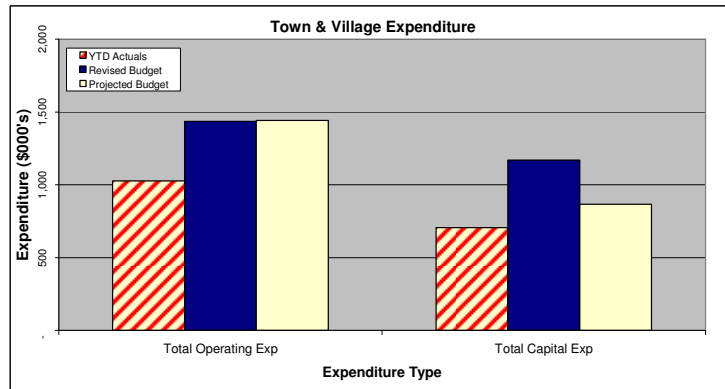
## SUSTAINABILITY & CLIMATE CHANGE COORDINATION

STRATEGY Sustainability & Climate Change Coordination			
Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	110	173	173
Other Employee Costs	32	50	50
Materials and Contracts	2	28	28
Depreciation	0	0	0
Interest	0	0	0
Other Costs	16	20	21
<b>Total Operating Exp</b>	<b>160</b>	<b>272</b>	<b>272</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	1	7	7
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>1</b>	<b>7</b>	<b>7</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(0)	0	0
Fees and Charges	(2)	0	0
Grant Transfers	(1)	(8)	(8)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	0	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(2)</b>	<b>(8)</b>	<b>(8)</b>
<b>Transfers from Reserves</b>	<b>(0)</b>	<b>(0)</b>	<b>(0)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>158</b>	<b>270</b>	<b>271</b>
* Net Cost Funded By Rates			



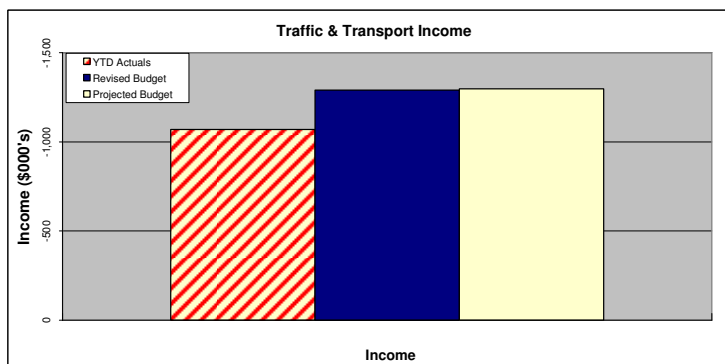
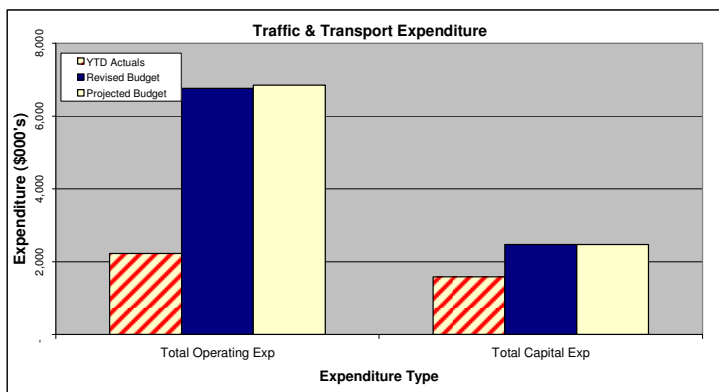
## TOWN & VILLAGE

STRATEGY Town & Village			
Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	563	805	805
Other Employee Costs	191	278	278
Materials and Contracts	107	157	162
Depreciation	0	0	0
Interest	0	0	0
Other Costs	165	195	196
<b>Total Operating Exp</b>	<b>1,026</b>	<b>1,435</b>	<b>1,441</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	707	1,168	865
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>707</b>	<b>1,168</b>	<b>865</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(140)	(157)	(164)
Fees and Charges	(16)	(23)	(21)
Grant Transfers	(117)	(171)	(162)
Contributions	(162)	(183)	(190)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(4)	(3)	(3)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(439)</b>	<b>(537)</b>	<b>(540)</b>
<b>Transfers from Reserves</b>	<b>(557)</b>	<b>(930)</b>	<b>(633)</b>
<b>Transfers to Reserves</b>	<b>218</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>956</b>	<b>1,136</b>	<b>1,133</b>
* Net Cost Funded By Rates			



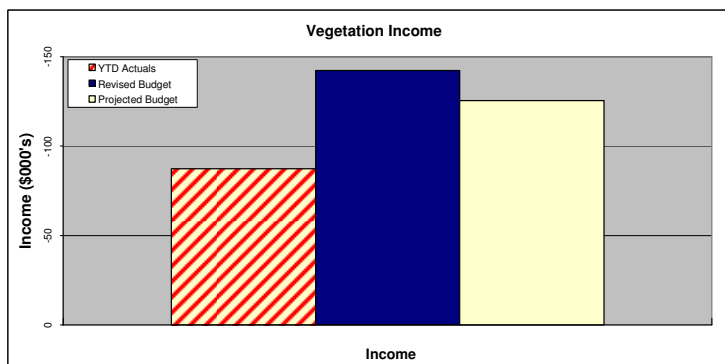
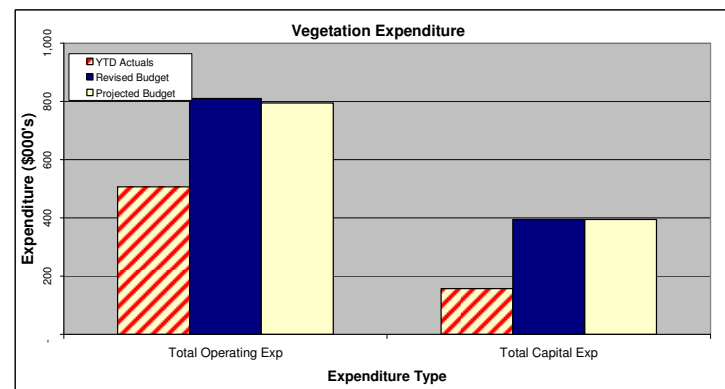
## TRAFFIC & TRANSPORT

STRATEGY			
Transport & Traffic			
Operating Expenditure	YTD	Total	Total
	Actuals	Revised	Projected
	\$'000's	Budget	Budget
		\$'000's	\$'000's
Salaries and Wages	923	1,372	1,372
Other Employee Costs	355	537	537
Materials and Contracts	454	604	667
Depreciation	0	3,621	3,621
Interest	0	0	0
Other Costs	496	622	648
<b>Total Operating Exp</b>	<b>2,229</b>	<b>6,756</b>	<b>6,845</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	1,589	2,476	2,472
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>1,590</b>	<b>2,476</b>	<b>2,472</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(82)	(90)	(96)
Fees and Charges	(137)	(207)	(192)
Grant Transfers	(327)	(495)	(467)
Contributions	(520)	(495)	(540)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(3)	(3)	(3)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(1,069)</b>	<b>(1,291)</b>	<b>(1,298)</b>
<b>Transfers from Reserves</b>	<b>(1,087)</b>	<b>(6,330)</b>	<b>(6,394)</b>
<b>Transfers to Reserves</b>	<b>74</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>1,737</b>	<b>1,612</b>	<b>1,625</b>
* Net Cost Funded By Rates			



## VEGETATION

STRATEGY			
Vegetation			
Operating Expenditure	YTD	Total	Total
	Actuals	Revised	Projected
	\$'000's	Budget	Budget
		\$'000's	\$'000's
Salaries and Wages	227	278	278
Other Employee Costs	68	88	88
Materials and Contracts	189	394	378
Depreciation	0	0	0
Interest	0	0	0
Other Costs	21	51	51
<b>Total Operating Exp</b>	<b>506</b>	<b>810</b>	<b>794</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	158	395	395
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>158</b>	<b>395</b>	<b>395</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(0)	0	0
Fees and Charges	(8)	(7)	(7)
Grant Transfers	(74)	(133)	(116)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(5)	(3)	(3)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(87)</b>	<b>(142)</b>	<b>(125)</b>
<b>Transfers from Reserves</b>	<b>(167)</b>	<b>(424)</b>	<b>(424)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>410</b>	<b>639</b>	<b>639</b>
* Net Cost Funded By Rates			



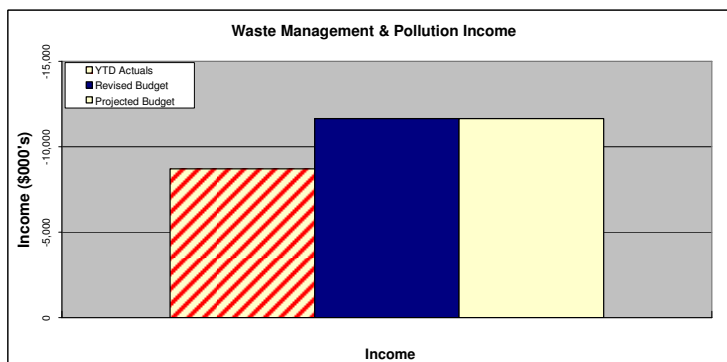
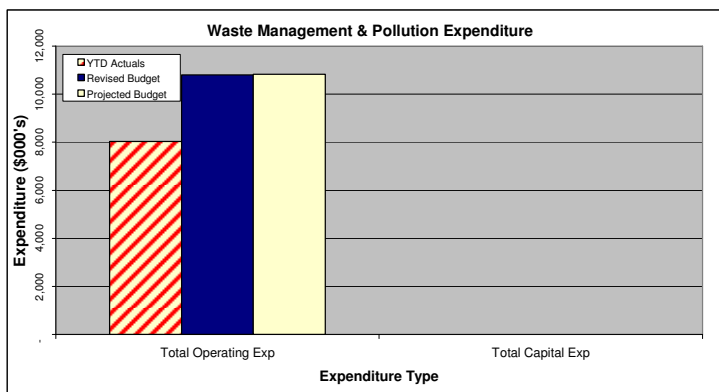
## WASTE MANAGEMENT & POLLUTION CONTROL

### STRATEGY

#### Waste Management & Pollution Control

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	423	565	565
Other Employee Costs	132	167	167
Materials and Contracts	3,895	5,294	5,300
Depreciation	0	3	3
Interest	0	0	0
Other Costs	3,585	4,769	4,786
<b>Total Operating Exp</b>	<b>8,035</b>	<b>10,798</b>	<b>10,822</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	0	0	0
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(0)	(0)	(0)
Fees and Charges	(110)	(170)	(170)
Grant Transfers	0	0	0
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	(8,596)	(11,481)	(11,481)
Return on Investments & Other I	0	0	0
Other Income	(4)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(8,710)</b>	<b>(11,651)</b>	<b>(11,651)</b>
<b>Transfers from Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>(675)</b>	<b>(853)</b>	<b>(830)</b>

\* Net Cost Funded By Rates



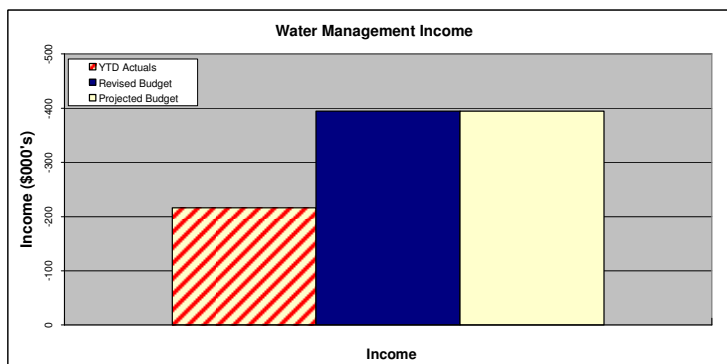
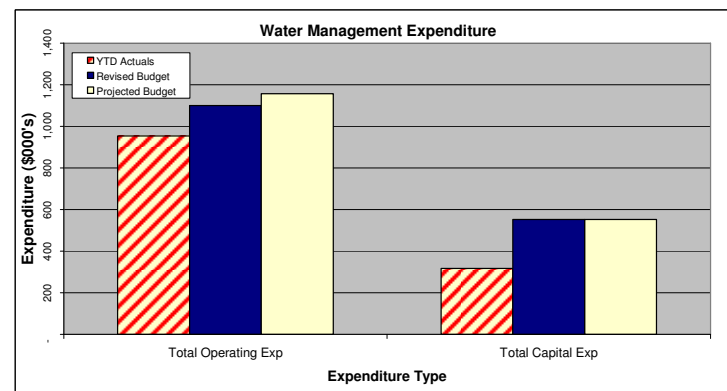
## WATER MANAGEMENT

### STRATEGY

#### Water Management

Operating Expenditure	YTD Actuals -\$000's	Total Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	438	418	418
Other Employee Costs	151	131	131
Materials and Contracts	118	167	156
Depreciation	0	5	5
Interest	0	0	0
Other Costs	247	379	448
<b>Total Operating Exp</b>	<b>953</b>	<b>1,099</b>	<b>1,158</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	317	552	552
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>317</b>	<b>552</b>	<b>552</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(26)	(35)	(35)
Fees and Charges	(163)	(236)	(236)
Grant Transfers	(26)	(123)	(123)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(1)	(1)	(1)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(216)</b>	<b>(395)</b>	<b>(395)</b>
<b>Transfers from Reserves</b>	<b>(301)</b>	<b>(520)</b>	<b>(520)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>753</b>	<b>737</b>	<b>795</b>

\* Net Cost Funded By Rates



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## **4.0 EXECUTIVE SUMMARY**

4.1 In providing the Council with the financial results for the period ending 31 March 2013 the following information should be noted:

- The Projected Consolidated financial result for the year ending 30 June 2013 is an increase on Council funds of \$55,000. Compared to the previously adopted budget of \$37,000 this amounts to a increase of \$18,000.
- The Projected Operating result before capital for the year ending 30 June 2013 is a surplus of \$350,000. Compared to the previously adopted budget of \$135,000 surplus this amounts to an increase of \$215,000.
- The Projected Total Capital Expenditure stands at \$21.085 million for 2012/13. Compared to the previously adopted budget figure of \$21.431 million this amounts to a decrease of \$346,000.
- The Projected cash and investment position at 30 June 2013 is \$32.034 million. Compared to the previously adopted budget figure of \$31.496 million this amounts to an increase of \$538,000.

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## **RECOMMENDATION**

1. That the financial results for the period ending 31 March 2013 be noted.
2. That the Projected Budget incorporating all amendments as detailed in this report be adopted.

Report prepared by  
Myles Thana, Management Accountant

Mark Jones  
**CHIEF FINANCIAL OFFICER**

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## **C11.2 Investment Balances as at 30 April 2013**

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**Meeting:** Governance Committee

**Date:** 20 May 2013

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**STRATEGY:** Business Management

**ACTION:** To Provide Effective Investment of Council's Funds

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### **PURPOSE OF REPORT**

To advise on the status of Council's Investment Balances as at 30 April 2013.

#### **1.0 BACKGROUND**

- 1.1 As provided for in Regulation 212 of the Local Government (General) Regulation, 2005, a report listing Council's investments (**see Attachment 1**) must be presented.

#### **2.0 ISSUES**

##### **2.1 MONTHLY RETURN**

Investment return for the month of April 2013:

Term deposits interest income:	<u>\$132,825</u>
Net investment return for April 2013:	\$132,825

##### **YEAR TO DATE RETURN**

Investment return year to date April 2013:

Term deposits interest income:	\$1,350,585
Tradable CDO/ Structured Note interest income:	\$5,265
Tradable CDO/ Structured Note capital movement:	<u>\$45,814</u>
Net investment return year to date:	\$1,401,664

Projected investment return budget for financial year: \$1,619,000

##### **2.2 PERFORMANCE OF COUNCIL'S PORTFOLIO FOR THE LAST FIVE YEARS**

Annual returns of Council's portfolio for the last five years:

<b>Year to</b>	<b>Net Return</b>	<b>Return on average funds invested</b>
June 2009	\$ 534,575	2.4%
June 2010	\$ 1,364,315	6.1%
June 2011	\$ 1,521,223	5.9%
June 2012	\$ 1,679,693	6.4%
April 2013	\$ 1,401,664	4.9%
Projected Budget	\$ 1,619,000	4.9%

Note: Net investment return includes interest income and capital movements.



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### **3.0 RESPONSIBLE ACCOUNTING OFFICER CERTIFICATION**

- 3.1 The Responsible Accounting Officer certifies that all investments have been made in accordance with Section 625 of the Local Government Act, 1993, the Local Government (General) Regulations, and Council's Investment Policy (No 143).

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### **4.0 SUSTAINABILITY ASSESSMENT**

This report does not require a sustainability assessment.

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### **5.0 EXECUTIVE SUMMARY**

- 5.1 The net investment return as at 30 April 2013 is \$1,401,664.

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### **RECOMMENDATION**

That the information provided in the report be noted.

Report prepared by  
Renae Wilde, Senior Project Accountant

Mark Jones  
**CHIEF FINANCIAL OFFICER**



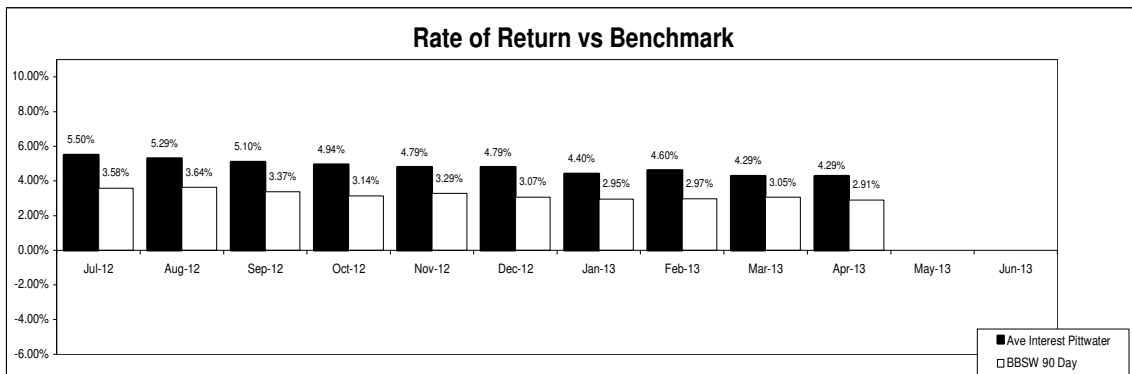
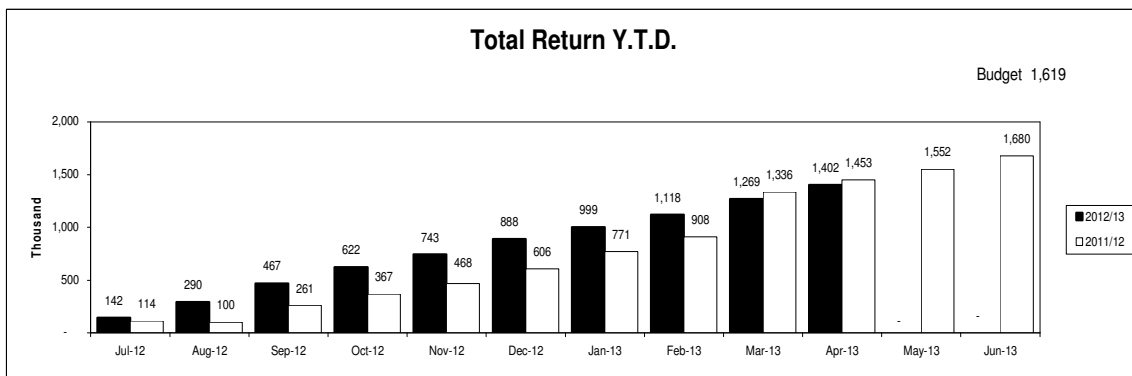
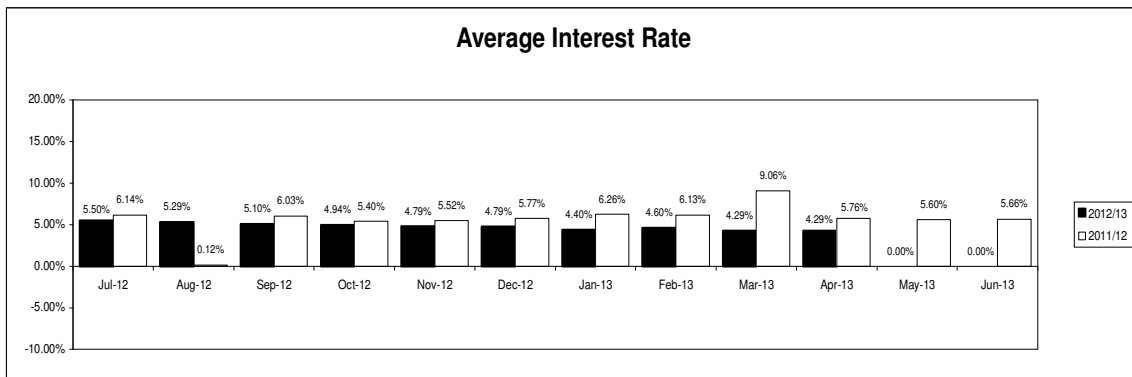
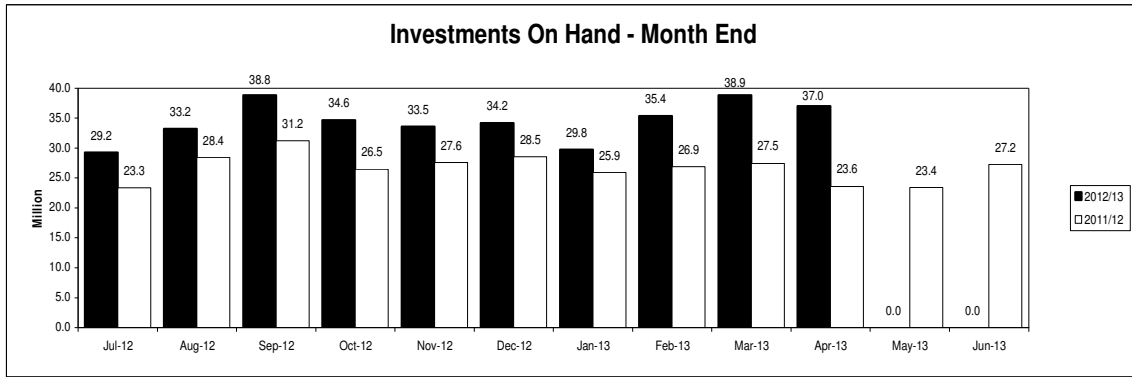
# PITTWATER COUNCIL

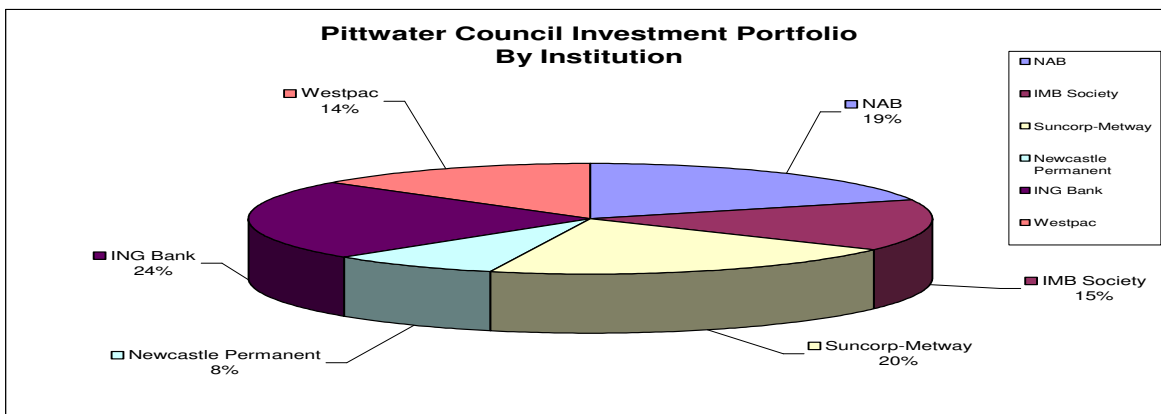
## INVESTMENT BALANCES

As at 30th April 2013

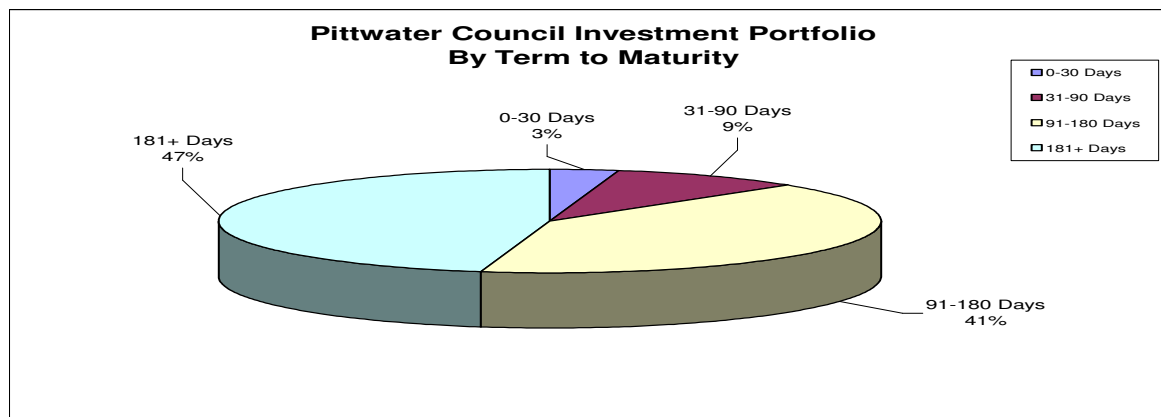
TYPE	INSTITUTION	Rating	AMOUNT \$	DATE INVESTED	MATURITY DATE	TERM (DAYS)	INTEREST RATE
At Call	NAB	AA-	1,200,000.00 *	At Call	At Call	1	3.50%
<b>At Call Total</b>			<b>1,200,000.00</b>				
Term Dep	IMB Society	BBB	500,000.00	18-Feb-13	13-May-13	84	4.12%
Term Dep	IMB Society	BBB	1,000,000.00	4-Mar-13	3-Sep-13	183	4.20%
Term Dep	IMB Society	BBB	1,000,000.00	7-Mar-13	9-Sep-13	186	4.20%
Term Dep	IMB Society	BBB	1,000,000.00	11-Mar-13	10-Sep-13	183	4.20%
Term Dep	IMB Society	BBB	1,000,000.00	18-Mar-13	17-Sep-13	183	4.20%
Term Dep	IMB Society	BBB	1,000,000.00	15-Apr-13	14-Oct-13	182	4.20%
<b>Investee Total</b>			<b>5,500,000.00</b>				
Term Dep	Suncorp-Metway	A+	1,000,000.00	23-Nov-12	20-May-13	178	4.55%
Term Dep	Suncorp-Metway	A+	1,000,000.00	5-Dec-12	3-Jun-13	180	4.60%
Term Dep	Suncorp-Metway	A+	500,000.00	6-Dec-12	4-Jun-13	180	4.60%
Term Dep	Suncorp-Metway	A+	500,000.00	12-Dec-12	11-Jun-13	181	4.53%
Term Dep	Suncorp-Metway	A+	1,000,000.00	11-Feb-13	6-May-13	84	4.28%
Term Dep	Suncorp-Metway	A+	500,000.00	18-Feb-13	17-Jun-13	119	4.20%
Term Dep	Suncorp-Metway	A+	1,000,000.00	25-Feb-13	26-Aug-13	182	4.23%
Term Dep	Suncorp-Metway	A+	1,000,000.00	27-Feb-13	26-Aug-13	180	4.18%
Term Dep	Suncorp-Metway	A+	1,000,000.00	8-Apr-13	12-Aug-13	126	4.23%
<b>Investee Total</b>			<b>7,500,000.00</b>				
Term Dep	Westpac	AA-	1,000,000.00	28-Feb-13	28-May-13	89	4.32%
Term Dep	Westpac	AA-	1,000,000.00	28-Feb-13	28-May-13	89	4.32%
Term Dep	Westpac	AA-	1,000,000.00	4-Mar-13	1-Jul-13	119	4.25%
Term Dep	Westpac	AA-	1,000,000.00	5-Mar-13	5-Jun-13	92	4.25%
Term Dep	Westpac	AA-	1,000,000.00	5-Mar-13	8-Jul-13	125	4.20%
<b>Investee Total</b>			<b>5,000,000.00</b>				
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	25-Feb-13	27-May-13	91	4.15%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	4-Mar-13	4-Jun-13	92	4.15%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	29-Apr-13	29-Jul-13	91	4.20%
<b>Investee Total</b>			<b>3,000,000.00</b>				
Term Dep	ING Bank	A	500,000.00	27-Nov-12	27-May-13	181	4.73%
Term Dep	ING Bank	A	500,000.00	12-Dec-12	11-Jun-13	181	4.74%
Term Dep	ING Bank	A	500,000.00	8-Jan-13	27-Jun-14	535	4.47%
Term Dep	ING Bank	A	1,000,000.00	14-Jan-13	15-Jul-13	182	4.54%
Term Dep	ING Bank	A	1,000,000.00	22-Jan-13	22-Jul-13	181	4.42%
Term Dep	ING Bank	A	750,000.00	4-Feb-13	6-Aug-13	183	4.48%
Term Dep	ING Bank	A	500,000.00	18-Feb-13	19-Aug-13	182	4.31%
Term Dep	ING Bank	A	1,000,000.00	27-Feb-13	27-Aug-13	181	4.35%
Term Dep	ING Bank	A	1,000,000.00	4-Mar-13	2-Sep-13	182	4.35%
Term Dep	ING Bank	A	1,000,000.00	12-Mar-13	9-Sep-13	181	4.43%
Term Dep	ING Bank	A	1,000,000.00	18-Mar-13	16-Sep-13	182	4.40%
<b>Investee Total</b>			<b>8,750,000.00</b>				
Term Dep	NAB	AA-	1,000,000.00	4-Dec-12	3-Jun-13	181	4.65%
Term Dep	NAB	AA-	1,000,000.00	25-Feb-13	24-Jun-13	119	4.21%
Term Dep	NAB	AA-	1,000,000.00	27-Feb-13	17-Jun-13	110	4.21%
Term Dep	NAB	AA-	1,000,000.00	4-Mar-13	2-Sep-13	182	4.25%
Term Dep	NAB	AA-	1,000,000.00	1-Apr-13	29-Jul-13	119	4.35%
Term Dep	NAB	AA-	1,000,000.00	22-Apr-13	23-Sep-13	154	4.31%
<b>Investee Total</b>			<b>6,000,000.00</b>				
April BBSW Close							2.91%
<b>TOTAL INVESTMENTS</b>			<b>\$36,950,000.00</b>				

Note: Investments denoted with an \* are held in Cash and Cash Equivalents in Council's Balance Sheet along with Cash at Bank and Floats.  
All other investments are held as Investment Securities in Council's Balance Sheet

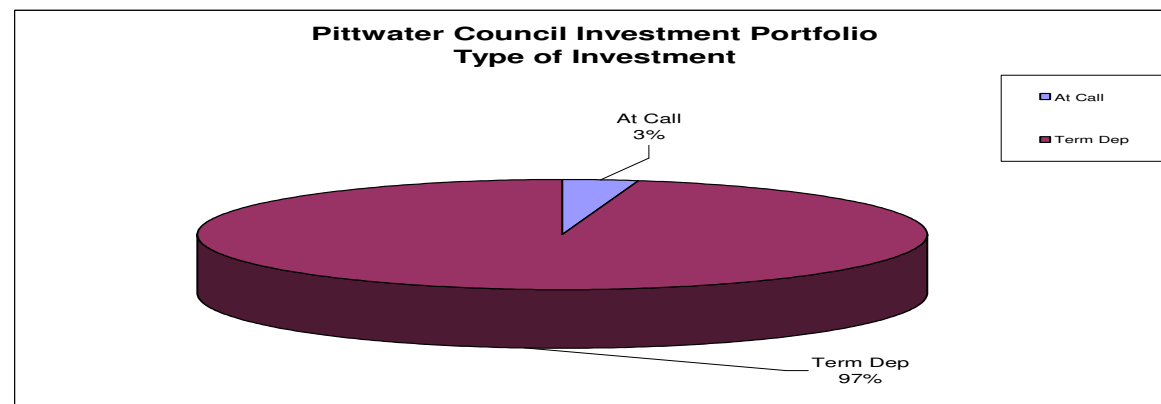
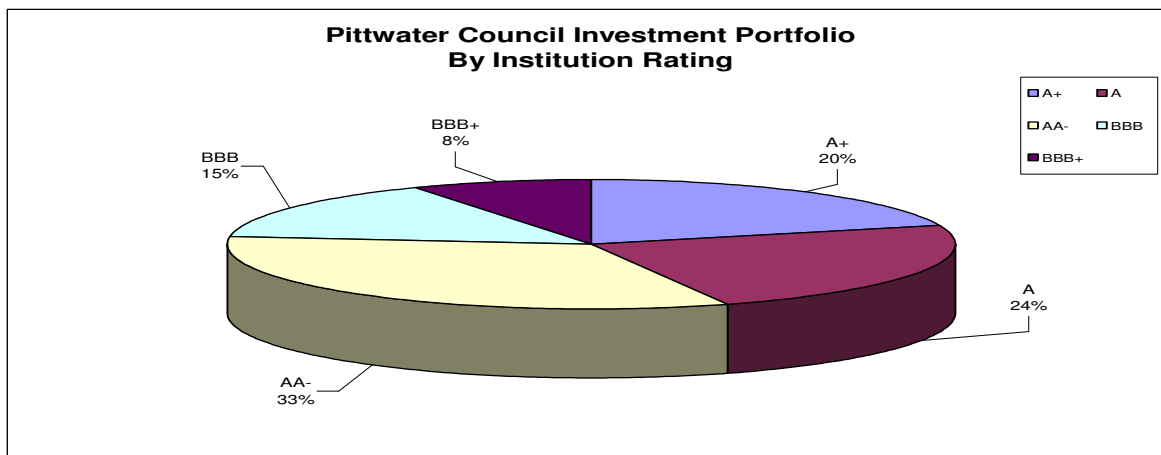




**Note: Council Policy - No Institution can hold more than 25% of Council's Total Portfolio**



**Note: Council Policy - No Term to Maturity can be greater than two years**



## Investment Information:

### Types of Investments -

**At Call** refers to funds held at a financial institution and can be recalled by Council either same day or on an overnight basis.

A **Term Deposit** is a short term deposit held at a financial institution for a fixed term and attracting interest at a deemed rate.

### Credit Rating Information -

Credit ratings are generally a statement as to the institutions credit quality.

Ratings ranging from BBB- to AAA (long term) are considered investment grade.

A general guide as to the meaning of each credit rating is as follows:

AAA	<i>Extremely strong capacity to meet financial commitments (highest rating)</i>
AA	<i>Very strong capacity to meet financial commitments</i>
A	<i>Strong capacity to meet financial commitments, but somewhat more susceptible to adverse economic conditions and changes in circumstances</i>
BBB	<i>Adequate capacity to meet financial commitments with adverse economic conditions or changing circumstances more likely to lead to a weakened capacity of the obligor to meet its financial commitments</i>
BB	<i>Less vulnerable in the near term, but faces major ongoing uncertainties and exposures to adverse business, financial, and economic conditions</i>
B	<i>More vulnerable to non-payment than obligations rated 'BB', but the obligor currently has the capacity to meet its financial commitment on the obligation</i>
CCC	<i>Currently vulnerable, and is dependent upon favourable business, financial, and economic conditions to meet its financial commitments</i>
CC	<i>Currently highly vulnerable</i>
C	<i>Highly likely to default</i>
D	<i>Defaulted</i>

The **Bank Bill Swap Rate (BBSW)** is the average mid rate, for Australian Dollar bills of exchange, accepted by an approved bank, having regard to a designated maturity.

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<b>C11.3</b>	<b>Avalon &amp; Mona Vale Bowling Clubs - Temporary Rent Reductions</b>
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**Meeting:** Governance Committee

**Date:** 20 May 2013

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**STRATEGY:** Business Management

**ACTION:** Manage Council's Lease Portfolio

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## **PURPOSE OF REPORT**

To seek Council approval to the granting of a rent abatement to Mona Vale and Avalon Bowling Clubs.

### **1.0 BACKGROUND**

- 1.1 In February 2012 Council approved a rental rebate for the Newport Bowling Club in the form of a 50% reduction of rent for a five year period (backdated for the previous two financial years). This rebate applied only to the Clubhouse rent, not the Greens rent which is only \$500.00 per quarter. This was a compromise on the Clubs original requests for a 65% reduction and later a 100% reduction. A condition of the arrangement was that the money saved by the Club in rent be allocated towards future capital works as nominated by Council. In that report to Council it was foreshadowed that the rental reduction may well flow on to the other two Clubs at Mona Vale and Avalon.
- 1.2 Toward the end of 2012 both Mona Vale and Avalon Bowling Clubs approached Council in writing requesting (in the case of Mona Vale) that rent be reduced to zero and Council reimburse the Club for \$80,000.00 worth of maintenance costs and (in the case of Avalon) a five year rental holiday with money saved to go to repairs and maintenance of the asset.
- 1.3 It is true that Bowling Clubs generally throughout Sydney and the greater metropolitan area have been poorly patronised for the past five or more years and many are struggling to survive. Accordingly it is considered reasonable in this case to provide both Avalon and Mona Vale with conditions equal to those provided to the Newport Bowling Club in 2012.
- 1.4 The request for a rental abatement from Avalon Bowling Club is at **Attachment 1** and the request from the Mona Vale Bowling Club is at **Attachment 2**.
- 1.5 A copy of Council's previous resolution in respect of the Newport Club is at **Attachment 3**.

### **2.0 ISSUES**

#### **2.1 Reasons for refusal of previous rebate requests**

The request (from Mona Vale Bowling Club) for a 100% rebate was rejected because:

- it would place a substantial negative impact on Council's income budget;
- there would be no identifiable benefit to Council over the remaining term of the lease;
- there are other options for the Clubs to reduce their expenditure which should be explored in conjunction with a rent reduction;
- as noted below, rental represents less than 4% of the Clubs total expenditure leaving scope for other saving in the remaining 96% of the expenditure budget.

## 2.2 Rent as a component of total expenses

The rent paid by both Bowling Clubs represents less than 4% of their total expenditure as highlighted in the Clubs annual reports for year ending June 2012.

## 3.0 **SUSTAINABILITY ASSESSMENT**

### 3.1 **Supporting & Connecting our Community (Social)**

The saving in rental costs for the clubs will ensure the ongoing community service provided by the clubs will continue.

### 3.2 **Valuing & Caring for our Natural Environment (Environmental)**

There are no environmental implications

### 3.3 **Enhancing our Working & Learning (Economic)**

Granting the recommended 50% rebate for a five year term to both clubs will result in a reduced income to Council of approximately \$84,000.00 however as this money will be reserved for future capital expenditure the value of Councils assets will be preserved.

### 3.4 **Leading an Effective & Collaborative Council (Governance)**

There are no Governance implications.

### 3.5 **Integrating our Built Environment (Infrastructure)**

There are no infrastructure implications.

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## 4.0 **EXECUTIVE SUMMARY**

- 4.1 Bowling Clubs in Pittwater are experiencing a long period of poor patronage and increasing expenditure. The reduction in rental proposed will enable these facilities to continue to operate and provide service to the Pittwater community.

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## **RECOMMENDATION**

1. That Council agree to grant both the Avalon and the Mona Vale Bowling Clubs a 50% reduction in rental for a period of five years commencing from the 2013/14 financial year on condition that the money saved by the club as a result of the rent reduction be earmarked for future capital works as agreed with Council.
2. That the General Manager be authorised to execute any associated legal documentation under power of attorney.

Report prepared by  
George Veness, Senior Property Officer

Paul Reid  
**MANAGER, CORPORATE STRATEGY & COMMERCIAL**

**AVALON BEACH BOWLING & RECREATION CLUB LTD**

ABN 55 000 244 146  
Bowling Green Lane Avalon  
PO Box 46 Avalon NSW 2107  
Telephone 9918 3231  
Facsimile 9918 3205

2 November 2012

Mr Paul Reid  
Pittwater Council  
PO Box 882  
Mona Vale NSW 1660

Dear Paul,

**Re: Avalon Beach Bowls and Recreation Club**

I refer to our recent meeting and wish to advise that a new Board of Directors was elected at our AGM held on Sunday 28 October 2012. The Board has resolved to implement the recommendations agreed to by our members at our Extraordinary General Meeting held on 23 July 2012, which are designed to ensure the long term survival of our club.

To achieve our goal, we require Council's assistance. Below, we provide a summary of our club and our "as is" position, together with a background of our membership and our day to day activities. We trust that you will give our submission due consideration and we look forward to a positive response.

Also enclosed, is a submission put together by a couple of our members, largely covering the same issues, however, from a completely unique perspective. It clearly demonstrates the universal passion which our members hold for our club, the "Bowlo".

**Membership**

Avalon Bowling & Recreation Club currently has 68 bowling members, comprising 18 women and 50 men. Our Petanque members currently total 17 and we have 8 members in our Croquet club. In addition to the playing members, the club has 325 social members.

The membership represents a wide cross section of our local community and covers all age groups from late teens to early 90's.

AVALON BEACH BOWLING CLUB  
AVALON WOMEN'S BOWLING CLUB  
AVALON BEACH PETANQUE CLUB



## **Financials**

A copy of our 2011 – 2011 financial statement is enclosed. Note our loss for the year, and the gradual depletion of members' funds. Obviously this situation is unsustainable, hence our determination to rectify our position and secure our long term viability. Costs associated with un-planned maintenance and repairs were responsible for the blowout in costs from the previous financial year. The building's age – 54 years – is largely responsible for this.

I am able to report that YTD to end of October, our position has improved quite well as we have maintained strong discipline in cost cutting and staff work practices, whilst showing a small, but pleasing increase in trading.

Our club, as with most small businesses, and especially registered clubs, struggles with the forever increasing costs associated with business activities. Most of these cost increases are outside of our control, which means with wage increases, penalty rates and numerous additional compliance costs, margins are being squeezed continuously.

## **Sporting Activities**

Naturally, our sports focus is on lawn bowls. For a small club, we over achieve on the bowling green. In 2012 we entered 2 teams in the NSW State Pennants competition. The men belong to Zone 9, which covers the Northern Sydney region from Manly west to North Sydney, north to Asquith, then east to Palm Beach. There are approximately 48 bowls club in the region competing across grades 1 – 7. A total of 130 teams of 12 players compete each Saturday from early March until the end of May to qualify for the State Finals. Both our men's teams, in grade 3 and 6 won their sections, with grade 3 winning the playoffs for the right to represent Zone 9 in the State Finals at Inverell over the Bank Holiday long weekend.

Our Women bowlers enter one team each year. Their format has slight variations to the men, the main difference being that the women play on week days. For such a small group of women bowlers, their achievements are outstanding. The results over the past 3 years saw them competing in Grade 1 and finishing second at the end of the season.

We conduct 2 bowls carnivals each year – Golden Bowl at Easter and Koala Carnival in September. The Golden Bowl has a long and proud history at Avalon Beach. We run a mixed competition day and fill the greens with 104 bowlers from all corners of the peninsula and wider Sydney. The winners this year hailed from St Johns Park near Fairfield. The Koala Carnival is a womens day which again results in 104 bowlers who mostly reside on the Northern Beaches. The club secures a number of local businesses as generous sponsors for the day. These tournaments are an important facet of our yearly calendar as they showcase our beautiful area, our hospitality, and our unique situation and location.

Our club also has a long standing commitment to the Blind Bowlers Association. Every Tuesday morning we host bowlers who are legally blind, to allow them to enjoy the benefits of our game.

We also offer a bowling program to Barrenjoey High School for use in the sports program when required.

Barefoot bowls is offered to any social players outside of competition days. We regularly have numerous family groups utilizing our greens on Saturday afternoons and Sundays. The club maintains a number of second hand bowls sets to provide this service. We also help with basic instruction as the game is not as easy to master as most people assume.

Both our Petanque and Croquet clubs host social occasions on a regular basis.

### **Greens**

The club currently has 3 greens. Green 1, is located closest to Avalon Beach RSL Club, and is currently used for croquet and barefoot bowls. Green 2 is located directly in front of the main entrance to the clubhouse and Green 3 is located adjacent to Pittwater Palms and stands on land owned by our club. We spend in excess of \$60,000 per year on greens maintenance. The Board views Green 3 as an asset, which we hope to utilise to explore options to assist us to secure our financial future. Council may have an opinion on whether this is feasible and what options may be available to us. Our Treasurer recently approached our bank regarding the possibility of funding some necessary improvements to the club house. Their position was that the land was not appropriate for funding security.

### **Social Activities**

The club hosts a number of regular and casual events throughout the year. Winter evenings prove popular for birthdays and family events in the clubhouse. Our BBQ facilities and surrounds are regularly hired for social occasions. However, our main revenue stream is derived from Sunday afternoon bands. Approximately 3 years ago, our bar manager commenced monthly performances by a local jazz trio. These proved so popular that we had to increase the frequency to every fortnight. Soon the club was being approached every week by bands looking for local exposure. For the past 30 months we have had a band perform every Sunday from 3 pm until 6pm. We are very proud of the exposure we have provided for local high quality semi-professional bands. From our efforts, a number of Northern Beaches bowls clubs have implemented similar Sunday programs which has assisted a number of bands secure something approaching regular work. Avalon "bowlo" is now a sought after venue for bands trying to establish themselves in the very competitive music scene. Each Sunday we can have up to 150 patrons enjoying the afternoon sun, bbq and bowling outside and the band inside the clubhouse. Patronage is "eclectic", to say the least and cover all

demographics and age groups. The bands cater music tastes within the contemporary norm.

The exposure our club gains from this new group has resulted in a continuing increase in turnover, which frankly, is the major reason the club has survived till now. We are confident we have achieved this whilst maintaining good relationships with our near neighbors. Our complete focus on Sunday afternoons has assisted in this respect. On the rare occasion we have received a complaint, the staff have acted on it immediately. Usually, it simply requires some windows being closed.

### **Council Input**

Where does Council fit in to our present situation? We currently pay Council approximately \$17,000 per annum for our various leases associated with the clubhouse and grounds. We request that Council consider waiving our lease payments for 5 years. This will allow us to undertake the following works as additional funds become available.

**Bathrooms:** Earlier this year we undertook a minor update of the women's bathroom. This involved new hand basins, toilet bowls and cisterns, mirror and painting. Cost was \$2,700 excluding volunteer labour. Works still required include wall and floor tiling. Additional cost to complete the job is \$ 3,500 excluding volunteer labour.

The men's bathroom requires total updating. We estimate that the total job can be completed using almost exclusively volunteer labour, for approximately \$15,000.

**Painting:** The club requires painting inside and out. We can expect significant volunteer help, however, materials and professional painters would involve costs approximating \$ 15,000 outside and \$10,000 inside.

**Gardens:** The garden beds require culling, thinning and replanting. Recent works include establishing a new garden bed on the north eastern corner of the building, and removal of the hedge which had over grown on the north western corner. Plants and materials together with some professional help would involve approximately \$3,000 in total costs.

**Garbage bin screening:** The screen that hides the garbage bins and surplus items on the south east corner requires renewal. Material costs with some professional assistance would involve total cost of approximately \$3,000. This screening is visible to all patrons that enter from Bowling Green Lane, which is effectively our front door. A more appealing entrance to the club from that direction has a high priority.

The club is fortunate to have members that cover most building trades. This permits us to undertake most works for the absolute minimum costs. We also have a good working relationship with local suppliers who are keen to support the local community. There will also be maintenance issues requiring urgent repairs that we cannot predict due to the age of the building, over and above the numerous small jobs that need attention.

### **Conclusion**

Should Council agree to our proposal we would undertake to guarantee that any savings from Council lease payments were quarantined exclusively for the above mentioned maintenance program. Our Treasurer is currently in the process of establishing a separate building fund account with our local bank. A suggestion was raised at our extraordinary general Meeting that some members may be interested in making donations to such a fund. Included in our notice of our AGM to members , was a request for donations. To date we have received a pleasing number of replies, with more promised. This will allow us to soon commence some of the smaller jobs. The monthly Council lease payment would be diverted to the building fund for the duration of our agreement with Council. This would ensure that Council's asset is upgraded and improved.

The current members and Board appreciate that we are the custodians for future generations to enjoy the facility we are fortunate to inhabit. We want to improve the building so that even members of our local community are motivated to utilise this public facility. When the club was established in 1954, bowls was a popular sport played by a significant proportion of the population. Bowlers could sustain the club and provide for its future which is not possible now.

We are happy to have as many local people sample our facility to help them understand what a valuable asset the community has in the Avalon Beach Bowling and Recreation Club. We trust that Council will view this proposal favorably.

Yours truly,



John Davis  
President.



ABN 70 000 208 195

## *Mona Vale Bowling Club Limited*

1598 PITTWATER ROAD,  
MONA VALE 2103  
PHONE: 9999 3271  
PHONE/FAX: 9999 2631

Attention Mayor Jacqueline Townsend

Dear Jacqueline,

I am writing to you via this registered letter in order that we may finally be able to get someone in Council to acknowledge our correspondence and or our efforts to contact you personally by phone in order we can resolve outstanding issues which directly affect the viability of our club. The main point of conjecture seems to be that since we are forced to pay rent on the clubhouse our members built we need to have a clear understanding of just what are Councils responsibilities as regards maintenance.

For instance since I have been President of the club we have identified several issues that need immediate attention only to be told Council has little or no money and hence we have been asked to contribute half the costs. I am sure I do not need to remind you bowling clubs by their very nature are catering to by and large the senior age group and that these people are on very limited incomes. With that in mind you can easily understand we are not exactly swimming in spare cash with our greens alone costing us \$100,000.00 per year and getting more expensive as the years pass. Far from actually paying rent on our own building we would not unreasonably look forward to some sort of annual grant from Council acting as a rebate so older members relying on the pension can actually afford to enjoy this form of recreation and exercise.

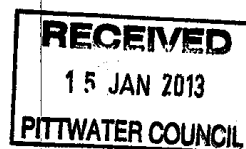
We note and have no issue with the fact Council wants to build a large skate park for the younger members of the municipality but we also note these people will not be paying anything for this facility whereas we built and paid for ours and in most cases our members have been paying rates for years in Pittwater plus we are asked to pay rent not only on the clubhouse but the green space too which as mentioned costs upwards of \$100,000.00 per annum to keep in pristine condition. The question thus needs to be put where is the equity between young and old?

Given we have tried without success to resolve our issues which include Council reimbursing us for over \$80,000 worth of maintenance the club has spent whilst at the same time paying rent we have taken the extraordinary step of ceasing all rent and rates payments until we can resolve this issue and work out a way forward. We are aware Newport Bowling Club has negotiated rent reductions but are pushing ahead to have this cut to zero. We at the very least feel we should be reimbursed for monies spent since it on property Council ultimately owns then we can move forward on a rent free basis with us being responsible for maintenance unless Council can come up with a compelling reason as to why our request is not reasonable.

Please note we supply free music almost every Sunday to all the rate payers of Pittwater and their guests at no charge plus we make the club available to service clubs like Probus. Service clubs and fund raising days do virtually nothing for the club yet we happily provide the space being aware of our responsibilities to Pittwater.

Looking forward to hearing from you in the very near future.  
Yours Sincerely

Roger Manning  
President



***MINUTE ITEM*****C10.6 Newport Bowling Club - Request for Rent Abatement****Meeting:** Governance Committee**Date:** 20 February 2012**COMMITTEE RECOMMENDATION**

1. That Council agree to grant the Newport Bowling Club a 50% reduction in rental for a period of five years commencing from the 2009/2010 financial year
2. That the money saved by the club as a result of the rent reduction be earmarked for future capital works as agreed by Council.
3. That the General Manager be authorised to execute any associated legal documentation under power of attorney.

(Cr Giles / Cr James)

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<b>C11.4</b>	<b>Road Closure and Sale 58, 64 and 66 Herbert Avenue Newport</b>
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**Meeting:** Governance Committee

**Date:** 20 May 2013

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**STRATEGY:** Business Management

**ACTION:** Manage Councils Commercial Activities

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## **PURPOSE OF REPORT**

To seek Council approval to the road closure and sale of road reserve adjoining the three properties at 58, 64 and 66 Herbert Avenue, Newport.

### **1.0 BACKGROUND**

- 1.1 The owners of the subject properties have applied for road closure and sale of a portion of road reserve adjoining their properties for the purpose of constructing car ports or garages in the future. The applications were made under the provisions of Councils Streetscape Management Guidelines. Plans of the areas proposed to be closed are shown at **Attachments 1, 2 and 3** and a locality plan showing the subject areas hatched is at **Attachment 4**. It is noted that properties at 60 and 68 Herbert Avenue acquired road reserve adjacent to their properties some years ago. Herbert Avenue is a narrow road and difficult to navigate when vehicles are parked on either side. Enabling property owners to secure off street parking provides safety benefits to both pedestrians and motorists using this road.

As the valuations for each lot are identical due to similarity of size and location one sample valuation (66 Herbert Avenue) is included at **Attachment 5** for brevity.

One of the properties involved belongs to a Council staff member who has taken no part in the process.

The proposal was endorsed by PAMP at its meeting on 20 March 2013.

### **2.0 ISSUES**

#### **2.1 Pittwater Streetscape Management Guidelines**

Section 14 of the guidelines provides a permanent tenure solution to existing or proposed permanent structures on road reserve. In accordance with the guidelines the following are relevant issues:

- Any land to be sold will be valued by a Registered Valuer who shall take into account the adjusted current market value of the whole site as a consequence of the addition of the subject road reserve area and any benefits it provides.
- All costs associated with the process are to be borne by the applicant
- All such land sales may include restrictions on the use of the additional land for subdivisional, dual-occupancy or building purposes.

## **2.2 Road Assessment**

Council's Urban Infrastructure Unit has assessed that the subject areas of road reserve will not be required for future public use and has no objections to the road closure and sale but have required the applicants to modify the depth of land required to fall in line with each other and the existing two previous sale areas to ensure an even streetscape. Herbert Avenue is a cul de sac road that has a 20 metre wide road reserve which is an overly generous width for this hierarchy of road asset. In this context and given the steep cross-terrain, only a narrow width is available and practical for core road use. The road construction consists of 'cut' and 'fill' with a retaining wall along the low side of the road and a steep batter slope on the high side. The through road is narrow and on street parking is difficult due to the narrow road shoulder. This also affects the ability to gain access for garbage trucks and other service vehicles.

To improve road safety and amenity, more off street parking is encouraged. Given the steep drops offs on the low side the only way that this alternate parking can be practically achieved is via a suspended driveway and garaging structure. If this were to be provided entirely on private property it would require a much longer and more elevated structure and hence have a further adverse impact on residual landscape areas. By bringing the parking structure closer to the road it has a number of mutual advantages

Because these parking structures are permanent they cannot be accommodated by a road reserve lease and as such the road reserve land needs to be acquired by the adjoining property owner. Rather than just catering for the footprint of the structure a full frontage road reserve closure is facilitated. Once acquired this provides a permanent off-street carpark solution.

The proceeds from the road asset sales are to be used on road asset outcomes, in particular footpath improvements identified in the Walks & Rides Strategy. This provides an additional funding source to help bring forward additional footpath infrastructure for the community.

In the case of Herbert Avenue, given the level of interest in this form of off-street car parking and similar site constraints, a more cost effective approach would be to effect a strip road closure for the entire length of this street and thereby provide a future opportunity for other adjoining residents to acquire relevant segments of this land. This broader approach may have merit in other locations as well and its feasibility could be further investigated.

## **2.3 Service Providers**

Service providers including Ausgrid, Sydney Water, Telstra, RMS and the relevant Gas Company have been consulted and have no objections.

## **2.4 Neighbouring Properties**

The proposals have been notified to neighbouring properties at 62, 55, 60, 56, 68, 57, 59 and 49 Herbert Avenue none of whom have any objection.

## **2.5 Use of funds from road closure and sale.**

Section 43(4) of the Roads Act states that "Money received by a council from the proceeds of sale of the land is not to be used by the council except for acquiring land for public roads or for carrying out road works on public roads" Such road works may include pavement strengthening, retaining structures or streetscape improvements.



## 2.6 Land Value

The land value has been assessed by an independent valuer in accordance with the Streetscape guidelines endorsed by Council. The valuer has placed a value of \$25,000.00 for each parcel. A total of \$75,000.00.

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## 3.0 SUSTAINABILITY ASSESSMENT

### 3.1 Supporting & Connecting our Community (Social)

The sale of non-core road reserve land assets provides funding for much higher priority road outcomes, in particular for footpath construction. This helps to accelerate the provision of additional high priority pedestrian linkages as per the Walks & Rides Strategy to connect communities and improve safety and amenity.

### 3.2 Valuing & Caring for our Natural Environment (Environmental)

The sale of these portions of road reserve will allow the respective landowners to provide off street parking contributing to safer pedestrian and vehicular access along Herbert Avenue. The use of overly wide road reserves to provide more effective off street carpark solutions reduces environmental impact otherwise associated with much longer driveway and carpark constructions. The same applies to the high side of roads e.g. at Whale Beach Road where garages have been recessed into the hillside near the road rather than far more extensive driveway excavations and garaging further into the property. Restrictions on use of the acquired land can help to retain the environmental characteristics.

### 3.3 Enhancing our Working & Learning (Economic)

The road closure and sale of these three sections of road reserve will provide \$75,000.00 to Council to contribute to roadworks and footpaths in Pittwater. There is an economic advantage to the adjoining owner in acquiring the road reserve to achieve a more practical and less costly carpark solution. Normally this off street carpark approach arises as part of a Development Application requirement. However there is also interest (not related to a development requirement) to achieve a safer carpark outcome to improve current circumstances. For the broader community there is the advantage of the sale proceeds being used to bring forward much needed road related infrastructure, in particular footpaths. This conversion of land that has little or no net community benefit to fund high priority community infrastructure outcomes has significant economic advantage.

### 3.4 Leading an Effective & Collaborative Council (Governance)

The proposed road closure and sale complies with Council's Streetscape Management Guidelines and Policy No 193, "Road Reserve & Streetscape Management". In accordance with the Roads Act the proceeds from the sale of road reserves needs to be utilised for road related outcomes. Land values are determined by independent valuation.

To reduce administrative costs, including road closure and subdivision, there may be merit in effecting longer length road strip closures where appropriate - this also has the advantage of providing a uniform approach and interconnection of road reserve parcels.

The proceeds from the sale of non core road reserve segments helps to fund high priority core road asset improvements that can significantly improve safety and amenity for the community now.

### 3.5 Integrating our Built Environment (Infrastructure)

These sales will lead to an improvement of roadway and pedestrian infrastructure in Pittwater.

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#### **4.0 EXECUTIVE SUMMARY**

- 4.1 The proposed road closure and sale complies with Council's Streetscape Management Guidelines and Policy No 193, "Road Reserve & Streetscape Management" and will provide financial resources to assist with ongoing road works and will provide financial assistance for high priority road asset improvements, in particular the provision of further footpath infrastructure associated with the Walks & Rides Strategy
- 4.2 The proposal has been endorsed by the Pittwater Asset Management Panel at its meeting on 5 September 2012.

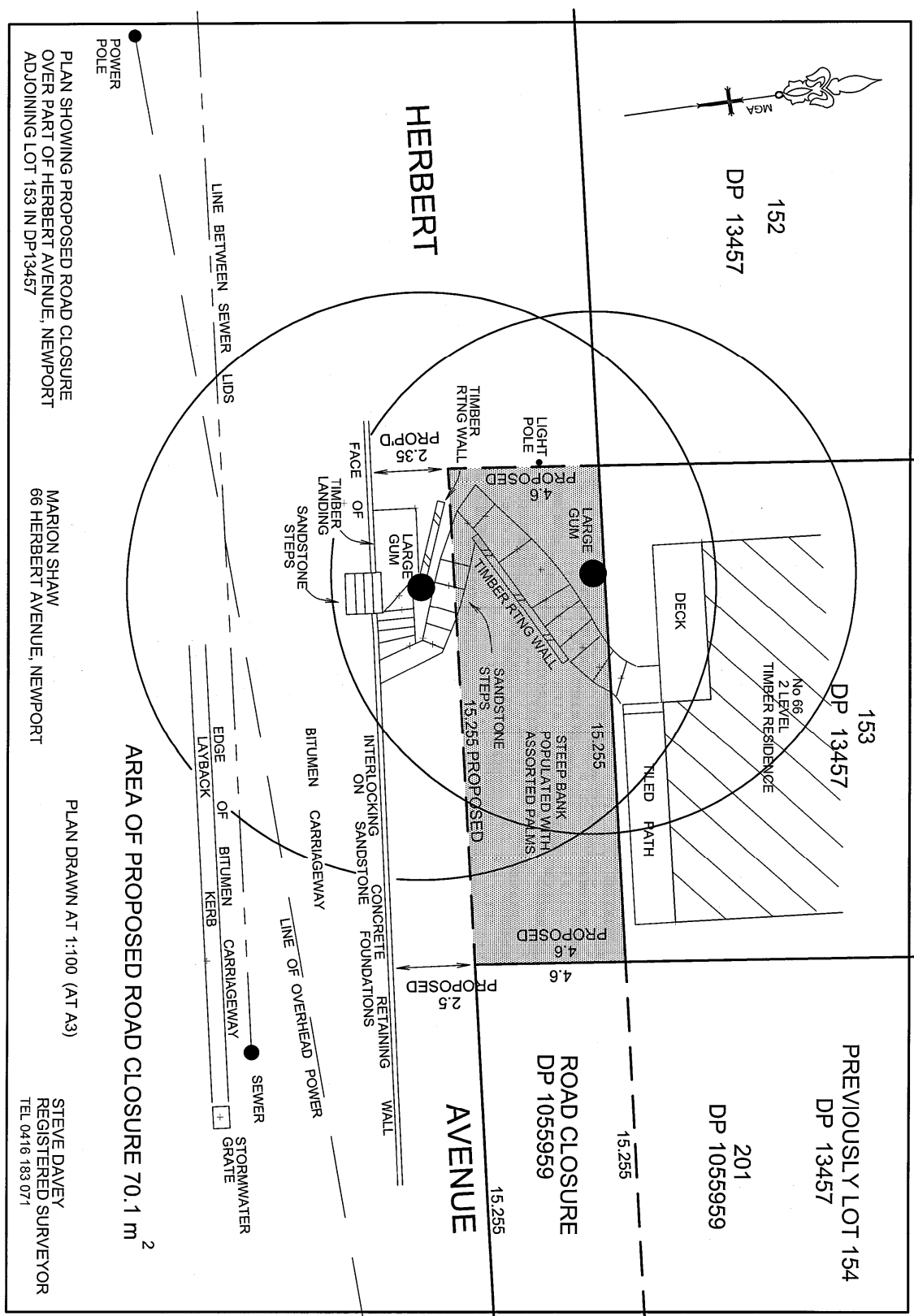
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#### **RECOMMENDATION**

1. That Council agree to the road closure and sale of the portions of road reserve adjoining the properties above at the valuation figures of \$25,000.00 each (plus GST) together with all associated costs and those funds be allocated to road reserve infrastructure improvements, in particular priority footpath upgrades associated with the Walks & Rides Strategy.
2. That further opportunities to convert non-core road reserve assets to help fund high priority road asset outcomes be further explored to further assist the roll out of the Walks & Rides Strategy and other priority road related upgrades.
3. That the General Manager be authorised to execute relevant documents under power of attorney.

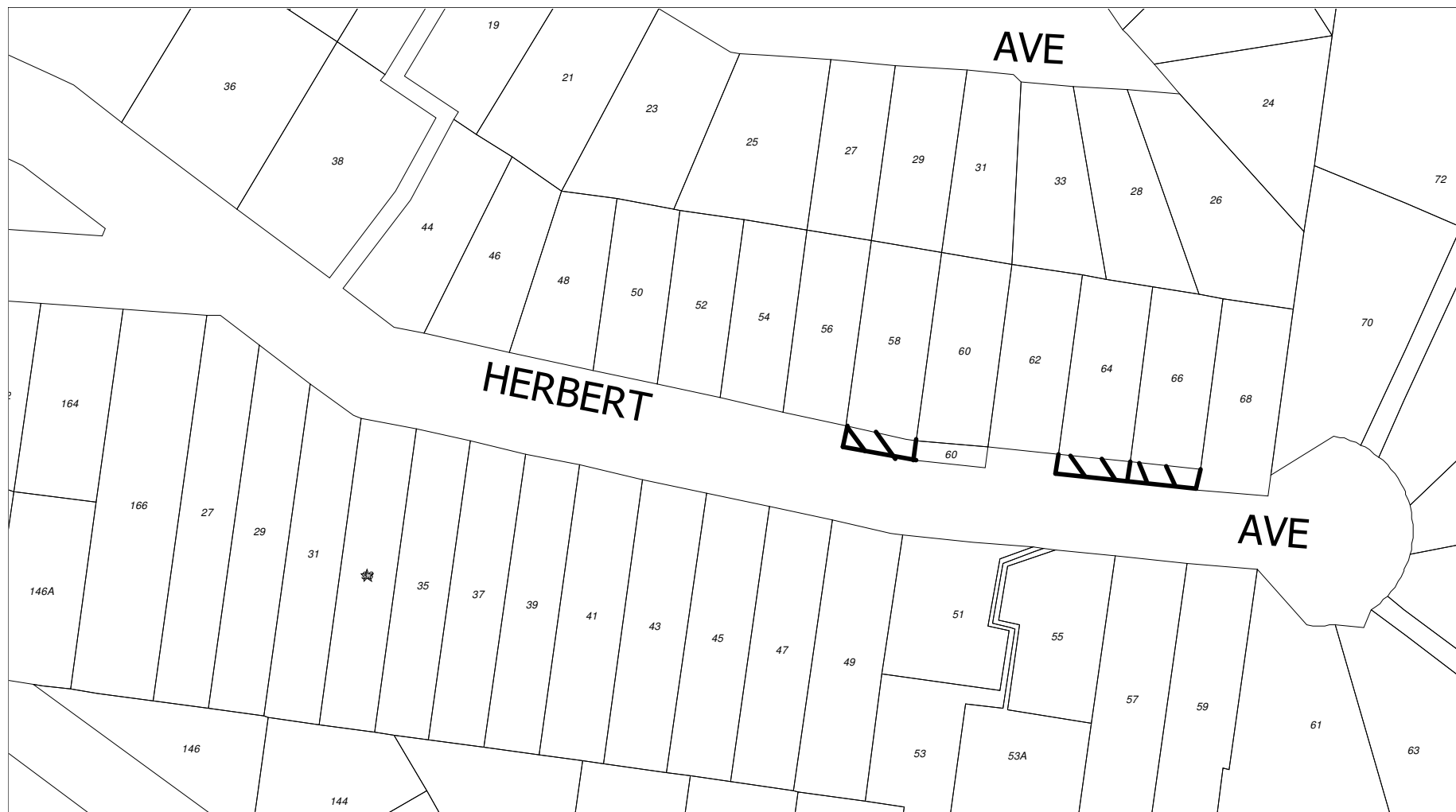
Report prepared by  
George Veness, Senior Property Officer

Paul Reid  
**MANAGER, CORPORATE DEVELOPMENT & COMMERCIAL**









**J Garth Kirkland Valuations**

Licence No: VAL025290

**VALUATION  
ON  
ROAD RESERVE  
ADJACENT TO  
66 HERBERT AVENUE  
NEWPORT NSW 2106**

**SUBJECT PROPERTY:** Road reserve adjacent to the southern boundary of 66 Herbert Avenue, Newport NSW 2106

**INSTRUCTED BY:** We have been instructed by Pittwater Council.

**PURPOSE OF VALUATION:** Determination of the market value of the land for the sale of the land by Pittwater Council to the owners of 66 Herbert Avenue, Newport.

**DATE:** 11 MARCH 2013



**INSTRUCTIONS:**

We have been instructed to value the road reserve as outlined on the attached survey for the purpose of acquisition by George Veness, Senior Property Officer, Pittwater Council.

**DESCRIPTION OF THE LAND:**

The land is currently part of the Pittwater Council's road reserve and hence has no Lot or Deposited Plan number attributed to the 68 square meters identified by the attached survey.

This land is set approximately 3 meters below the road and steeply slopes to the north with a minor cross fall to the west.

At the time of our inspection there were no improvements on the land with the exception of some minor landscaping and access stairs.

**LAND DIMENSIONS:**

Eastern boundary	4.6 meters
Western boundary	4.6 meters
Southern boundary	15.255 meters
Northern boundary	15.255 meters
Total area	68 square meters

**ADJOINING LAND:**

The adjoining land has a legal description of Lot 153 in Deposited Plan 13457.

Under the First Schedule of the Certificate of Title Mark Andrew Shaw and Marion Shaw noted as the registered owners as joint tenants.

This land slopes down to the north with a slight cross-fall from east to west. The area of this land is approximately 550 square meters and is regular in shape and typical of the area.

Currently there is a two storey residence on the land which appears to have been originally constructed in the 1970s. There is no indication of easements or other impediments to or upon the land.

**ZONING:** Indicated on the Pittwater council zoning map, the land is part of Herbert Avenue. The adjoining land is zoned 2a (Residential A) and within a Foreshore Scenic Protection Zone under the Pittwater LEP.

**LOCALITY:** Herbert Avenue is a quiet residential street with no through traffic. The land is generally steep and located in a designated slip zone. Most of the sites have been built on.

**VALUATION RATIONALE:** The methodology of this valuation is to assess the value of the subject road reserve land by the increase in the value of the land being 66 Herbert Avenue (subject property) should the two be amalgamated. We are aware of two transfers that have occurred at 68 and 60 Herbert Avenue for similar sized lots. These sales occurred in December 2002 and May 2004. Although these sales were many years ago it is my opinion that the market has had up and down swings but with no substantial change in this end of the market. If anything it is generally accepted that mid 2003 was the peak of the market.

There is a clear lack of genuine comparable land sales that would indicate direct evidence to increase of value.

In arriving at our valuation we have considered the past road closures and general state of the market when deciding the additional value added to 66 Herbert Avenue.

**VALUATION:** \$25,000 (twenty five thousand dollars)

**VALUER:** John Garth Kirkland  
Registered Valuer Licence No VAL025290



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## **C11.5 Appointment of Code of Conduct Review Panel**

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**Meeting:** Governance Committee

**Date:** 20 May 2013

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**STRATEGY:** Business Management

**ACTION:** Maintain and service Council's range of Committees and to provide administrative support to elected Councillors

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### **PURPOSE OF REPORT**

To report to Council on the process for appointment and recommendations for appoint of members to Pittwater Council's panel of conduct reviewers.

#### **1.0 BACKGROUND**

- 1.1 Council at its meeting held on 18 February 2013 adopted a new Code of Conduct and procedures and appointed complaints coordinators to manage complaints made under the new code.
- 1.2 Council is also required to appoint a panel of conduct reviewers from which the General Manager can appoint either a sole reviewer or a Committee to investigate and report on complaints made under the code by 30 September 2013.
- 1.3 As previously reported Council has partnered with the other SHOROC Councils and a process of advertising for Expressions of Interest and Interview has now been completed and each Council is now required to appoint a panel for the term of this Council.
- 1.4 Although the advertising and interview process for the panel was undertaken jointly it is anticipated that each Council's panel will have differing appointments.

#### **2.0 ISSUES**

- 2.1 In response to the SHOROC Expression of Interest, 95 applications were received.
- 2.2 Of the 95 applications seven (7) applicants were selected for panel consideration without interview as each had previously gone through a rigorous selection process for the appointment of interim conduct review panels and the selection panel considered that it would be inappropriate to ask them to go through a similar process again in such a short period of time.
- 2.3 A panel made up of a representative from each of the four (4) SHOROC Councils reviewed each of the remaining applications and were able to cull the list for interview to thirteen (13) with one applicant withdrawing prior to the interviews progressing and two (2) unavailable for interview due to personal or work issues.
- 2.4 The applications were of a high standard with all possessing a legal qualification of kind and some having previous experience in investigation processes and on Conduct Review panels in the past.

- 2.4 Interviews were conducted at Warringah Council on 1 May 2013 and each Council representative will be required to report to their Council on their recommendation for appointment to their panel and to notify the successful applicants. SHOROC will undertake to notify the unsuccessful applicants on behalf of each Council.
- 2.5 The persons recommended for appointment to Pittwater Council's Conduct Review Panel are as follows:-
- John Boland  
Adam Halstead  
Annette Simpson  
Peter Givorshner  
Alison Cripps  
Margaret Fahy  
Richard Pinson  
Kath Roach  
Peter Taylor  
John Lawrence  
John McAteer  
Jocelyn Sparks  
Wendy Klaassen  
Kathy Thane  
Tim Rogers
- 2.6 The recommended panel comprises fifteen (15) members however there is no cost to Council by merely having them appointed to the panel. The only cost to Council arises when they are appointed to hear a Conduct matter at which time they will receive an agreed hourly rate of \$270 plus gst as a sole reviewer or \$400 plus gst per meeting as part of a review committee.
- 2.8 The General Manager has had no involvement in this selection process which is a requirement of the new Code.

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### **3.0 SUSTAINABILITY ASSESSMENT**

#### **3.1 Supporting & Connecting our Community (Social)**

This report has no effect on this key direction

#### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

This report has no effect on this key direction

#### **3.3 Enhancing our Working & Learning (Economic)**

The appointment of a sole reviewer or panel to undertake code of conduct investigations is a costly and unbudgeted exercise and as such any investigation would need to be funded from the legal expenses vote, which is already well utilised.

#### **3.4 Leading an Effective & Collaborative Council (Governance)**

Council's code of conduct sets stringent guidelines and direction for the conduct of councillors and staff. Compliance with the code and a stringent process around investigations into breaches of the code helps to instil public confidence in the Council's ability to undertake its corporate responsibilities in a professional, ethical and transparent way.

#### **3.5 Integrating our Built Environment (Infrastructure)**

This report has no effect on this key direction

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#### **4.0 EXECUTIVE SUMMARY**

- 4.1 Council has joined with the other three (3) SHOROC Councils to undertake a selection process for the appointment of a Code of Conduct review panel.
- 4.2 Each Council will be appointing its own panel and it is expected that none of the SHOROC Councils will have the same membership, which it is entitled to do.
- 4.3 The General Manager was not entitled to be involved in this process and as such delegated the selection process to the Manager Administration and Governance.
- 4.4 Following the interview process a panel comprising fifteen (15) experienced and well qualified persons were selected and are now recommended for formal adoption by the Council.
- 4.5 The interim panel that existed prior to this process will be disbanded and it should be noted not having been required to undertake an investigation of any breach since its appointment in 2008. This record is exceptional and provides a clear indication to the public that Pittwater Council has an enviable record of ethical and honourable behaviour.

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#### **RECOMMENDATION**

1. That the following persons be formally appointed to Council's Code of Conduct Review Panel :-

John Boland  
Adam Halstead  
Annette Simpson  
Peter Givorshner  
Alison Cripps  
Margaret Fahy  
Richard Pinson  
Kath Roach  
Peter Taylor  
John Lawrence  
John McAteer  
Jocelyn Sparks  
Wendy Klaassen  
Kathy Thane  
Tim Rogers
2. That the rate for work undertaken by the panel be set at \$270 per hour plus GST as a sole reviewer and \$400 plus GST per meeting as part of a review Committee.
3. That the interim Conduct Review Panel be disbanded and the members be advised accordingly.

Report prepared by

Warwick Lawrence  
**MANAGER, ADMINISTRATION & GOVERNANCE**

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## **Planning an Integrated Built Environment Committee**

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### **12.0          Planning an Integrated Built Environment Committee Business**

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<b>C12.1</b>	<b>N0016/13 - 105 Elimatta Road Mona Vale - Alterations and additions</b>
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**Meeting:** Planning an Integrated Built Environment Committee

**Date:** 20 May 2013

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**STRATEGY:** Land Use Development

**ACTION:** Provide an effective development assessment and determination process

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## **PURPOSE OF REPORT**

To inform the Committee of the Development Unit's recommendation following consideration of development application N0016/13 for alterations and additions at 105 Elimatta Road Mona Vale.

### **1.0 BACKGROUND**

- 1.1 The Development Unit at its meeting held on Thursday 2 May 2013 considered the Development Officer's report (refer **Attachment 1**) for determination of development application N0016/13 for alterations and additions at 105 Elimatta Road Mona Vale.

### **2.0 REASON FOR REFERRAL TO COUNCIL**

- 2.1 Cr Townsend has called this development application to Council for determination.

### **3.0 DEVELOPMENT UNIT DELIBERATIONS**

- 3.1 The Development Unit resolved to endorse the Assessing Officer's recommendation of granting development consent subject to the conditions in the draft determination.

### **4.0 ISSUES**

- B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land
- C1.1 Landscaping
- C1.3 View Sharing
- C1.5 Visual Privacy
- D9.1 Character as viewed from a public place
- D9.6 Front building line
- D9.9 Building envelope
- D9.11 Site coverage - Environmentally Sensitive Land

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### **5.0 SUSTAINABILITY ASSESSMENT**

- 5.1 The relevant environmental, social and economic issues have been addressed within the attached report.

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## **6.0 EXECUTIVE SUMMARY**

- 6.1 The application was considered by the Development Unit at its meeting held on 2 May 2013 and endorsed the Assessing Officer's recommendation for approval subject to the conditions in the draft determination.

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## **RECOMMENDATION**

That the recommendation in the Development Officer's report be endorsed and development application N0016/13 for alterations and additions at 105 Elimatta Road Mona Vale be granted development consent subject to the conditions contained in the draft determination.

Report prepared by  
Gabrielle Angles, Principal Officer - Administration

Warwick Lawrence  
**MANAGER – ADMINISTRATION & GOVERNANCE**



**SUBJECT:** N0016/13 - 105 Elimatta Road, Mona Vale (Lot 7 DP 236611)  
Alterations and additions

**Determination Level:** Development Unit

**Date:** 2 May 2013

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**SUMMARY OF RECOMMENDATION  
CONSENT WITH CONDITIONS**

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**REPORT PREPARED BY:** Joshua Real  
**APPLICATION SUBMITTED ON:** 19/04/2013  
**APPLICATION SUBMITTED BY:** SARAH JANE REILLY  
105 ELIMATTA ROAD  
MONA VALE 2103

**OWNER(S):** REILLY, AARON STEPHEN (OwnResOcc)  
REILLY, SARAH JANE (OwnResOcc)

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**1.0 DEVELOPMENT CONTROLS**

The site is zoned 2(a) Residential under the provisions of Pittwater Local Environmental Plan 1993. The proposed alterations and additions are permissible with consent. The following relevant local and state policies apply to this site:

- Pittwater Local Environmental Plan (LEP) 1993;
- Pittwater 21 Development Control Plan (Amendment 7);
- Geotechnical Risk Management Policy for Pittwater 2009.

**2.0 NOTIFICATIONS**

- 9 property owners notified
- 2 submission/s received

**3.0 ISSUES**

- B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land
- C1.1 Landscaping
- C1.3 View Sharing
- C1.5 Visual Privacy
- D9.1 Character as viewed from a public place
- D9.6 Front building line
- D9.9 Building envelope
- D9.11 Site coverage - Environmentally Sensitive Land

#### 4.0 COMPLIANCE TABLE

- T - Can the proposal satisfy the technical requirements of the control?
- O - Can the proposal achieve the control outcomes?
- N - Is the control free from objection?

Control	Standard	Proposal	T	O	N
<b>REF - Development Engineer</b>					
B3.1 Landslip Hazard			Y	Y	Y
B3.22 Flood Hazard - Flood Category 3 - All Development			-	-	-
B5.4 Stormwater Harvesting			-	-	-
B5.7 Stormwater Management - On-Site Stormwater Detention			-	-	-
B5.8 Stormwater Management - Water Quality - Dwelling House, Dual Occupancy and Secondary Dwellings			-	-	-
B5.10 Stormwater Discharge into Public Drainage System			-	-	-
B5.12 Interim Draft - Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.14 Stormwater Drainage Easements (Public Stormwater Drainage System)			Y	Y	Y
B6.1 Access Driveways and Works on the Public Road Reserve - Dwelling House and Dual Occupancy			Y	Y	Y
B6.3 Internal Driveways - Dwelling Houses and Dual Occupancy			Y	Y	Y
B6.5 Off-Street Vehicle Parking Requirements - Dwelling Houses, Secondary Dwellings and Dual Occupancy			Y	Y	Y
B8.1 Construction and Demolition - Excavation and Landfill			-	-	-
B8.2 Construction and Demolition - Erosion and Sediment Management			Y	Y	Y

Control	Standard	Proposal	T	O	N
B8.3 Construction and Demolition - Waste Minimisation			Y	Y	Y
B8.4 Construction and Demolition - Site Fencing and Security			-	-	-
B8.5 Construction and Demolition - Works in the Public Domain			Y	Y	Y
B8.6 Construction and Demolition - Traffic Management Plan			-	-	-
<b>REF - Health</b>					
B5.2 Wastewater Disposal			-	-	-
B5.3 Greywater Reuse			-	-	-
<b>REF - Natural Resources</b>					
B1.4 Aboriginal Heritage Significance		No apparent issues.	Y	Y	Y
B3.5 Acid Sulphate Soils		No issues. Acid Sulphate Region 5 only.	Y	Y	Y
B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land			Y	Y	Y
C1.1 Landscaping			Y	Y	Y
<b>REF - Planner</b>					
EPA Act Section 147 Disclosure of political donations and gifts			Y	Y	Y
3.1 Submission of a Development Application and payment of appropriate fee			Y	Y	Y
3.2 Submission of a Statement of Environmental Effects			Y	Y	Y
3.3 Submission of supporting documentation - Site Plan / Survey Plan / Development Drawings			Y	Y	Y
3.4 Notification			Y	Y	Y
3.5 Building Code of Australia			Y	Y	Y
3.6 State Environment Planning Policies (SEPPs) and Sydney Regional Environmental Policies (SREPs)			Y	Y	Y
4.1 Integrated Development: Water Supply, Water Use and Water Activity			-	-	-

Control	Standard	Proposal	T	O	N
4.5 Integrated Development: Aboriginal Objects and Places			-	-	-
4.7 Integrated Development - Roads			-	-	-
5.3 Referral to NSW Department of Environment and Climate Change (DECC)			-	-	-
A1.7 Considerations before consent is granted			Y	Y	Y
B1.3 Heritage Conservation - General			Y	Y	Y
B3.6 Contaminated Land and Potentially Contaminated Land			Y	Y	Y
B5.2 Wastewater Disposal			Y	Y	Y
B5.3 Greywater Reuse			Y	Y	Y
B5.12 Interim Draft - Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-
C1.2 Safety and Security			Y	Y	Y
C1.3 View Sharing		See discussion	Y	Y	N
C1.4 Solar Access		A submission was received in regards to solar access at 103 Elimatta Road. The shadow diagrams show that as the properties are north-south orientated, that the proposed carport will only shade the front entry of 103 Elimatta Road in the early afternoon from around 2pm onwards. As this is not the main area of entertainment it is considered acceptable.	Y	Y	N
C1.5 Visual Privacy		See discussion	Y	Y	N
C1.6 Acoustic Privacy			Y	Y	Y
C1.7 Private Open Space			Y	Y	Y
C1.9 Adaptable Housing and Accessibility			-	-	-
C1.12 Waste and Recycling Facilities			Y	Y	Y
C1.13 Pollution Control			Y	Y	Y
C1.14 Separately Accessible Structures			-	-	-
C1.17 Swimming Pool Safety			Y	Y	Y
C1.19 Incline Passenger Lifts and Stairways			-	-	-
C1.23 Eaves			Y	Y	Y
C1.24 Public Road Reserve - Landscaping and Infrastructure			Y	Y	Y

Control	Standard	Proposal	T	O	N
C1.25 Plant, Equipment Boxes and Lift Over-Run			Y	Y	Y
D9.1 Character as viewed from a public place		See discussion	Y	Y	N
D9.2 Scenic protection - General			Y	Y	Y
D9.3 Building colours and materials			Y	Y	Y
D9.4 Height - General	Maximum height limit of 8.5m	The proposed development has a maximum height of 7m which complies with the control.	Y	Y	Y
D9.6 Front building line	Front building setback of 6.5m	Front setback of 0.75m. See discussion for further details.	N	Y	N
D9.7 Side and rear building line	Side setbacks of 1.0m and 2.5m and rear setback of 6.5m	The proposed development has a side setback to the dwelling of 2.25m from the eastern boundary and 1.8m from the western boundary. The proposed carport has a 1m setback to the eastern boundary. There is a minor non compliance regarding the proposed bay window in bedroom 2 on the eastern side of the dwelling. The non compliance is acceptable given the 1.8m side setback on the western boundary.	N	Y	Y
D9.9 Building envelope		See discussion	N	Y	Y
D9.11 Site coverage - Environmentally Sensitive Land	Maximum site coverage of 40% and minimum landscaped area of 60%	See discussion	N	Y	N
D9.12 Fences - General			-	-	-
D9.14 Construction, Retaining walls, terracing and undercroft areas			Y	Y	Y
SEPP (Building Sustainability Index: BASIX) 2004			Y	Y	Y
Other State Environmental Planning Policies (SEPPs)			Y	Y	Y

\*Issues marked with an **x** are discussed later in the report.  
Issues marked with a - are not applicable to this Application.

## 5.0 SITE DETAILS

The property is known as 105 Elimatta Road Mona Vale and has a legal description of Lot 7, DP 236611. The site is regular in shape and is located on the north side of Elimatta Road. The site has a total site area of 802.1 sq m. Located on the site is a two storey residence and is surrounded by two storey residences.

## 6.0 PROPOSAL IN DETAIL

The applicant seeks consent for the following:  
Extend the kitchen and bedroom over the existing deck  
Construct new covered timber deck adjacent to living areas  
Construction of a double carport

## 7.0 BACKGROUND

Development application N0016/13 was notified to adjoining property owners in accordance with Council's notification policy. The application was referred to Council's engineering, natural resource officer for comment.

## 8.0 STATE ENVIRONMENTAL PLANNING POLICY NO. 1 - DEVELOPMENT STANDARDS (SEPP No. 1)

The application of SEPP NO. 1 is not required.

## 9.0 EXISTING USE RIGHTS

Does the proposal rely on Existing Use Rights? No

## 10.0 DISCUSSION OF ISSUES

- **B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land + C1.1 Landscaping**

Pittwater Council's Natural Resources officer provided the following comments:

*The property consists of a modified landscape typical of a suburban garden. The proposed works include extensions to the rear and construction of a carport in the front yard. There are no significant trees or vegetation within close proximity to the proposed works as all works will be located over either existing turf or hard surface. A landscape plan has been provided (unreferenced 12.12.12). It provides native shrubs to act as screening however no canopy trees have been proposed and there are none currently on site. At least three (3) native canopy trees need to be planted on the property. A species list can be found in the Native Plants for your Garden booklet on the Council website - [www.pittwater.nsw.gov.au/environment](http://www.pittwater.nsw.gov.au/environment).*

- **C1.3 View Sharing**

A submission was received from 107 Elimatta Road in regards to view loss. The submission raised a concern that the ridge of the proposed deck on the western side of the dwelling would restrict the current view at 107 Elimatta Road.



The photo above shows the view that will be affected from a sitting position. The red line represents the proposed roof over the deck extension.



The above photo shows the view to be obtained from a standing position on the deck.

The Planning Principle Tenacity Vs Warringah Council 2004 sets out a four step process in assessing view loss impacts.

**The first step is the assessment of views to be affected.**

The views obtained from 107 Elimatta Road are ocean glimpses of the Tasman Sea directly to the east across a side boundary.

**The second step is to consider from what part of the property the views are obtained.**

Views are currently obtained from a sitting and standing position on the upper floor deck and from a standing position in the kitchen.

**The third step is to assess the extent of the impact.**

The proposed development will result in the loss of views from the upper floor deck of 107 Elimatta Road from a sitting position but still retained the views from a standing position. The views from the kitchen area will be maintained from a standing position. The extent of view loss would therefore be considered as moderate.

**The fourth step is to assess the reasonableness of the proposal that is causing the impact.**

The proposed development currently complies with the height and building envelope controls and is considered to be a reasonable development to an existing dwelling. The applicant upon discussing the concerns with 107 Elimatta Road lowered the existing ridge of the development from 54.5 AHD to 54.2 AHD to help to retain views for the occupants while still providing the desired amenity to the kitchen and living area of 105 Elimatta Road. The lowered ridge line helps to retain views from a standing position but still obscures the view from a sitting position. The lowered ridge does not satisfy the submission made by the occupants of 107 Elimatta Road but it is considered that the proposed development is reasonable.

**Summary**

It is considered that the impact on view from 107 Elimatta Road from the proposed development is considered moderate. However as the views are currently obtained directly across a side boundary and are considered fragile, it is considered that the development maintains an acceptable level of view sharing from neighbouring properties.

- **C1.5 Visual Privacy**

A submission was received from 103 Elimatta Road that raised a concern in regards to visual privacy as a result of the carport and the proposed eastern bay window.

The submission stated that the stairs at the northern end of the proposed carport will impact on the privacy of the front entrance and toilet at 103 Elimatta Road. On site inspection it was observed that the window of the toilet was frosted to provide privacy to the occupant. The applicant submitted a slight amendment to the plans which provided for a privacy screen at the top of the rear stairs of the carport. This privacy screen in addition to the frosted window in the bathroom will provide sufficient privacy.

In regards to the concern of the proposed bay window in bedroom 2 there will be a visual privacy impact as both windows face one another with a distance of about 5m between the two. Upon speaking with the owner of 105 Elimatta Road they advised that wooden shutters would be applied to the east facing window as the owners had their own concern regarding the privacy of their bedroom. It was questioned through discussions with the owners of 103 Elimatta Road whether the window could be relocated to the south, however this would result in bedroom 2 not receiving sufficient sunlight.



It is recommended that the following condition be applied to the consent in regards to the eastern bay window.

*A privacy screen is to be incorporated into the design and maintained for the life of the development. This privacy screen is to be provided on the eastern bay window of bedroom 2 and should consist of a solid translucent screen or perforated panels or trellises which have a maximum of 25% openings, and which are:*

- a. permanent and fixed;*
- b. made of durable materials and;*
- c. designed and painted or coloured to blend in with the house.*

A submission was received from 107 Elimatta Road in regards to the proposed roofed deck on the upper floor. The concern was that the existing deck at 107 Elimatta Road will overlook the proposed deck. The applicant advised that they would be willing to provide a privacy screen to help reduce the privacy impacts upon 107 Elimatta Road. The following condition will therefore be applied to the consent:

*A privacy screen with a minimum height of 1.8m, when measured from the finished floor level of the deck, is to be incorporated into the design and maintained for the life of the development. This privacy screen is to run the full length of the western elevation of the proposed rear upper deck and should consist of a solid translucent screen or perforated panels or trellises which have a maximum of 25% openings, and which are:*

- a. permanent and fixed;*
- b. made of durable materials and;*
- c. designed and painted or coloured to blend in with the house.*

- **D9.1 Character as viewed from a public place**

A submission was received from 103 Elimatta Road in regards to the carport not complying with the character of the area particularly in regards to the bulk and scale of the development. The submission outlines a concern regarding the proposed carport being located close to their boundary. The original plans showed the eastern side of the proposed carport being solid, however the applicant amended the plans to correct the mistake as the eastern wall of the carport was envisioned to only be a 1m high balustrade. This information was provided to the occupants of 103 Elimatta Road who still upheld their submission regarding the location of the carport.

The control states that garages and carports must not be a dominant site feature when viewed from a public place. In relation to the proposed carport it would be considered that it is not a dominant site feature as the structure is open and takes up only 30% of the site width. The carport is located within the front building line due to the steepness of the site and is similar in position to the approved carport next door at 107 Elimatta Road. As such given that the structure is an open structure and not considered to be a dominant site feature the development is considered acceptable.

- **D9.6 Front building line**

The proposed carport does not comply with the front building setback control of 6.5m. The front of the site is considered to be steep with a gradient of 31%. A variation can be applied for carparking structures to be within the front setback as long as the rest of the dwelling complies with the front setback control.

The submission received from 103 Elimatta Road expressed a concern that the carport would be located within the front building line. The submission then states that the current driveway is “steep and not really suitable for parking a second car”.

The variation to allow the proposed carport to be located within the front building line is considered acceptable as the carport readily achieves the outcomes of the control as outlined below:

The proposed development is considered to achieve the desired character of the locality. The development would be classified as low density, containing a two storey dwelling and providing accessible off-street parking by way of an elevated open carport located at street level. The elevated carport allows a greatly improved vehicular and pedestrian visibility, than the existing garage and driveway, when a vehicle is entering or exiting the site. The addition of the garage does not result in the removal of any trees or shrubs and has a height below the existing tree canopy.

- **D9.9 Building envelope**

The proposed development results in a breach in the building envelope. The minor breach is in relation to a section of the roof of the proposed carport. This breach is primarily due to the slope of the land as it drops away towards the rear of the carport resulting in an area of 2.5m being located outside the building envelope. A variation can be applied on merit under control D9.9 as the proposed carport is sited on a slope greater than 30%. It is considered on merit that a variation is acceptable as the development meets the outcomes of the control as shown below:

The proposed development is considered to achieve the desired character of the locality. The development would be classified as low density, containing a two storey dwelling and providing accessible off-street parking by way of an elevated carport located at street level below the height of the tree canopy. The carport is an open structure which helps to minimise the visual bulk and scale of the development and help retain views and vistas experienced from the Elimatta Road.

- **D9.11 Site coverage - Environmentally Sensitive Land**

The submission received from 103 Elimatta Road The proposed development results in a non compliant site coverage of 55% where the control provides a maximum of 40%. When taking into consideration the 6% variation for outdoor recreational areas (the pool and surrounding deck) the resultant site coverage becomes 49%. The proposed development increases the hard surface area of the site by approximately 40sq.m with the addition of the carport and the extension of the upstairs deck. While the proposed development does not comply with the site coverage controls it is considered that as the proposed development is minor and primarily involves the erection of a carport to provide sufficient off-street parking that the site coverage can be considered acceptable on merit:

The proposed development is considered to achieve the desired character of the locality. The development would be classified as low density, containing a two storey dwelling and providing accessible off-street parking by way of an elevated open carport located at street level. The bulk and scale is minimised by expanding towards the north of the property rather than adding an additional storey. The vegetation on site is to be retained and enhanced through the proposed landscape plan.

## **11.0 CONCLUSION**

The Development Application has been assessed in accordance with the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, Pittwater Local Environmental Plan 1993 and Pittwater 21 DCP and other relevant Council policies.

The proposal is considered to be consistent with the relevant statutory and policy controls and outcomes. The impacts of the alterations and additions have been addressed and considered to result in an acceptable impact subject to the recommended conditions. Accordingly, the application is recommended for approval.

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## **RECOMMENDATION OF DEVELOPMENT OFFICER / PLANNER**

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 grant consent to development application N0016/13 for alterations and additions to the existing dwelling at 105 Elimatta Road Mona Vale subject to the conditions of consent.

Report prepared by

Joshua Real  
**PLANNER**

**CONSENT NO: N0016/13  
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)  
NOTICE TO APPLICANT OF DETERMINATION  
OF A DEVELOPMENT APPLICATION**

**Applicants Name and Address:**

SARAH JANE REILLY  
105 ELIMATTA ROAD  
MONA VALE NSW 2103

Being the applicant in respect of Development Application No **N0016/13**

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 No **N0016/13** for:

**Alterations and additions**

**At: 105 Elimatta Road, Mona Vale (Lot 7 DP 236611)**

**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

**Plans numbered 1 through 4 prepared by Shimdesign dated 8/04/2013 Geotechnical report prepared by Jack Hodgson Consultants Pty Ltd dated 31/01/2013 BASIX certificate number A152238\_02 Dated 10/04/2013**

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

This consent is not an approval to commence building work. The works associated with this consent can only commence following the issue 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, there is to be such a contract in force.
3. Critical stage inspections are to be carried out in accordance with clause 162A of the *Environmental Planning & Assessment Regulation 2000*. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken.
4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the Principal Certifying Authority for the work,
  - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.

Any such sign is 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.

5. 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:
  - a. 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.
  - b. 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.

6. 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 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.
7. 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 adjoining boundary.

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

1. The internal driveway finish is:
  - a. to be a stable surface for all weather conditions
  - b. to be constructed of materials that blend with the environment and are of dark or earthy tones or natural materials.
2. If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Metropolitan Local Aboriginal Land Council (MLALC) and Department of Environment & Climate Change (DECC) are to be notified.
3. 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, 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.
4. 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 the Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for noxious/environmental weed lists.
5. No environmental weeds are to be planted on the site. Refer to Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for environmental weed lists.
6. At least two (2) canopy trees are to be provided in the front yard area and one (1) in the rear yard area, which at maturity will achieve a canopy height greater than 5 metres, to visually reduce the height, bulk and scale effect of the dwelling. Species selection is to incorporate locally native species. These canopy trees are to be retained over the life of the development and replaced if they should die or be destroyed or removed.
7. Screen planting is to be provided, which after three years will, in conjunction with existing vegetation and canopy planting, screen at least 50% of the built form when viewed from the street and/or neighbouring properties. Species selection is to incorporate locally native species. The screen planting is to be maintained for the life of the development and is to be replaced if any part of it dies or is destroyed or removed.
8. 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.
9. Materials and colour schemes are to be in accordance with the sample scheme approved by Council.

10. A privacy screen is to be incorporated into the design and maintained for the life of the development. This privacy screen is to be provided on the eastern bay window of bedroom 2 and should consist of a solid translucent screen or perforated panels or trellises which have a maximum of 25% openings, and which are:
  - a. permanent and fixed;
  - b. made of durable materials and;
  - c. designed and painted or coloured to blend in with the house.
11. A privacy screen with a minimum height of 1.8m, when measured from the finished floor level of the deck, is to be incorporated into the design and maintained for the life of the development. This privacy screen is to run the full length of the western elevation of the proposed rear upper deck and should consist of a solid translucent screen or perforated panels or trellises which have a maximum of 25% openings, and which are:
  - a. permanent and fixed;
  - b. made of durable materials and;
  - c. designed and painted or coloured to blend in with the house.
12. 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.

**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. 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 Principal Certifying Authority.
2. Applicants will be required to obtain prior to the issue of a Construction Certificate, a Section 139 Consent for Works on a Public Road Reserve issued by the Council under the provisions of Section 138 of the *Roads Act 1993* for the design and construction of any works located on the road reserve including Access Driveways.
3. 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.
4. Structural Engineering details relating to the proposed works 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.
5. 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. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.

2. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
3. No works are to be carried out in Council's Road Reserve without the written approval of the Council.
4. A Road Opening Permit, issued by Council, must be obtained for any road openings, or excavation within Council's Road Reserve associated with the development on 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.
5. No skip bins or materials are to be stored on Council's Road Reserve.
6. 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:
  - The builder's name, builder's telephone contact number both during work hours and after hours.
  - That no works are to be carried out in Council's Road Reserve without the written approval of the Council.
  - 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.
  - That no skip bins or materials are to be stored on Council's Road Reserve.
  - That the contact number for Pittwater Council for permits is 9970 1111.
7. A stamped copy of the approved plans is to be kept on the site at all times, during construction.

**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. 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 Principal Certifying Authority.
2. 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.



3. 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 certified by any appropriately qualified electrician prior to the issue of any Occupation Certificate.
4. Certification is to be provided that the commitments identified in the BASIX Certificate have been fulfilled.

**F. Matters to be satisfied prior to the issue of Subdivision Certificate:**

Nil

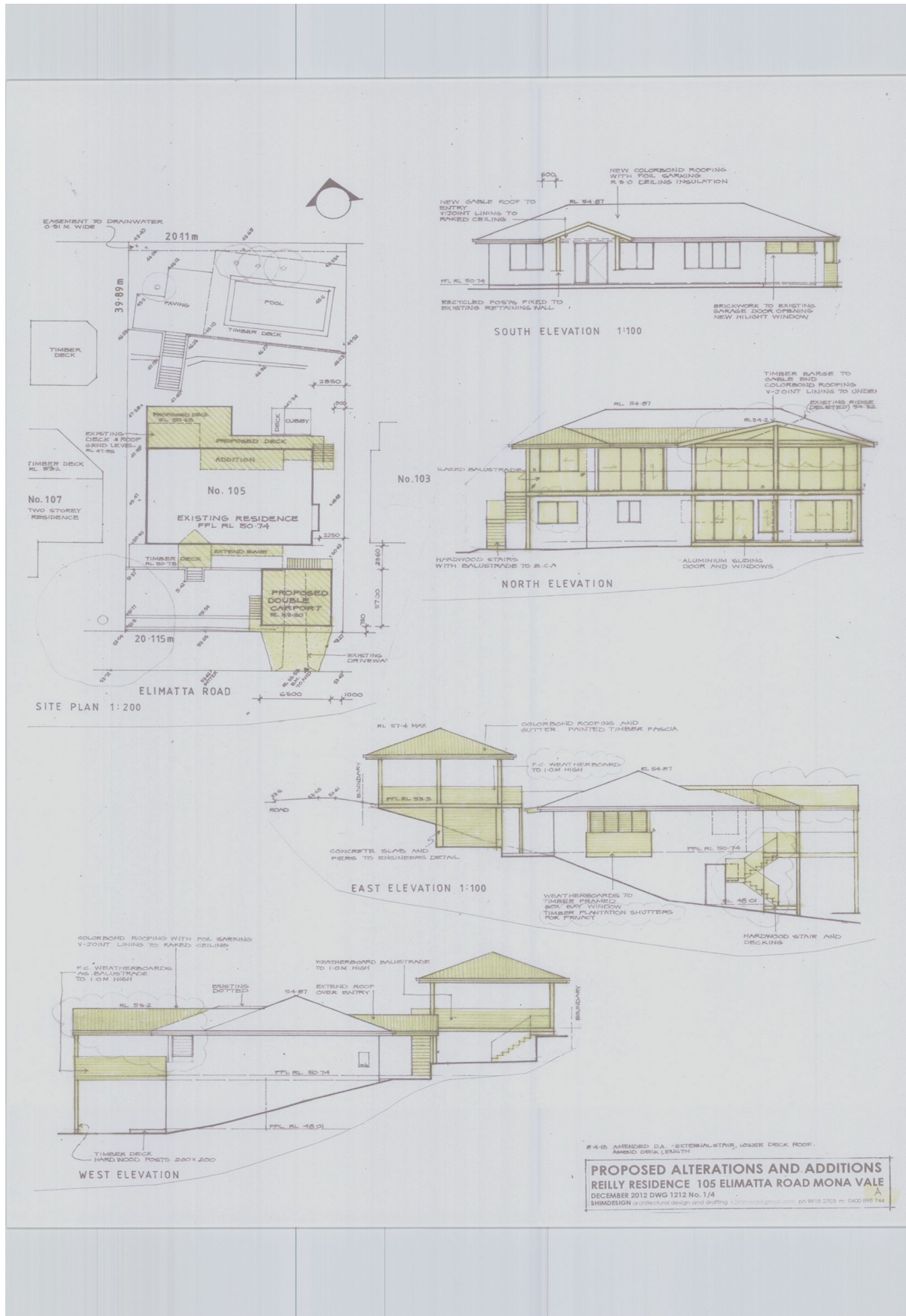
**G. Advice:**

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. The applicant is also advised to contact the various supply and utility authorities, i.e. Sydney Water, Sydney Electricity, Telstra etc. to enquire whether there are any underground utility services within the proposed excavation area.
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 Act, this consent will lapse if the development, the subject of this consent, is not physically commenced within 5 years after the date from which this consent operates.
5. To ascertain the date upon which the determination becomes effective and 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 1 year from the date of 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 met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.

## LOCATION MAP



# NOTIFICATION PLAN



<b>C12.2</b>	<b>N0280/12 - 16 Watkins Road Avalon Beach - Alterations and additions to the existing dwelling, a separately accessible structure and a new swimming pool</b>
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**Meeting:** Planning an Integrated Built Environment Committee

**Date:** 20 May 2013

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**STRATEGY:** Land Use Development

**ACTION:** Provide an effective development assessment and determination process

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## **PURPOSE OF REPORT**

To inform the Committee of the Development Unit's recommendation following consideration of Development Application N0280/12 for alterations and additions to the existing dwelling, a separately accessible structure and a new swimming pool at 16 Watkins Road Avalon Beach.

### **1.0 BACKGROUND**

The Development Unit, at its meeting held on Thursday 2 May 2013 considered the Development Officer's report (**Attachment 1**) for determination of Development Application N0280/12 for alterations and additions to the existing dwelling, a separately accessible structure and a new swimming pool at 16 Watkins Road Avalon Beach.

### **2.0 REASON FOR REFERRAL TO COUNCIL**

- 2.1 It is a policy requirement of the NSW Department of Planning that applications involving a State Environmental Planning Policy No. 1 (SEPP 1) objection supporting a variation to a development standard of more than 10% be referred to the elected council for determination.
- 2.2 This application involves a variation to the foreshore building line of greater than 10%.

### **3.0 DEVELOPMENT UNIT DELIBERATIONS**

The Development Unit at its meeting held on 2 May 2013 resolved that the recommendation in the Development Officer's report be endorsed and development application N0280/12 for alterations and additions to the existing dwelling, a separately accessible structure and a new swimming pool at 16 Watkins Road Avalon Beach be referred to Council recommending Development Consent subject to the conditions contained in the attached draft determination.

## **4.0 ISSUES**

- State Environmental Planning Policy No. 1 – Development Standards (SEPP No. 1) – Foreshore Building Line
- B4.18 Heathland/Woodland Vegetation; C1.1 Landscaping
- C1.4 Solar Access
- C1.5 Visual Privacy
- D1.1 Character as viewed from a public place
- D1.10 Foreshore building line
- D1.11 Building envelope

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## **5.0 SUSTAINABILITY ASSESSMENT**

- 5.1 The relevant Environmental, Social and Economic issues have been addressed within the attached report.

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## **6.0 EXECUTIVE SUMMARY**

- 6.1 The application was considered by the Development Unit at its meeting held on 2 May 2013 and the Development Unit endorsed the Assessing Officer's recommendation for approval subject to the conditions contained in the attached draft determination.

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## **RECOMMENDATION**

That the Development Officer's report be endorsed and development application N0280/12 for alterations and additions to the existing dwelling, a separately accessible structure and a new swimming pool at 16 Watkins Road Avalon Beach be granted consent subject to the attached draft determination.

Report prepared by  
Gabrielle Angles, Principal Officer - Administration

Warwick Lawrence  
**MANAGER – ADMINISTRATION & GOVERNANCE**

**SUBJECT: N0280/12 - 16 Watkins Road Avalon Beach - Alterations and additions to the existing dwelling, a separately accessible structure and a new swimming pool**

**Determination Level:** Development Unit

**Date:** 2 May 2013

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## **SUMMARY OF RECOMMENDATION**

### **CONSENT WITH CONDITIONS**

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<b>REPORT PREPARED BY:</b>	Ellie Robertson
<b>APPLICATION SUBMITTED ON:</b>	28/09/2012
<b>APPLICATION SUBMITTED BY:</b>	MARK CREAN C/- CONNOR & SOLOMON ARCHITECTS STUDIO 4.04 "THE COOPERAGE" 56 BOWMAN STREET PYRMONT NSW 2009

<b>OWNER(S):</b>	CREAN, MARK BERNARD JOSEPH (Own)
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#### **1.0 DEVELOPMENT CONTROLS**

The site is zoned 2(a) Residential and the proposed development being alterations and additions to the existing dwelling, a separately accessible studio/rumpus room, and a new swimming pool is permissible with consent pursuant to Pittwater Local Environmental Plan 1993.

The following relevant local and state policies apply to this site:

- Pittwater Local Environmental Plan (LEP) 1993
- Draft Pittwater Local Environmental Plan 2013
- Pittwater 21 Development Control Plan (Amendment 7)
- Geotechnical Risk Management Policy for Pittwater 2009
- SEPP No 71 Coastal Protection, and
- SEPP (BASIX) 2004.

#### **2.0 NOTIFICATIONS**

- Six property owners notified
- Three submissions from two property owners received

#### **3.0 ISSUES**

- State Environmental Planning Policy No. 1 – Development Standards (SEPP No. 1) – Foreshore Building Line
- B4.18 Heathland/Woodland Vegetation; C1.1 Landscaping
- C1.4 Solar Access
- C1.5 Visual Privacy
- D1.1 Character as viewed from a public place
- D1.10 Foreshore building line
- D1.11 Building envelope

#### 4.0 COMPLIANCE TABLE

- T - Can the proposal satisfy the technical requirements of the control?
- O - Can the proposal achieve the control outcomes?
- N - Is the control free from objection?

Control	Standard	Proposal	T	O	N
<b>REF - Development Engineer</b>					
B3.4 Coastline (Bluff) Hazard			Y	Y	Y
B3.22 Flood Hazard - Flood Category 3 - All Development			-	-	-
B5.4 Stormwater Harvesting			-	-	-
B5.7 Stormwater Management - On-Site Stormwater Detention			-	-	-
B5.8 Stormwater Management - Water Quality - Dwelling House, Dual Occupancy and Secondary Dwellings			-	-	-
B5.10 Stormwater Discharge into Public Drainage System			Y	Y	Y
B5.11 Stormwater Discharge into Waterways and Coastal Areas			-	-	-
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.13 Development on Waterfront Land			-	-	-
B5.14 Stormwater Drainage Easements (Public Stormwater Drainage System)			-	-	-
B6.1 Access Driveways and Works on the Public Road Reserve - Dwelling House and Dual Occupancy			-	-	-
B6.3 Internal Driveways - Dwelling Houses and Dual Occupancy			-	-	-
B6.5 Off-Street Vehicle Parking Requirements - Dwelling Houses, Secondary Dwellings and Dual Occupancy			Y	Y	Y
B8.1 Construction and Demolition - Excavation and Landfill		Concerns have been raised regarding the impact of excavation on the swimming pool on the adjoining property at No.14 Watkins Road. A condition of consent is recommended for a dilapidation report.	-	-	N
B8.2 Construction and Demolition - Erosion and Sediment Management			Y	Y	Y
B8.3 Construction and Demolition - Waste Minimisation			-	-	-

Control	Standard	Proposal	T	O	N
B8.4 Construction and Demolition - Site Fencing and Security			Y	Y	Y
B8.5 Construction and Demolition - Works in the Public Domain			Y	Y	Y
B8.6 Construction and Demolition - Traffic Management Plan			-	-	-
<b>REF - Health</b>					
B5.2 Wastewater Disposal			-	-	-
B5.3 Greywater Reuse			-	-	-
<b>REF - Natural Resources</b>					
B1.4 Aboriginal Heritage Significance		<i>No apparent issues. The site is highly modified in the vicinity of the proposed works</i>	Y	Y	Y
B3.5 Acid Sulphate Soils		<i>No issues - Acid Sulphate Region 5.</i>	Y	Y	Y
B4.18 Heathland/Woodland Vegetation			Y	Y	Y
C1.1 Landscaping			Y	Y	Y
<b>REF - Planner</b>					
EPA Act Section 147 Disclosure of political donations and gifts			-	-	-
3.1 Submission of a Development Application and payment of appropriate fee			Y	Y	Y
3.2 Submission of a Statement of Environmental Effects			Y	Y	Y
3.3 Submission of supporting documentation - Site Plan / Survey Plan / Development Drawings			Y	Y	Y
3.4 Notification			Y	Y	Y
3.5 Building Code of Australia			Y	Y	Y
3.6 State Environment Planning Policies (SEPPs) and Sydney Regional Environmental Policies (SREPs)			-	-	-
4.1 Integrated Development: Water Supply, Water Use and Water Activity			-	-	-
4.5 Integrated Development: Aboriginal Objects and Places			-	-	-
4.7 Integrated Development - Roads			-	-	-
5.3 Referral to NSW Department of Environment and Climate Change (DECC)			-	-	-



Control	Standard	Proposal	T	O	N
A1.7 Considerations before consent is granted		Concerns have been raised by the adjoining neighbour at No.18 Watkins Road with regard to the consent for the existing deck at the rear of the dwelling. The matter was forwarded to Council's compliance department for investigation.	Y	Y	N
B1.3 Heritage Conservation - General			Y	Y	Y
B3.6 Contaminated Land and Potentially Contaminated Land			Y	Y	Y
B5.2 Wastewater Disposal			Y	Y	Y
B5.3 Greywater Reuse			-	-	-
B5.11 Stormwater Discharge into Waterways and Coastal Areas			-	-	-
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.13 Development on Waterfront Land			-	-	-
C1.2 Safety and Security			Y	Y	Y
C1.3 View Sharing		<p>Concerns have been raised by the adjoining property owner at No.18 Watkins Road regarding the expected view loss as a result of the proposed development. The concern was in relation to the minor extension of the existing deck at the rear of the property to the south which would remove a filtered view of the water through some existing vegetation.</p> <p>Discussions with the applicant have established that this deck is not proposed to be demolished or extended. The only works to this deck are the removal of the stairs. An amended plan has been submitted to Council to correct the error on the plans. The proposed development will allow for the adjoining properties to the north and south of the site to maintain their existing views.</p> <p>Concerns have been raised by the property owners at No.20 Watkins Road regarding the expectant view impact. See Section 10 for further discussion.</p>	Y	Y	N
C1.4 Solar Access		Concerns have been raised by the adjoining neighbour to the south regarding the overshadowing impact of the proposed development. See Section 10 for further discussion.	Y	Y	N
C1.5 Visual Privacy		Concerns have been raised by the adjoining neighbour at No.14 Watkins Road regarding the visual privacy impact of the proposed development. See Section 10 for further discussion.	N	Y	N
C1.6 Acoustic Privacy			Y	Y	Y
C1.7 Private Open Space			Y	Y	Y
C1.9 Adaptable Housing and Accessibility			-	-	-

Control	Standard	Proposal	T	O	N
C1.12 Waste and Recycling Facilities			Y	Y	Y
C1.13 Pollution Control			Y	Y	Y
C1.14 Separately Accessible Structures		A two storey studio and rumpus room is proposed forward of the existing dwelling and behind the proposed swimming pool. It contains a bathroom on the ground floor and a wet bar on the first floor. As the studio/rumpus room is detached from the main dwelling, a variation to the control is allowed for the bathroom facilities to be permitted in this structure. Further to this, conditions of consent are recommended for this structure to not be used for separate residential habitation and for no cooking facilities to be installed in the structure for the life of the development.	N	Y	Y
C1.17 Swimming Pool Safety		A new swimming pool is proposed at the front of the site.	Y	Y	Y
C1.19 Incline Passenger Lifts and Stairways			-	-	-
C1.23 Eaves	Minimum 450mm	600mm	Y	Y	Y
C1.24 Public Road Reserve - Landscaping and Infrastructure			-	-	-
C1.25 Plant, Equipment Boxes and Lift Over-Run			Y	Y	Y
D1.1 Character as viewed from a public place		Proposed hardstand forward of the front building line of the main dwelling. Parking behind the front building line is difficult due to the location of the existing dwelling.  Concerns have been raised by the adjoining neighbour at No.14 Watkins Road regarding the bulk and scale of the development. See Section 10 for further discussion.	N	Y	N
D1.4 Scenic protection - General			Y	Y	Y
D1.5 Building colours and materials	Dark and earthy tones	Roof - Colorbond Windspray - complies; and External Walls - timber weatherboard - dark navy/charcoal colour - complies.	Y	Y	Y
D1.6 Height - General	Maximum height of 8.5 metres from natural ground level.	Maximum height of dwelling: 8.5 metres. Concerns have been raised by the adjoining neighbour at No.14 Watkins Road regarding the height of the roof in the area of the first floor terrace. The proposed development complies with the maximum height requirement.	Y	Y	N
D1.8 Front building line	6.5 metres or the established building line, whichever is the greater	Swimming Pool: 14.5 metres Studio/Rumpus Room: 27.2 metres Hardstand: 30 metres Dwelling: 36.2 metres	Y	Y	Y
D1.9 Side and rear building line	2.5 metres to one side, 1 metre to the other, 6.5 metres to the rear	<u>Dwelling</u> Side (north): 1 metre Side (south): 1.8 metres Rear: Foreshore building line applies - See D1.10.  <u>Rumpus/Swimming Pool</u> Side (north): 8.6 metres Side (south): 1.4 metres	N	Y	N

Control	Standard	Proposal	T	O	N
D1.9 Side and rear building line (Continued)		The proposed development has been correctly defined as alterations and additions and maintains the side setbacks of the existing dwelling. Concerns have been raised by the adjoining dwelling to the south regarding the setback of the existing deck on the east of the dwelling and it breaching the control. The existing deck does breach the foreshore building line however this is addressed in the discussion on the foreshore building line later in this report.  See Section 8 for further discussion regarding the foreshore building line.			
D1.10 Foreshore building line		Portions of the proposed dwelling breach the foreshore building line. Concerns have been raised by the adjoining neighbour at No.18 Watkins Road regarding this non-compliance.  See Section 8 of this report for further discussion.	N	Y	N
D1.11 Building envelope	Projections of 45 degrees from a height of 3.5 metres	The proposed development results in a breach of the building envelope on the north elevation.	N	Y	Y
D1.14 Site coverage - Environmentally Sensitive Land	Maximum Site Coverage: 40% Minimum Landscaped Area: 60%	Existing Site Coverage: 34% (310sqm) Proposed Site Coverage: 50% (454sqm)  <u>Variations</u> Impervious landscape treatments up to 6% of the total site area providing these areas are for outdoor recreational purposes only: 49sqm Areas up to 1 metre in width: 64sqm Total Variations: 113sqm  <u>Site Coverage minus total variations: 38% (341sqm)</u>	N	Y	Y
D1.15 Fences - General		No new fencing is proposed.	-	-	-
D1.17 Construction, Retaining walls, terracing and undercroft areas			Y	Y	Y
SEPP No 71 Coastal Protection		The proposed development has been considered against the aims and matters for consideration of SEPP 71 and is found to be satisfactory in this regard.	Y	Y	Y
SEPP (Building Sustainability Index: BASIX) 2004			Y	Y	Y
Other State Environmental Planning Policies (SEPPs)			Y	Y	Y

\*Issues marked with an **x** are discussed later in the report.  
Issues marked with a - are not applicable to this Application.

## 5.0 SITE DETAILS

The subject site has a legal description of Lot 8 DP 11096, commonly known as No.16 Watkins Road, Avalon Beach. The subject site has a frontage of 15.24 metres to Watkins Road, is 901.4sqm in area and is irregular in shape. The site is gently sloping, currently contains a part one part two storey residential dwelling and is located in an area of bluff/cliff instability. The streetscape of Watkins Road is characterised by one and two storey residential dwellings.

## 6.0 PROPOSAL IN DETAIL

The proposal involves alterations and additions to the existing dwelling including the following:

- A first floor addition incorporating a master bedroom/parents retreat with associated terrace, bedroom and bathroom;
- Minor extension of the upper ground floor level to the west to create an open kitchen/dining/living area and a new entry deck with associated access stairs;
- The extension of the existing timber deck at the rear of the dwelling;
- Internal reconfiguration of the dwelling and changes to fenestration;
- The demolition of the existing studio;
- Construction of a detached two (2) storey studio and rumpus room forward of the main dwelling;
- A new swimming pool;
- A new double hardstand parking area; and
- Excavation and associated site works.

## 7.0 BACKGROUND

Development Application N0280/12 was lodged with Council on 28 September 2012 for alterations and additions to the existing dwelling and a new swimming pool. The proposed development was notified in accordance with Council's notification policy for a period of 14 days beginning on 5 October 2012. As a result of the notification process, one submission was received.

The application was referred to Council's Development Engineer and Natural Resources Officer for comment. A site inspection was undertaken on 25 October 2012.

Council requested additional information on 27 November 2012. This information was received on 20 December 2012. Amended plans were subsequently renotified and a further two (2) submissions were received.

The application was reported at a Development Unit meeting on 28 February 2013 in which the following outcome was reached:

*That the recommendation in the Development Officer's report not be endorsed on Development Application N0280/12 for alterations and additions to the existing dwelling, a separately accessible studio/rumpus room and a new swimming pool at No.16 Watkins Road, Avalon, and that this matter be deferred to allow for notification to No. 20 Watkins Road Avalon (14 day notification) and for the Assessment Officer to provide a calculation of the variation expressed as a percentage to the foreshore building line development standard.*

The new works in the foreshore building line area is calculated at approximately 22%.

The application was notified to the owner of No.20 Watkins Road for 14 days beginning on 1 March 2013. A submission from this property was received on 12 March 2013. This submission raised concerns with regard to the expected view loss resulting from the proposed development.

Council wrote to the applicant on 28 March 2013 requesting that height poles be erected so the exact extent of view loss could be determined. Council also requested that the applicant formally respond to the submission from No.20 and for the amendment of the SEPP 1 Objection to address all parts of the structure breaching the foreshore building line and addressing the view loss impact from No.20.

The requested information was received by Council on 16 and 22 April 2013. This information included a minor amendment to the eave on the north-eastern corner of the dwelling to bring this corner of the eave behind the foreshore building line. It was considered not necessary to renotify this amendment due to its minor nature.

## **8.0 STATE ENVIRONMENTAL PLANNING POLICY NO. 1 - DEVELOPMENT STANDARDS (SEPP No. 1)**

As a result of the Development Unit meeting and subsequent correspondence from Council to the applicant dated 28 March 2013, the applicant has provided an amended SEPP 1 Objection. Consideration of the amended SEPP 1 Objection is discussed below.

The applicant seeks to vary a development standard which requires the application of SEPP No. 1. Clause 6 of SEPP 1 states:

*Where development could, but for any development standard, be carried out under the Act (either with or without the necessity for consent under the Act being obtained therefore) the person intending to carry out that development may make a development application in respect of that development, supported by a written objection that compliance with that development standard is unreasonable or unnecessary in the circumstances of the case, and specifying the grounds of that objection.*

The applicant has submitted a written objection to support why compliance with the development standard is unreasonable or unnecessary. Clause 7 of SEPP 1 states:

*Where the consent authority is satisfied that the objection is well founded and is also of the opinion that granting of consent to that development application is consistent with the aims of this Policy as set out in clause 3, it may, with the concurrence of the Director, grant consent to that development application notwithstanding the development standard the subject of the objection referred to in clause 6.*

Council's assessment of the SEPP 1 Objection is as follows:

### Development Standard to be Varied

Part IV 7(4) of Pittwater Local Environmental Plan (PLEP) 1993 which states: "A building shall not be erected between the foreshore building line and a bay, river, creek, lake or lagoon in respect of which the line is fixed."

Extent of variation: A minor portion of the roof including the eastern eaves, a portion of the proposed first floor addition including parts of the eastern balcony and southern and the extension of the deck to the north in the rear yard are located within the Foreshore Building Line (FBL) setback. A minor portion of the existing dwelling and the existing timber deck in the rear yard are located within the FBL setback.

It must be noted that with the information submitted by the applicant on 16 April 2013, the applicant submitted a minor amendment being a minor reduction to the eave in the north-eastern corner.

The justification of the variation provided by the applicant is as follows:

1. *It is likely that the existing residential development within the FBA was carried out before the FBL was fixed. This is the Proposed Development involves additions to, and alterations of, development that was entirely lawful at the time it was constructed. It would be unreasonable to impose the FBL development standard upon development lawfully constructed before the standard came into existence;*
2. *The Proposed Development will not increase the building footprint of the existing dwelling (excluding the deck) within the FBA. The new first floor terrace balcony and the extension to the rear deck will only encroach onto a small area of the FBA. That is, the Proposed Development will result in only a very minor increase in encroachment onto the FBA beyond that which had already been lawfully constructed;*
3. *The parts of the Proposed Development that are located within the FBA will not adversely affect the neighbouring properties or the public (including public access to the adjacent coastal reserve);*
4. *The Proposed Development will have a negligible impact on views from No 20 (as discussed in Section 4.1 of the formal response to the view impact from No.20);*
5. *The parts of the Proposed Development that will impact on views from No 20 are not located within the FBA;*
6. *The combined existing and Proposed Development will together only encroach upon a small percentage of the FBA; and*
7. *The Proposed Development has been carefully designed to be a sensitive, harmonious and appropriate development which minimises impacts on surrounding residences (including impacts on views) and the adjacent coastal reserve. Setbacks, views, public amenity and access, and the natural landscape of the foreshore are not compromised, making this a minimal and reasonable proposal. Section 4.4 of the formal response to the view impact provides a further analysis of the size and scale of the Proposed Development in the context of neighbouring residential development.*

#### Underlying Object or Purpose of the Standard

There are no specific objectives to Part IV 7 (4) of PLEP 1993. However, the fundamental objectives of the standard have been taken as the objectives stated in Control D1.10 Foreshore Building Line in Pittwater 21 DCP. These objectives are listed further below.

#### Is Compliance with the Development Standard Unreasonable or Unnecessary in the Circumstances of the Case

*Wehbe v Pittwater Council* [2007] NSWLEC 827 outlines a number of methods to establish if strict compliance with the development standard is unreasonable or unnecessary. The submitted SEPP 1 Objection seeks to establish that requiring compliance with the development standard in this instance is unreasonable and unnecessary because the objectives of the development standard are achieved notwithstanding the non-compliance. *Wehbe v Pittwater Council* [2007] NSWLEC 827 provides the following guidance when applying this method of assessment:

*The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. Compliance with a development standard is fixed as the usual means by which the relevant environmental or planning objective is able to be achieved. However, if the proposed development proffers an alternative means of achieving the objective, strict compliance with the standard would be unnecessary (it is achieved anyway) and unreasonable (no purpose would be served).*

The objectives outlined in Control D1.10 Foreshore Building Line in Pittwater 21 DCP are addressed as follows:

- The proposed works will allow for the existing dwelling to remain a maximum of two (2) storeys in any one place in a landscaped setting and sympathetic to the landform it is located on. The proposed works will allow for the dwelling to remain of minimal bulk and scale and maintain a height limit below the tree canopy. The majority of the new parts of the development breaching the FBL are portions of the eastern roof and eaves, a portion of the master bedroom on the first floor, most of the eastern balcony and a portion of the southern terrace on the first floor and the most part of the deck extension on the upper ground floor. These areas of the development (with the exception of the master bedroom portion) are predominantly open elements and the deck extension lying close to the existing ground level. In this regard, the desired future character of the Avalon Beach locality is considered to be achieved.
- It is considered that the first floor addition and extension to the deck would not significantly increase the visual impact of the existing dwelling when viewed from the ocean and would achieve an uncluttered setback. The dwelling would be difficult to see from the water due to the height of the cliff and the slope of the land. The visual impact of the dwelling will be further reduced through the use building colours and materials of dark and earthy tones. The proposed colours are compliant with Council's control. Furthermore, the proposal will not impede upon pedestrian access along the public reserve at the rear of the dwelling. The proposed works will allow for the amenity of the foreshore areas to be protected and will ensure that the proposed development compliments the public use of the reserve at the rear of the subject site.
- Vegetation in the FBL setback is currently minimal. Whilst the outcome asks for the natural landscape of the foreshore to be enhanced with new native vegetation, it is considered that requiring native canopy trees in the FBL area would adversely impact on the views of the properties to the north. New vegetation in the FBL area is not considered to be necessary in this instance. The proposed development does result in a view impact from No.20 Watkins Road as discussed in detail under C1.3 View sharing. However, the portions of the proposed development causing the view impact are now compliant with the FBL. The non-compliant portion of the development in the FBL is located on the south-eastern corner. It is therefore considered that view sharing is maintained to the subject site and adjoining properties. As discussed above, it is considered that the proposed works will allow for the preservation of local views of the foreshore.

In accordance with Clause 8 of SEPP 1, it is considered that the non-compliance with the FBL does not raise any matter of significance for State and regional planning. Furthermore, it is considered that there would be little public benefit in maintaining strict compliance with the FBL as prescribed in Pittwater LEP 1993 as the proposal is mindful of the surrounding natural elements including the foreshore, amenity to the public and private domain is considered to be reasonably maintained, the visual impact of the proposal is not adverse when viewed from the water or the public reserve and foreshore access will remain available to the general public.

It has been demonstrated above that whilst the amended scheme does not comply with the development standard, the proposal succeeds in achieving the relevant outcomes of the control. In this regard, strict compliance with the development standard would be considered unnecessary and unreasonable.

Furthermore, it is considered that strict compliance of the development standard in this instance would be inconsistent with the aims of SEPP 1 as it would not allow for the flexible application of planning controls where compliance with the control would be unreasonable or unnecessary and it is not necessary for the attainment of orderly and economic development of the site.

In this regard, the objection is considered to be well founded.

## 9.0 EXISTING USE RIGHTS

Does the proposal rely on Existing Use Rights? No

## 10.0 DISCUSSION OF ISSUES

- **B4.18 Heathland/Woodland Vegetation; C1.1 Landscaping**

The application was referred to Council's Natural Resources Officer who provided the following comments:

*The property contains a modified landscape typical of a domestic garden. The proposed works involve alterations and additions to the dwelling, demolition of the existing detached studio, construction of a new studio and swimming pool. The new swimming pool will be located forward of the studio, in a location containing small trees, including a Callistemon, a Melaleuca and a Norfolk Island Hibiscus (exempt from the Tree Preservation Order), all of which will require removal to accommodate the new pool. There are no objections to their removal subject to replacement, and there is ample room elsewhere onsite for planting. An existing row of trees along the side boundary forward of the pool footprint in the front yard can be retained. A large Coastal Banksia exists close to the southern side of the dwelling in the vicinity of the proposed additions, namely a new deck at upper floor level. This will involve minimal ground disturbance within the tree's root zone with the exception of pier footings for the deck, which are to be hand-excavated as per the applied condition. A timber retaining wall has recently been constructed along the southern boundary line which has encroached into the structural root zone of the Banksia, and the impacts of this work are unknown at this stage and the health of the tree may possibly decline as a result, however this is unrelated to the proposed works. The proposed landscape plan (Connor and Solomon Architects Drawing No. DA 16 September 2012) indicates three new Lilly Pilly trees and a row of screening along the southern boundary. This is acceptable however screening in the vicinity of the swimming pool is required to be in accordance with the Australian Standard 1926.1 prescribed by the Swimming Pools Regulation 2008.*

- **C1.3 View Sharing**

As a result of the additional notification of the proposed development to the owners of No.20 Watkins Road after the Development Unit meeting held on 28 February 2013, a submission was received regarding the expected view loss from this dwelling.

Control C1.3 of Pittwater 21 DCP states the following:

*"All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties. The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principle for view sharing. Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials. Views are not to be obtained at the expense of native vegetation."*

Having reviewed the plans and with specific regard to the property to the north at No.20 Watkins Road, it is considered that the proposal will achieve a reasonable sharing of views from surrounding and nearby properties. An assessment of the proposal against the planning principle of the NSW Land and Environment Court Case Tenacity Consulting Pty Ltd Vs Warringah Council (2004) NSWLEC 140 is as follows.



## **Nature of the Views Affected**

The nature of the views to be affected from the dwelling at No.20 Watkins Road is a view of the following:

- A portion of the ocean; and
- North Avalon headland and its land/water interface.

This view is considered to be highly valued.

View from public places: There are no views affected as a result of the proposed development from any part of the surrounding street network or the reserve on the eastern side of the subject site.

## **Part of the Property that Views are Affected**

The affected view obtained from the dwelling at No.20 Watkins Road is from the southern side of the dwelling from the first floor level. The affected view is from the open kitchen, dining and lounge area, verandah on the western side of the lounge and the master bedroom all on the first floor level. The affected view is across the southern side boundary and is obtained from a sitting and standing position from the affected areas. In this regard, the view from No.20 Watkins Road is considered to be more difficult to protect.

## **Extent of the Impact**

From the kitchen and dining table, the view of a portion of the headland will be lost. From the lounge area in the same room, the view of a portion of the ocean, the headland and its land/water interface will be lost. The open kitchen, dining and lounge area is considered to be a primary living area.

This balcony is located off the open kitchen and dining area and is considered to be the principal area of private open space for the dwelling.

From the verandah on the western side of the lounge, a filtered view of a portion of the ocean and the headland will be lost. This verandah is considered to be an area of private open space for the dwelling.

From the master bedroom on the south-western side of the dwelling, a filtered view of a portion of the ocean and the headland will be lost. The master bedroom is not considered to be a primary living area.

The view described above is not the only view available from this dwelling. From the timber deck at the rear of the dwelling, an expansive view of the ocean, the headland and its land/water interface will be retained. From the kitchen and dining table, a significant part of the headland, its land/water interface and the ocean will be retained. From the lounge area, verandah and master bedroom, a portion of the ocean view will be retained. Furthermore, a bedroom located on the north-eastern side of the dwelling will retain the full view of the ocean, the headland and its land/water interface.

The affected view will remain available from other parts of the dwelling. As a result, the view loss is considered to be moderate.

## **Reasonableness of the Proposal Causing the Impact**

Whilst the new first floor of the proposed development breaches the foreshore building line, the area of non-compliance is located at the south-eastern corner of the dwelling where as the view loss is resultant from the north-east corner.

Furthermore, a portion of the first floor on the northern elevation breaches the building envelope control. However, if the northern façade of the proposed first floor was amended to comply, a very similar view impact would result and only a minor portion of the view would be regained. Therefore, it is considered that a more skilful design of the first floor to comply with the building envelope would not significantly reduce the impact on views from No.20 Watkins Road and is not warranted.

In addition, there is potential for the dwelling at No.18 Watkins Road to be redeveloped in the future with scope to build two storeys up to the foreshore building line in the area where there is currently only one storey and landscaping. Should a two storey development occur in this area, it is envisioned that a very similar view loss impact would occur.

The proposed development is generally consistent with the outcomes of the view loss control and a view sharing scenario is achieved. In this regard, the view impact of the proposed development is considered to be reasonable and is supported.

- **C1.4 Solar Access**

Concerns have been raised by the adjoining neighbour to the south at No.14 Watkins Road regarding the overshadowing impact of the proposed development on the swimming pool and lawn area in the front yard, the master bedroom windows, associated deck and sunroom and the rear yard.

More than 50% of the swimming pool will receive a minimum of 3 hours of sunlight between 9am and 3pm of June 21. Furthermore, more than 50% of the rear yard area of No.14 Watkins Road will receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21. The proposed development complies with the solar access control.

The proposed development will not reduce the existing amount of sunlight to the sunroom and windows of the master bedroom and associated balcony on the eastern elevation.

- **C1.5 Visual Privacy**

Concerns have been raised by the adjoining neighbour at No.14 Watkins Road regarding the visual privacy impact of the first floor terrace. The southern setback of the terrace and has been amended is now setback 3.2 metres from the southern boundary. The terrace is within 9 metres of the rear private open space of the adjoining property to the south. This terrace is located off the master bedroom/parents retreat and is not a primary living area. Furthermore, the floor level of the terrace is approximately four (4) metres higher than the rear balcony of the adjoining dwelling and approximately five (5) metres higher than the ground level of the rear yard. A privacy screen was considered however there is view from this balcony of North Avalon headland. As a result of the view, the tendency would be to look across the adjoining site to enjoy the view. In addition, views are given greater weight over privacy. In this regard, the visual privacy impact of the first floor terrace on the adjoining property to the south is acceptable.

The proposed entry deck will result look directly into windows and onto the balcony of the adjoining property to the south. A condition of consent is recommended for a privacy screen with maximum 25% openings to be erected on the southern end of the entry deck to a height of 1.7 metres measured from the floor level of the entry deck.

Concerns have been raised regarding the visual privacy impact from the proposed first floor studio to the swimming pool on the adjoining property to the south. There are no windows on the southern elevation of the studio room and one window on the west elevation overlooking the proposed new swimming pool on the subject site. It is considered that the visual privacy impact of the studio/rumpus room on the adjoining property to the south is acceptable.

- **D1.1 Character as viewed from a public place**

The proposed hardstand is located forward of the front building line of the main dwelling. Parking behind the front building line is difficult due to the location of the existing dwelling. The hardstand is located 30 metres from the front boundary and is at existing ground level thus contributing negligible visual impact to the streetscape. The location of the hardstand is considered reasonable and a variation to the control is supported.

Concerns have been raised by the adjoining neighbour at No.14 Watkins Road regarding the bulk and scale of the overall development. The proposed development is considered to provide sufficient articulation to each façade. The studio/rumpus room structure is generally compliant with height, building envelope and setbacks. The dwelling is compliant with the building height control however results in a minor non-compliance with the building envelope control on the northern elevation, side setbacks and foreshore building line controls. Notwithstanding, the proposed development is not considered to present significant bulk and scale when viewed from the public domain.

- **D1.11 Building envelope**

The proposed development breaches the building envelope on the north elevation. A variation to the building envelope may be considered for the addition of a second storey where the existing dwelling is retained. As discussed previously, the proposed development is considered to provide sufficient articulation in which the bulk and scale of the dwelling is minimised. As discussed previously, a view loss is resultant due to the building envelope non-compliance. However, it is considered that an amendment for the building envelope to comply in this area would result in a similar view loss impact and only a small amount of view regained. It is therefore thought that views from the public and private domain surrounding the site will be equitably preserved. Furthermore, the building envelope breach will allow for a reasonable level of privacy, amenity and solar access to be maintained to the subject site and adjoining properties.

Some vegetation on the subject site will be lost as a result of the proposed development. However, Council's Natural Resources Officer has recommended a condition of consent for four (4) new canopy trees to be planted on the subject site as compensation. These trees along with the additional proposed landscaping will assist in reducing the visual impact of the built form.

The proposed development is considered to enhance the streetscape and meets the desired future character of the Avalon Beach locality. Therefore, it is for the above reasons that a variation to the control is supported and the proposed development considered reasonable.

## **11.0 CONCLUSION**

The Development Application has been assessed in accordance with the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, Pittwater Local Environmental Plan 1993 and Pittwater 21 DCP and other relevant Council policies.

The proposed development results in non-compliances with a number of locality specific controls. These have been considered on merit and variations for each non-compliant aspect are supported. Furthermore, the proposed development results in an equitable view sharing scenario. In this regard, the application is recommended for approval subject to conditions of consent.

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**RECOMMENDATION OF DEVELOPMENT OFFICER / PLANNER**

That Council, as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application N0280/12 for alterations and additions to the existing dwelling, a separately accessible studio/rumpus room and a new swimming pool at No.16 Watkins Road, Avalon, subject to conditions of consent.

Report prepared by

Ellie Robertson  
**PLANNER**

## DRAFT DETERMINATION

### CONSENT NO: N0280/12 ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED) NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

Applicants Name and Address:

MARK CREAN  
C/- CONNOR & SOLOMON ARCHITECTS  
STUDIO 4.04 "THE COOPERAGE"  
56 BOWMAN STREET  
PYRMONT NSW 2009

Being the applicant in respect of Development Application No **N0280/12**

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 No **N0280/12** for:

**Alterations and additions to the existing dwelling, a separately accessible structure and a new swimming pool.**

**At: 16 WATKINS ROAD, AVALON BEACH (Lot 8 DP 11096)**

#### 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

**Drawing No. DA01 Rev B and DA03 Rev C prepared by Connor & Solomon Architects dated 09.04.13, DA02 Rev A and DA04 Rev A prepared by Connor & Solomon Architects dated 18.12.12, DA08 Rev A prepared by Connor & Solomon Architects dated 12.02.13, DA05, DA06, DA07, DA09, DA10, DA11 and DA12 prepared by Connor & Solomon Architects dated September 2012, Coastal Engineering Investigation Ref 8A0128 prepared by Haskoning Australia dated 28 September 2012**

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

This consent is not an approval to commence building work. The works associated with this consent can only commence following the issue 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, there is to be such a contract in force.
3. Critical stage inspections are to be carried out in accordance with clause 162A of the *Environmental Planning & Assessment Regulation 2000*. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken.
4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.

Any such sign is 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.

5. 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:
  - a. 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.
  - b. 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.

6. 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 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.
7. 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 adjoining boundary.

**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 Metropolitan Local Aboriginal Land Council (MLALC) and Department of Environment & Climate Change (DECC) are to be notified.
2. At least four (4) locally native canopy trees are to be planted onsite to replace trees approved for removal. Canopy tree species are to be as per the approved Landscape Plan or selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and the Native Plants for Your Garden link on Council's website [http://www.pittwater.nsw.gov.au/environment/species\\_lists](http://www.pittwater.nsw.gov.au/environment/species_lists). All native trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree.
3. The boundary fence at the side of the property in the vicinity of the approved swimming pool must be a minimum height of 1800mm with a non climbable zone of 900mm on the inside of the fencing in accordance with the Australian Standard 1926.1 prescribed by the Swimming Pools Regulation 2008. Any shrubs or plants located adjacent to the inside of the boundary fence must be maintained for the lifetime of the development at a height that does not interfere with the 900mm non climbable zone.
4. 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.
5. 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 the Pittwater Council website as below:  
[http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for noxious/environmental weed lists.
6. No environmental weeds are to be planted on the site. Refer to Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for environmental weed lists.
7. Screen planting is to be provided, which after three years will, in conjunction with existing vegetation and canopy planting, screen at least 50% of the built form when viewed from the street and/or neighbouring properties. Species selection is to incorporate locally native species. The screen planting is to be maintained for the life of the development and is to be replaced if any part of it dies or is destroyed or removed.

8. In accordance with Pittwater Council's Tree Preservation Order, 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, as trees stand within the envelope of approved development areas. For all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.
9. 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.
10. Any balustrade erected to the southern side of the existing timber deck in order to comply with the Building Code of Australia shall be a clear glass balustrade.
11. The spa/pool backwash and any overflow waters are to be disposed to the Sydney Water sewer.
12. The solid fuel or wood burning appliances shall comply with Australian Standard AS 4013-1999 or any subsequent amending standard.
13. No water pollution shall result from the operation of any plant or equipment or activity carried out.
14. 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.
15. 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.
16. No emissions causing air pollution shall be created by the operation of any plant equipment or any procedure carried out at the premise.
17. The operation of any plant or equipment or any procedure carried out at the premises shall not cause land pollution.
18. The rumpus room and studio shall not be used for separate residential habitation for the life of the development.
19. No cooking facilities shall be installed in the rumpus room and studio for the life of the development.
20. Pool fencing is to be designed, located and maintained in accordance with the Swimming Pools Act 1992, Regulation and Australian Standard 1926.1-2007, Safety barriers for swimming pools
21. A warning notice (resuscitation chart) and External Cardiac Compression Chart is to be affixed and maintained in a prominent location adjacent to the pool / spa.
  - a. The warning notice (i.e. sign) must contain all of the following words:
    - i. "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL" and
    - ii. "POOL GATES MUST BE KEPT CLOSED AT ALL TIMES", and
    - iii. "KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900 MILLIMETRES CLEAR OF THE POOL FENCE AT ALL TIMES",



- b. In addition, the notice must contain a simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation Guideline) containing details of resuscitation techniques (for infants, children and adults):
      - i. that are set out in accordance with the relevant provisions of that Guideline, and
      - ii. that comply with the other relevant guidelines of the Australian Resuscitation Council, and
      - iii. that are illustrated by drawings with key words only in bold print,
    - c. a statement to the effect that formal instruction in resuscitation is essential,
    - d. the name of the teaching organisation or other body that published the sign and the date of its publication.

22. All sanitary drainage must be concealed in service ducts or otherwise hidden from external view to the satisfaction of the Responsible Authority.

23. The reflectivity index (expressed as a percentage of the reflected light falling upon any surface) of all external glazing is to have a maximum reflectivity index of 25%. Written confirmation of the reflectivity index of material is to be submitted with the Construction Certificate.

(Note: the reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement. This is to ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development).

24. Materials and colour schemes are to be in accordance with the following:

  - Roof - Colorbond Windspray; and
  - External Walls - timber weatherboard of a dark navy/charcoal colour or similar.

25. Roofs to all structures are to be of dark or mid grey, brown and/or green tones only. No white or light coloured roofs are permitted.

26. 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.

### **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 Accredited Certifier or Council must be provided with a copy of plans that a Quick Check agent/Sydney Water has stamped before the issue of any Construction Certificate.
3. The works to the existing timber deck and new deck to the north of the existing deck in the rear yard of the site shall be in accordance with Drawing No. DA03 Rev C prepared by Connor & Solomon Architects dated 09.04.13 and DA08 Rev A prepared by Connor & Solomon Architects dated 12.02.13. Any plans not accurately depicting these works shall be updated to reflect this requirement prior to the issue of the Construction Certificate.

4. The works to the proposed terrace on the first floor of the dwelling shall be in accordance with DA04 Rev A prepared by Connor & Solomon Architects dated 18.12.12. Any plans not accurately depicting these works shall be updated to reflect this requirement prior to the issue of the Construction Certificate.
5. The works to the roof and associated eave width on the eastern side of the dwelling shall be in accordance with DA01 Rev B prepared by Connor & Solomon Architects dated 09.04.13. Any plans not accurately depicting these works shall be updated to reflect this requirement prior to the issue of the Construction Certificate.
6. Structural Engineering details relating to the approved works 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.
7. A Certificate from 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, certifying the adequacy of the existing structure to support the additional loading is to be submitted to the Accredited Certifier or Council.
8. A Dilapidation Report shall be prepared by a suitably qualified Engineer for the property at No.14 Watkins Road, Avalon and submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. A copy of the report is to be supplied to the owner of the property.
9. A privacy screen with a maximum of 25% openings shall be erected for the length of the southern side of the entry deck on the upper ground floor level. The privacy screen shall be a height of 1.7 metres measured from the floor level of the deck. The construction plans shall be amended to reflect this requirement prior to the issue of the construction certificate.
10. 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. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.
2. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
3. No works are to be carried out in Council's Road Reserve without the written approval of the Council.
4. No skip bins or materials are to be stored on Council's Road Reserve.

5. 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:
  - The builder's name, builder's telephone contact number both during work hours and after hours.
  - That no works are to be carried out in Council's Road Reserve without the written approval of the Council.
  - 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.
  - That no skip bins or materials are to be stored on Council's Road Reserve.
  - That the contact number for Pittwater Council for permits is 9970 1111.
6. All works within 5 metres of the existing trees to be retained including pruning, demolition, excavation, civil works, fencing and the like must be carried out by hand under the supervision of an experienced and qualified Arborist. Should roots larger than 50mm be encountered all excavation works are to cease immediately and a qualified Arborist is to advise on the impacts of the roots removal on the tree's survival and report to the Principal Certifying Authority prior to works recommencing. If tree roots are present a pier and beam method of footing construction is to be adopted so as to bridge/span any identified lateral roots.
7. During site excavation, topsoil which is to be used in later landscape works is to be stockpiled on site and stabilised during construction works. Stockpiles are to be stored outside of hazard areas and not located within the dripline of existing trees which are to be retained.
8. 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.

9. A stamped copy of the approved plans is to be kept on the site at all times, during construction.
10. 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.
11. Demolition works must be carried out in compliance with WorkCovers *Short Guide to Working with Asbestos Cement* and Australian Standard AS 2601 2001 *The Demolition of Structures*.

The site must be provided with a sign containing the words *DANGER ASBESTOS REMOVAL IN PROGRESS* measuring not less than 400mm x 300mm and be erected in a prominent visible position on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site and disposed to a lawful waste disposal facility.

All asbestos laden waste, including flat, corrugated or profiled asbestos cement sheets must be disposed of at a lawful waste disposal facility. Upon completion of tipping operations the applicant must lodge to the Principal Certifying Authority, all receipts issued by the receiving tip as evidence of proper disposal.

#### **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 certified by any appropriately qualified electrician prior to the issue of any Occupation Certificate.
3. Prior to the issue of a final Occupation Certificate, an assessment of the property at No.14 Watkins Road, Avalon post construction is to be undertaken in comparison to the dilapidation report and any damage to this property is to be rectified at the expense of the owner of No.16 Watkins Road, Avalon to the condition of the dilapidation report provided at the construction certificate stage.
4. A qualified acoustic engineer is to certify that the maximum noise level associated with the pool filter does not exceed 5dB(A) above ambient background level, when measured from any adjoining premises.
5. Certification is to be provided that the commitments identified in the BASIX Certificate have been fulfilled.

#### **F. Matters to be satisfied prior to the issue of Subdivision Certificate:**

Nil.

#### **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. The applicant is also advised to contact the various supply and utility authorities, i.e. Sydney Water, Sydney Electricity, Telstra, etc., to enquire whether there are any underground utility services within the proposed excavation area.
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 Act, this consent will lapse if the development, the subject of this consent, is not physically commenced within 5 years after the date from which this consent operates.
5. To ascertain the date upon which the determination becomes effective and 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 1 year from the date of 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 met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.

## LOCALITY MAP





*Agenda for the Council Meeting to be held on 20 May 2013..*

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<b>C12.3</b>	<b>N0357/12 - 93 Florence Terrace Scotland Island - Construction of a new dwelling, boatshed, boat launching ramp and installation of a wastewater disposal system</b>
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**Meeting:** Planning an Integrated Built Environment Committee

**Date:** 20 May 2013

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**STRATEGY:** Land Use Development

**ACTION:** Provide an effective development assessment and determination process

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## **PURPOSE OF REPORT**

To inform the Committee of the Development Unit's recommendation following consideration of Development Application N0357/12 for the construction of a new dwelling, boatshed, boat launching ramp and installation of a wastewater disposal system at 93 Florence Terrace Scotland Island.

### **1.0 BACKGROUND**

The Development Unit, at its meeting held on Thursday 11 April 2013 considered the Development Officer's report (**Attachment 1**) for determination of Development Application N0357/12 for the construction of a new dwelling, boatshed, boat launching ramp and installation of a wastewater disposal system at 93 Florence Terrace Scotland Island.

### **2.0 REASON FOR REFERRAL TO COUNCIL**

- 2.1 It is a policy requirement of the NSW Department of Planning that applications involving a State Environmental Planning Policy No. 1 (SEPP 1) objection supporting a variation to a development standard of more than 10% be referred to the elected council for determination.
- 2.2 This application involves a variation to the foreshore building line of greater than 10%.

### **3.0 DEVELOPMENT UNIT DELIBERATIONS**

The Development Unit at its meeting held on 11 April 2013 resolved that the recommendation in the Development Officer's report be endorsed and development application N0357/12 for the construction of a new dwelling, boatshed, skid ramp and installation of a wastewater disposal system at 93 Florence Terrace Scotland Island be referred to Council recommending that development consent be granted subject to the attached draft determination including the following deleted and additional conditions:

Deleted Condition B28:

*This development consent does not authorise the construction of a boatshed or skid ramp, or any associated works such as excavation, retaining walls and tree removal.*



Deleted Condition C7:

*Prior to the issue of a Construction Certificate, all drawings and supporting documentation are to be amended to demonstrate the deletion of the boatshed and skid ramp, and all associated works including excavation, retaining walls and tree removal.*

Additional Condition B1(e):

*The new boatshed shall be able to withstand the forces exerted on it by wave action up to the estimated Estuarine Planning level of 2.6m AHD.*

Additional Condition C12:

1. *The proponent must apply for and obtain a Part 7 permit for dredging and reclamation under the FM Act from Fisheries NSW prior to any works on site.*

*Permit application forms are available at:*

*<http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit>; and*

2. *All other relevant authorities have no objections to this proposal.*

#### **4.0 ISSUES**

- Foreshore Building Line
- Marine facilities
- Site disturbance

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#### **5.0 SUSTAINABILITY ASSESSMENT**

- 5.1 The relevant Environmental, Social and Economic issues have been addressed within the attached report.

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#### **6.0 EXECUTIVE SUMMARY**

- 6.1 The application was considered by the Development Unit at its meeting held on 11 April 2013 and the Development Unit endorsed the Assessing Officer's recommendation for approval after including the marine facilities in the approval subject to the conditions contained in the draft determination as attached and the deleted and additional conditions contained within the Development Unit's decision.

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#### **RECOMMENDATION**

That the Development Officer's report be endorsed and development application N0357/12 for the construction of a new dwelling, boatshed, skid ramp and installation of a wastewater disposal system at 93 Florence Terrace Scotland Island be granted consent subject to the attached draft determination including the following deleted and additional conditions:

Deleted Condition B28:

*This development consent does not authorise the construction of a boatshed or skid ramp, or any associated works such as excavation, retaining walls and tree removal.*

Deleted Condition C7:

*Prior to the issue of a Construction Certificate, all drawings and supporting documentation are to be amended to demonstrate the deletion of the boatshed and skid ramp, and all associated works including excavation, retaining walls and tree removal.*

Additional Condition B1(e):

*The new boatshed shall be able to withstand the forces exerted on it by wave action up to the estimated Estuarine Planning level of 2.6m AHD.*

Additional Condition C12:

1. *The proponent must apply for and obtain a Part 7 permit for dredging and reclamation under the FM Act from Fisheries NSW prior to any works on site.*

*Permit application forms are available at:*

*<http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit>; and*

2. *All other relevant authorities have no objections to this proposal.*

Report prepared by

Warwick Lawrence

**MANAGER – ADMINISTRATION & GOVERNANCE**

**CHAIRMAN – DEVELOPMENT UNIT**

**SUBJECT: N0357/12 - 93 Florence Terrace Scotland Island - Construction of a new dwelling, boatshed, boat launching ramp and installation of a wastewater disposal system**

**Determination Level:** Development Unit

**Date:** 11 April 2013

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**SUMMARY OF RECOMMENDATION  
CONSENT WITH CONDITIONS**

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<b>REPORT PREPARED BY:</b>	Rebecca Englund
<b>APPLICATION SUBMITTED ON:</b>	18 December 2012
<b>APPLICATION SUBMITTED BY:</b>	STEPHEN JAMES HAMPSON PO BOX 595 CHURCH POINT NSW 2105
<b>OWNERS:</b>	HAMPSON, STEPHEN JAMES HAMPSON, CAROLYN FRANCES CATCHMENTS AND LANDS DIVISION (DEPT. OF PRIMARY INDUSTRIES)

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### **1.0 SITE DETAILS & ZONING**

The works proposed within this application are located over two (2) separate land titles (1 part private property and 1 part Crown Land), with different land owners (Carolyn and Stephen Hampson and the Catchments and Lands Division of the Department of Primary Industries). The eastern property boundary of 93 Florence Terrace, which is titled "MHWM by Title", indicates the division of private property and Crown Land. It is noted that the property boundary is not the MHWM as defined within PLEP.

The private property is legally described as Lot 77 in Deposited Plan (DP) 12749, and known as No. 93 Florence Terrace, Scotland Island. The private property is trapezoidal in shape and has a total area of 777.8m<sup>2</sup>. The property is surrounded by residential dwellings to the south, south-west, west and north and has direct access to Pittwater to the east (rear). The private property is currently vacant and heavily vegetated, and experiences a slope of approximately 33% from the upper front boundary (Florence Terrace) to the MHWM by Title (rear).

The private property is zoned 2(a) Residential "A" under the provisions of *Pittwater Local Environment Plan 1993*, as shown on the Zoning Map. The Zoning Map means the map marked "Pittwater Local Environmental Plan 1993 (Amendment No.37) Zoning Map and 2(a) Residential "A" is shown in pink, or "coloured light scarlet".

The Crown Land is subject to Licence L503277 and pursuant to the provisions of Section 34 of the *Crown Lands Act 1989*. The Licence is comprised of two (2) parts; jetty and reclamation, which cover an area of 160m<sup>2</sup>. The Crown Land is zoned W2 "Residential Waterways" under the provisions of *Pittwater Local Environment Plan 1993*, as shown on the Zoning Map. The Zoning Map means the map marked "Pittwater Local Environmental Plan 1993 (Amendment No.37) Zoning Map and W2 "Residential Waterways" is shown in light blue, outlined in dark blue and lettered W2.

“Mean High Water Mark” is defined within PLEP and P21 DCP as follows:

*“Mean High Water Mark (MHWM)” means the position where the plane of the mean high water level of all ordinary local high tides intersects the foreshore, being 1.44m above zero of Fort Denison Tide Gauge and 0.515m Australian Height Datum.*

“Waterway” is defined within PLEP and P21 DCP as follows:

“Waterway” means those parts of the Pittwater Waterway below MHWM shown blue and edged in dark blue on the zoning map.

The irregularity with regard to this particular development proposal is that:

- The MWHM is at 0.515m AHD,
- The residential property boundary and MHWM by Title varies between 2.8m AHD and 3.5m AHD, and
- The foreshore area has been reclaimed with development encroaching into the intertidal area and altering the natural ground levels.

This results in the following:

- A portion of the development site with an area of approximately 121m<sup>2</sup> between MHWM and the residential property boundary that is identified as being within the waterways zoning, which is inconsistent with the waterway definition pursuant PLEP.

The question then arises as to the division of the land and the waterway (Pittwater).

In this instance, it is considered that the MHWM as defined by PLEP, being 0.515m AHD, is the most appropriate division between the land and Pittwater. The MHWM is more in keeping with the rear property boundaries of the two adjoining lots and is considered the best fit for this site where the definition of the waterway and the public perception of the waterway significantly differ.

As such, for the purpose of this assessment, the Pittwater Waterway is considered to start at the MHWM as defined by PLEP.

## **2.0 PROPOSAL**

The applicant seeks consent for the following development:

- Earthworks;
- Tree removal;
- Construction of a new split level dwelling, comprised of three (3) bedrooms, two (2) bathrooms, laundry, combined kitchen/living/dining and decking;
- Installation of a waste water disposal system;
- Construction of a new boatshed (primarily located on Crown Land);
- Construction of a boat launching ramp (located entirely on Crown Land); and
- Associated landscaping.

## **3.0 NOTIFICATION**

Six (6) adjoining property owners were notified for a period of twenty-one (21) days from 24 December through to 14 January 2013. The standard fourteen (14) day notification period was extended due to the Christmas/ New Year holiday season. During the notification period, one (1) submission was received from:

- The property owners of 97 Florence Terrace, Scotland Island.

The submission raised concerns in regards visual privacy specifically relating to the kitchen window and rear deck.

Amended plans were notified for a period of fourteen (14) days from 20 February through to 6 March 2013. During this time, no further submissions were received and the initial concerns regarding visual privacy were identified as being satisfied by the modified proposal.

#### **4.0 ASSESSMENT ISSUES**

- D8.7 Foreshore building line;
- D8.8 Building envelope;
- D8.15 Site disturbance;
- D15.8 Foreshore building line;
- D15.14 Minimum frontage for marine facilities; and
- D15.15 Marine facilities.

#### **5.0 BACKGROUND**

A search of Council's Digital records revealed the following background in respect of the subject site;

##### Prior to March 1999

Permissive Occupancy 1965/171 was granted in respect of the subject site for the purpose of jetty, landing/platform and pool.

##### 12 March 1999

Licence 315214 was granted in respect of the subject site for the purpose of jetty and reclamation.

##### 9 December 2003

Licence 395207 was granted in respect of the subject site for the purpose of jetty and reclamation, covering an area of approximately 160m<sup>2</sup>.

##### 10 July 2012

Licence 503277 was granted in respect of the subject site for the purpose of jetty and reclamation, covering an area of approximately 160m<sup>2</sup>.

##### 18 December 2012

Development application N0357/12 was received and notified to adjoining property owners. The application was referred to Council's Development Engineer, Council's Natural Resource Officer, Council's Wastewater Officer, the Department of Planning and Infrastructure (SEPP 71) and the Department of Primary Industries (Fisheries) for comment and/or recommendations.

##### 23 January 2013

A response was received from the Sydney East Director of the Department of Planning and Infrastructure which advised that there are no additional matters for consideration apart from those listed under Clause 8 of State Environmental Planning Policy No. 71 (Coastal Protection).

##### 5 February 2013

A response was received the Department of Primary Industries which advised that Fisheries NSW has reviewed the proposal in light of those provisions and has no objections, subject to the proponent meeting the General Terms of Approval.

### 6 February 2013

A letter of request for additional information was sent to the applicant, with regard to the following issues identified following the assessment of the original proposal;

- Marine facilities;
- Foreshore building line and SEPP No.1 Objection;
- Visual privacy;
- Solar access; and
- Private open space.

### 15 February 2013

Amended plans, and amended statement of environmental effects and an amended SEPP No.1 were received at Council. The amended proposal was subsequently notified to adjoining property owners for fourteen (14) days.

## **6.0 LEGISLATION, PLANS & POLICIES**

The following relevant local and state policies apply:

- Environmental Planning and Assessment Act 1979;
- Crown Lands Act 1989;
- Fisheries Management Act 1994;
- Environmental Planning and Assessment Regulation 2000;
- Crown Lands Regulation 2006;
- Fisheries Management (General) Regulation 2010;
- State Environmental Planning Policy No. 71 – Coastal Protection;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- Pittwater Local Environmental Plan (PLEP) 1993;
  - o Area 1 Dual Occupancy Map;
- Draft Pittwater Local Environmental Plan 2013;
- Pittwater 21 Development Control Plan (Amendment 8):
  - o Lower Western Foreshores and Scotland Island Locality, and
  - o Waterways Locality.

Pittwater 21 DCP identifies the residential site as being the following:

- Slip affected,
- Bushfire prone;
- Subject to wave and tidal inundation,
- Coastal affected,
- Containing or adjoining Pittwater Spotted Gum Forest,
- Containing areas of Saltmarsh Endangered Ecological Community,
- Adjacent to estuarine wetlands,
- Unsewered, and
- Within the scenic foreshore protection area.

## **7.0 PERMISSIBILITY**

### 2(a) Residential “A”

The construction of a new dwelling and part boatshed, the installation of a waste water disposal system, earthworks and associated landscaping on land zoned 2(a) Residential “A” is permissible with consent as identified within the land use table of PLEP.

## W2 “Residential Waterways”

The works proposed seaward of the residential property boundary being the construction of a new boatshed, boat launching ramp, earthworks and associated landscaping are considered subsidiary to the development proposed on the adjacent residential zoned land, and as such is permissible with consent, as identified within the land use table of PLEP.

### 8.0 COMPLIANCE TABLE

T - Can the proposal satisfy the technical requirements of the control?

O - Can the proposal achieve the control outcomes?

N - Is the control free from objection?

Control	Standard	Proposal	T	O	N
<b>REF - Development Engineer</b>					
B3.1 Landslip Hazard	All development on land to which this control applies must comply with the requirements of the <i>Geotechnical Risk Management Policy for Pittwater</i> .	The application was supported by a Geotechnical Risk Assessment Report. The application was referred to Council's Development Engineer who raised no issues in this regard.	Y	Y	Y
B3.7 Estuarine Hazard - Residential Development: Dwelling House, Secondary Dwelling and Dual Occupancy	The Estuarine Planning Level for the subject site is 2.6m AHD	The FFL of the proposed boatshed is 1.86m AHD. Should the application be approved, Council's development Engineer has recommended the following condition of consent;  <i>The new boatshed shall be able to withstand the forces exerted on it by wave action up to the estimated Estuarine Planning level of 2.6m AHD.</i>	Y	Y	Y
B3.22 Flood Hazard - Flood Category 3 - All Development			-	-	-
B5.4 Stormwater Harvesting			-	-	-
B5.6 Rainwater Tanks - Water Supply		The architectural drawings demonstrate the inclusion of two (2) separate water tanks.  The Bushfire Risk Assessment Report recommends a static water supply of no less than 10 000L.	Y	Y	Y
B5.8 Stormwater Management - Water Quality - Dwelling House, Dual Occupancy and Secondary Dwellings			-	-	-
B5.10 Stormwater Discharge into Public Drainage System			-	-	-
B5.11 Stormwater Discharge into Waterways and Coastal Areas			Y	Y	Y
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-

Control	Standard	Proposal	T	O	N
B5.12 Interim Draft - Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.13 Development on Waterfront Land			-	-	-
B5.14 Stormwater Drainage Easements (Public Stormwater Drainage System)			-	-	-
B6.11 Access Driveways, Internal Driveway and Off Street Parking Requirements - Dwelling House - Scotland Island			-	-	-
B8.1 Construction and Demolition - Excavation and Landfill			Y	Y	Y
B8.2 Construction and Demolition - Erosion and Sediment Management			Y	Y	Y
B8.3 Construction and Demolition - Waste Minimisation			Y	Y	Y
B8.4 Construction and Demolition - Site Fencing and Security			-	-	-
B8.5 Construction and Demolition - Works in the Public Domain			Y	Y	Y
B8.6 Construction and Demolition - Traffic Management Plan			-	-	-
<b>REF - Health</b>					
B5.2 Wastewater Disposal		<p>The application includes the installation of an on-site sewerage management system associated with the proposed new dwelling.</p> <p>The application was referred to Council's Wastewater Officer who provided comments in this regard.</p> <p>See further discussion below.</p>	Y	Y	Y
B5.3 Greywater Reuse			-	-	-



Control	Standard	Proposal	T	O	N
<b>REF - Natural Resources</b>					
B1.4 Aboriginal Heritage Significance		<p>Council's Natural Resources Officer provided the following comments with regard to the proposed development;</p> <p><i>No apparent issues.</i></p>	Y	Y	Y
B3.5 Acid Sulphate Soils		<p>Council's Natural Resources Officer provided the following comments with regard to the proposed development;</p> <p><i>No issues. Acid Sulphate Region 5 only.</i></p>	Y	Y	Y
B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community		<p>Council's Natural Resources Officer provided the following comments with regard to the proposed development;</p> <p><i>The property is a vacant lot with numerous native canopy trees and a cleared understorey. The proposed works include the construction of a new dwelling, boatshed and wastewater treatment system.</i></p> <p><i>An arborist report has been supplied (Syncarpia Vegetation Management, November 2012) which assesses thirty-seven (37) trees within 5 metres of the proposed development. Eleven (11) have been proposed for removal to accommodate the new dwelling of which all are native species. The report states many are in poor health and their removal would not significantly impact the canopy, and no significant trees will require removal. These recommendations are supported and their removal is approved. A further four (4) trees, T3, T7, T8 and T9 have been identified as in poor health and possibly would not survive the development. These are also approved for removal if necessary.</i></p> <p><i>A site inspection revealed T22 (White Mahogany) is within close proximity to the excavation and has a lean towards the proposed dwelling. If required, this tree is also approved for removal. The removal of these trees is subject to replacement planting of at least six (6) native trees on site (there is insufficient space for more replacements due to the existing canopy and bushfire requirements).</i></p> <p><i>It is proposed to retain the natural bush landscape of the site and remove all weeds. Any new planting must be at least 50% locally native species.</i></p> <p><i>The proposed works also include a skid ramp from the boatshed into the water. This work is below the mean High Water Mark. Upon site inspection there is no apparent aquatic vegetation in the vicinity of the proposed skid ramp. A letter dated 8 November 2012 has been provided from the Department of Primary Industries (Fisheries) which states they have no objections to this component of the proposal.</i></p> <p><i>There are no further natural resource issues.</i></p>	Y	Y	Y

Control	Standard	Proposal	T	O	N
B4.15 Saltmarsh Endangered Ecological Community			-	-	-
B4.16 Seagrass Conservation		Council's Natural Resources Officer provided the following comments with regard to the proposed development;  <i>For comments see B4.7</i>	Y	Y	Y
B4.19 Estuarine Habitat		Council's Natural Resources Officer provided the following comments with regard to the proposed development;  <i>For comments see B4.7</i>	Y	Y	Y
B4.20 Protection of Estuarine Water Quality		Council's Natural Resources Officer provided the following comments with regard to the proposed development;  <i>For comments see B4.7</i>	Y	Y	Y
C1.1 Landscaping		Council's Natural Resources Officer provided the following comments with regard to the proposed development;  <i>For comments see B4.7</i>	Y	Y	Y
<b>REF - Planner</b>					
EPA Act Section 147 Disclosure of political donations and gifts	Applications or public submissions to Council may require a Political donations and gifts disclosure statement to be completed under section 147(4) and (5) of the Environmental Planning and Assessment Act 1979.	No political donations or gifts have been reported in the application or public submissions received.	Y	Y	Y
A4.8 Lower Western Foreshores and Scotland Island Locality	Low-density residential area with dwelling houses a maximum of two-storeys in any one place in a landscaped setting, integrated with the landform and landscape.  Development will be limited primarily due to the localities remoteness and lack of vehicular access, but also due to the steepness of the slope, proximity to the waterway, species and habitat diversity, and visual prominence.  Future development will be maintained below the tree canopy and minimise bulk and scale. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance.	The proposed development is considered consistent with the desired character of the Lower Western Foreshores and Scotland Island Locality.	Y	Y	Y

Control	Standard	Proposal	T	O	N
A4.15 Waterways Locality	<p>Remain a recreational boating area.</p> <p>Future development will not restrict public access adjoining the foreshore, or pedestrian access along the foreshore.</p> <p>Achieve a balance between maintaining landforms, landscapes and other features of the natural environment.</p> <p>Future development will include measures to ensure the protection of the water quality and estuarine habitats of the locality, including mangroves, sea grasses, intertidal sand/mud flats, rocky shorelines and beaches.</p>	<p>As currently proposed, the works located within the waterways zoning are unsympathetic to the natural foreshore area, and are inconsistent with the desired character of the Waterways Locality.</p> <p>The proposed boatshed and ramp will further alienate the intertidal area, resulting in a dominance of built structures along the foreshore.</p> <p>With this in mind, the cumulative impact of the proposed boatshed and ramp in conjunction with the existing reclamation of land, decking area, groyne and jetty is not considered an appropriate balance between the natural environment and built works.</p> <p>For this reason, and with regard to the other issues relating to the foreshore building line and marine facilities controls, a condition is recommended to delete the proposed boatshed and ramp from any consent issued by Council.</p> <p>It is considered that the deletion of these elements would ensure consistency with the desired character of the Waterways Locality.</p>	N	N	Y
3.1 Submission of a Development Application and payment of appropriate fee	A completed development application form including formal owners consent to lodge the application together with the appropriate fees must be submitted with all development applications.	<p>The application was supported by owners consent from both the private property owners and the Catchments and Lands Division of the Department of Primary Industries.</p> <p>Relevant fees were paid at Council at the time of lodgement.</p>	Y	Y	Y
3.2 Submission of a Statement of Environmental Effects	A Statement of Environmental Effects (SEE) must accompany all development applications.	The application was supported by a Statement of Environmental Effects prepared on behalf of the applicant.	Y	Y	Y
3.3 Submission of supporting documentation - Site Plan / Survey Plan / Development Drawings	Survey Plan, Site Plan, Development drawings and a Schedule of Finishes required to be submitted.	The application was supported by all necessary information to assess the proposed development.	Y	Y	Y
3.4 Notification	Normal development applications are notified for a period of fourteen (14) days, by means of neighbour notification and a sign located on the subject property visible from the street.	<p>Adjoining property owners were notified in accordance with Council's Notification Policy.</p> <p>A site inspection confirmed the placement of the notification sign during the notification period.</p>	Y	Y	Y
3.5 Building Code of Australia	Proposed development must be designed, constructed and maintained so that they comply with the relevant provisions of the Building Code of Australia.	The architectural drawings do not include a statement with regard to compliance with the BCA. Should the application be approved, a condition is recommended to ensure compliance in this regard.	Y	Y	Y

Control	Standard	Proposal	T	O	N
3.6 State Environment Planning Policies (SEPPs) and Sydney Regional Environmental Policies (SREPs)			-	-	-
4.1 Integrated Development: Water Supply, Water Use and Water Activity	Applications involving water supply works (including the installing and operating a pump, dam or bore), water use, and activities (including controlled activities and aquifer interference activities) must be referred to the NSW Office of Water.	The application does not involve water supply works, water use or activities, and as such the application is not classified as integrated development as it does not require an approval under the Water Management Act 2000.	-	-	-
4.2 Integrated Development – Fisheries Management	Council must forward a copy of the application to the authority required to give approval under the other legislation within two days after receiving the application. The approval body may request additional information through Council. The approval body must provide Council with the general terms of any approval, which that body proposed to grant, within 40 days of receiving the application.	<p>The application is classified as integrated development pursuant to Section 201 of the Fisheries Management Act 1994.</p> <p>The application has been referred to the Department of Primary Industries for comment in this regard.</p> <p>The Department of Primary Industries provided a response on 5 February 2013 as follows;</p> <p><i>Fisheries NSW has reviewed the proposal in light of those provisions and has no objections, subject to the proponent meeting the General Terms of Approval that follow. As per s.91A(3) of the Environmental Planning and Assessment Act 1979, any consent issued by Council must be consistent with these GTAs;</i></p> <ol style="list-style-type: none"> <li><i>The proponent must apply for and obtain a Part 7 permit for dredging and reclamation under the FM Act from Fisheries NSW prior to any works on site. Permit application forms are available at: <a href="http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit">http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit</a>; and</i></li> <li><i>All other relevant authorities have no objections to this proposal.</i></li> </ol> <p>Note: The works on Crown Land have been found to be inconsistent with the relevant controls and policies with regard to the foreshore building line and are recommended to be deleted from the proposal. With this in mind, the conditions recommended by Fisheries will no longer be applicable.</p>	Y	Y	Y
4.5 Integrated Development: Aboriginal Objects and Places		The application is not classified as integrated development as it does not require development consent and an approval under the National Parks and Wildlife Act 1974.	-	-	-
4.7 Integrated Development - Roads		The application is not classified as integrated development as it does not require development consent and an approval under the Roads Act 1993.	-	-	-

Control	Standard	Proposal	T	O	N
4.8 Integrated Development - Rivers, Streams and Foreshores	The application must be referred to the NSW Office of Water if the development is a controlled activity to be undertaken on waterfront land of a river, lake or estuary (excluding the costal foreshore).	<p>The application includes works proposed within 40m of MHW and into the intertidal zone.</p> <p>The proposed works are considered to meet the definition of a "controlled activity" as defined by the Water Management Act 2000.</p> <p>Section 91E(1) of the Water Management Act 2000 specifies that a person who carries out a controlled activity in, on or under waterfront land and who does not hold a controlled activity approval for that activity, is guilty of an offence.</p> <p>However, Subdivision 39 of the Water Management Act 2000 provides that a person (other than a public authority) is exempt from section 91E(1) of the Act in relation to controlled activities specified in Part 2 of Schedule 5 that are carried out in, on or under waterfront land.</p> <p>Part 2 of Schedule 5 of the Water Management (General) Regulation 2011 includes development ancillary to a dwelling house, such as marine facilities.</p> <p>As such, the application is considered exempt from requiring a controlled activity approval under the Water Management Act 2000.</p>	-	-	-
5.3 Referral to NSW Dept of Environment and Climate Change (DECC)		The proposed development is not on land that is, or is a part of, a critical habitat, and the development is not likely to significantly affect a threatened species, population, or ecological community, or its habitat.	-	-	-
A1.7 Considerations before consent is granted	<p>Before granting development consent, Council must be satisfied that the development is consistent with <i>Pittwater LEP 1993</i>, the desired character of the Locality; and the development controls applicable to the development.</p> <p>Council will also have regard to section 79C of the <i>Environmental Planning and Assessment Act 1979</i>.</p>		Y	Y	Y
B1.3 Heritage Conservation - General		The subject site does not contain any known items of heritage significance and is not located in the vicinity of any.	-	-	-
B3.2 Bushfire Hazard	All development is to be designed and constructed so as to manage risk due to the effects of bushfire throughout the life of the development.	<p>The application was supported by a Bushfire Risk Assessment Report which provides recommendations to manage the risk of bushfire. The report specifies that the subject site has a BAL rating of 12.5 and no alternate solutions are proposed.</p> <p>Should the application be approved, conditions are recommended to ensure compliance with the recommendations of the Bushfire Risk Assessment Report.</p>	Y	Y	Y

Control	Standard	Proposal	T	O	N
B3.6 Contaminated Land and Potentially Contaminated Land	Council shall not consent to the carrying out of any development on land unless it has considered SEPP No. 55 Remediation of Land.	The application has been assessed in accordance with SEPP No. 55 and no issue is raised in this regard.	Y	Y	Y
B5.2 Wastewater Disposal		The application includes the installation of an on-site sewerage management system associated with the proposed new dwelling.  The application was referred to Council's Wastewater Officer who provided comments in this regard.  See further discussion below.	Y	Y	Y
B5.3 Greywater Reuse			-	-	-
B5.11 Stormwater Discharge into Waterways and Coastal Areas			-	-	-
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.12 Interim Draft - Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.13 Development on Waterfront Land			-	-	-
C1.2 Safety and Security			Y	Y	Y
C1.3 View Sharing		The proposed building lines and heights are consistent with the surrounding built form. The proposed development is not considered to unreasonably impact upon views available from surrounding/nearby properties and those available to the public from the nearby public domain.	Y	Y	Y
C1.4 Solar Access	The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum 3 hours of sunlight between 9am and 3pm on June 21 <sup>st</sup> .  Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings are to receive a minimum 3 hours of sunlight between 9am and 3pm on June 21 <sup>st</sup> .	<u>Proposed new dwelling</u> The windows associated with the principal living area of the proposed new dwelling is considered to receive a minimum of 3 hours of sunlight between 9am and 3pm during midwinter.  The proposed balcony on the south-east side of the new dwelling will be overshadowed for the majority of the day. However, the site contains an existing paved area to the east of the proposed dwelling which will receive more than 3 hours of sunlight between 9am and 3pm during midwinter. <u>97 Florence Terrace</u> Given the orientation of the subject site, the proposed development will cast shadows over some part of the adjoining dwelling at 97 Florence Terrace at all times of the day during mid winter.	Y	Y	Y

Control	Standard	Proposal	T	O	N
C1.4 Solar Access (Continued)		<p>However, it is noted that the primary area of private open space is to the west of the existing dwelling at 97 Florence Terrace which is still able to receive in excess of 3 hours of direct sunlight between 9am and 3pm during mid winter.</p> <p>Furthermore, the adjoining dwelling at 97 Florence Terrace has windows associated with the primary living area which face east, north and west, ensuring that direct sunshine is received for the majority of the day.</p> <p>Overall, the proposed development is not considered to result in any unreasonable impacts upon adjoining properties with regard to solar access.</p>			
C1.5 Visual Privacy	Private open space, recreation areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by building layout, landscaping, screening devices or greater spatial separation.	<p>The proposed new dwelling includes a kitchen window and a balcony within 9m of an area of private open space of the adjoining property at 97 Florence Terrace, Scotland Island. The kitchen window and the balcony will provide a direct line of sight between the two dwellings.</p> <p>One (1) submission has been received from the adjoining property owner of 97 Florence Terrace in this regard.</p> <p>Following a request to provide additional information in this regard, the applicant has amended the proposal to include fixed louvers on the kitchen window and a limited privacy screen and a roof on the balcony.</p> <p>The adjoining property owner at 97 Florence Terrace has advised that the amended proposal has satisfied any initial concerns.</p> <p>As such, the proposed development is not considered to result in any unreasonable impacts upon adjoining properties with regard to visual privacy.</p>	Y	Y	Y
C1.6 Acoustic Privacy	Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.	Should the proposed development be approved, a condition of consent is recommended to ensure that the noise levels of all pumps associated with the wastewater management system shall not exceed 5dBA above the background noise when measured from the nearest property boundary.	Y	Y	Y
C1.7 Private Open Space	Private open space should be located to the rear of the dwelling to maximise privacy for occupants.	<p>The proposed elevated balcony associated with the primary living area is oriented towards the side boundary to maximise the views to the south-east. Following initial concerns, the proposal has been amended to incorporate a limited privacy screen along the side elevation.</p> <p>The subject site also has benefit of an existing paved area to the east of the proposed dwelling which will provide additional provision of private open space.</p>	Y	Y	Y
C1.9 Adaptable Housing and Accessibility			-	-	-
C1.12 Waste and Recycling Facilities			Y	Y	Y

Control	Standard	Proposal	T	O	N
C1.13 Pollution Control			Y	Y	Y
C1.14 Separately Accessible Structures		None proposed. However, the proposed lower level is designed in a way that is could be used separately from the level above. Should the application be approved, a condition of consent is recommended to ensure that the dwelling is used for single habitation only, and no additional cooking facilities are to be incorporated into the design.	-	-	-
C1.17 Swimming Pool Safety		None proposed.	-	-	-
C1.19 Incline Passenger Lifts and Stairways		None proposed. However, the architectural drawing stamped by the Crown, the Geotechnical Risk Assessment Report and the arborist report make reference to an inclinor along the northern property boundary. Should the application be approved, a condition of consent is recommended to prevent incorporation of inclinor.	-	-	-
C1.23 Eaves			Y	Y	Y
C1.24 Public Road Reserve - Landscaping and Infrastructure			-	-	-
C1.25 Plant, Equipment Boxes and Lift Over-Run			-	-	-
D8.1 Character as viewed from a public place	Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.	The application does not include any additional landscaping despite removal of several established canopy trees. Should the application be approved, Council's Natural Resources Officer has recommended conditions of consent requiring replacement plantings, which when combined with the existing natural landscape, should effectively soften the appearance of the resultant development as viewed from Florence Terrace and Pittwater.	Y	Y	Y
D8.3 Building colours and materials	Dark and earthy tones, with minimal reflectivity.	The schedule of external finishes provided to accompany the proposed development is considered to be consistent with Council's controls. Should the application be approved, a condition is recommended to ensure compliance with the schedule provided.	Y	Y	Y
D8.4 Height	Max. height – 8.5m	Proposed maximum height - 7.1m above natural ground.  The proposed new dwelling is maintained below the prescribed maximum height.	Y	Y	Y
D8.5 Front building line	Min setback from front boundary – 6.5m or established, whichever is the greater.	Proposed setback of dwelling – 29.5m Proposed setback of dispersion trench – 6.5m  The proposed new dwelling is located behind both the established building line and the minimum distance prescribed by this control.  The proposed dispersion trench is located 6.5m from the front property boundary, however will not be readily visible from the street.	Y	Y	Y



Control	Standard	Proposal	T	O	N
D8.6 Side and rear building line	Min. setback from side boundaries - 1m to one side, 2.5m to the other.  Min. rear setback – Foreshore building line applies.	Proposed setback from northern side boundary – 2.5m  Proposed setback from southern side boundary – 1m  The proposed development is maintained within the prescribed side setbacks.	Y	Y	Y
D8.7 Foreshore building line	Development is prohibited between the foreshore building line and property boundary adjacent to the waterway, except development for the purpose of the following:  i. boating facilities; ii. an inground swimming pool at natural ground level; iii. fencing; iv. works to enable pedestrian access; and v. seawalls.	The foreshore building line dissects the northern side property boundary at a distance of approximately 19.68m from the MHWM by Title, and the southern side property boundary at a distance of 17.67m from the MHWM by Title.  The architectural drawings indicate that a portion of the proposed new dwelling, two AWTS tanks, access stairs and retaining walls are proposed within this area.  See further discussion below.	N	Y	Y
D8.8 Building envelope	Buildings are to be contained within planes projected at 45 degrees from a height of 3.5 metres above natural ground level at the side boundaries to the maximum height	The proposed development breaches the proposed building envelope with regard to the roof over the upper floor balcony on the south-east corner of the new dwelling.  This minor non-compliance with the prescribed building envelope is not considered to result in any unreasonable impacts upon adjoining properties and the proposed development is able to achieve consistency with outcomes of this control.	N	Y	Y
D8.9 Site coverage	Maximum site coverage – 28% of the total area.  Water tanks and wastewater treatment systems that are not visible from the waterway are exempt from the site coverage calculation.	Proposed site coverage – 177m <sup>2</sup> or 22.8% of the total site.  The proposed development is maintained at the maximum prescribed site coverage calculation.	Y	Y	Y
D8.10 Fences		None proposed.	-	-	-
D8.11 Construction, Retaining walls, terracing and undercroft areas		The application includes undercroft areas and retaining walls which will be visible from the waterway. Should the application be approved, a condition is recommended to ensure the use of dark and earthy tones for the resultant retaining walls, and screen plantings adjacent to the undercroft areas.	Y	Y	Y
D8.13 Stormwater overflow			Y	Y	Y
D8.14 Parking management			Y	Y	Y
D8.15 Site disturbance	Maximum site disturbance at any one time – 25% of the total site	Proposed site disturbance – 42% of the total site  The proposed development exceeds the maximum area of site disturbance prescribed by this control. This is considered largely unavoidable given the size of the dispersion area required for the proposed wastewater management system. The proposed development is considered to achieve the outcomes of this control, despite exceeding the prescribed maximum of 25%.	N	Y	Y

Control	Standard	Proposal	T	O	N
D8.16 Scenic Protection Category One Areas	<p>The siting, building form, orientation and scale of the development shall not compromise visual integrity of the site by removal of canopy trees along ridges and upper slopes.</p> <p>The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.</p>	The proposed development is not considered to result in an unreasonable visual impact upon the natural landscape as viewed from the waterway, and is considered to be able to achieve the outcomes of this control.	Y	Y	Y
D15.1 Character as viewed from a public place	The bulk and scale of building must be minimised.	As identified by D15.14 Minimum frontage for marine facilities, the subject site is considered too narrow to accommodate multiple marine facilities. Furthermore, the proposed boatshed requires the removal of 7 native canopy trees and as such the proposed development along the foreshore can not be seen to enhance the natural landscape of the site.	N	N	Y
D15.2 Scenic Protection			Y	Y	Y
D15.3 Building colours and materials	Dark and earthy tones, with minimal reflectivity.	The schedule of external finishes provided to accompany the proposed development is considered to be consistent with Council's controls. Should the application be approved, a condition is recommended to ensure compliance with the schedule provided.	Y	Y	Y
D15.4 Height - General	Maximum height of structures landward of MHW – 8.5m	The maximum height of the proposed boatshed is 3.96m above natural ground level.	Y	Y	Y
D15.5 Height – Seaward of MHW			-	-	-
D15.6 Front building line			-	-	-
D15.7 Side and rear building line	<p>There are no prescribed minimum side setbacks for structures on land zoned W2 "Residential Waterways".</p> <p>The minimum prescribed setbacks for the adjoining residential land are considered the most appropriate fit.</p>	<p>The proposed works are located at a minimum distance of 2.3m from the southern property boundary of the adjoining property at 91 Florence Terrace.</p> <p>This minimum side setback is considered to achieve the outcomes of this control.</p>	Y	Y	Y
D15.8 Foreshore Building Line	<p>Development is prohibited between the foreshore building line and property boundary adjacent to the waterway, except development for the purpose of the following:</p> <ul style="list-style-type: none"> <li>vi. boating facilities;</li> <li>vii. an inground swimming pool at natural ground level;</li> <li>viii. fencing;</li> <li>ix. works to enable pedestrian access; and</li> <li>x. seawalls.</li> </ul>	<p>The architectural drawings indicate that the proposed boatshed and skid ramp are located between the property boundary (MHW by title) and the MHW as defined by PLEP and P21 DCP.</p> <p>As both the boatshed and skid ramp are appropriately defined as boating facilities, the works are permitted within the foreshore area pursuant to P21 DCP.</p> <p>However, concern is raised with regard to the design criteria identified by control D15.15 Marine facilities, and the extent of the encroachment of the foreshore area.</p>	N	N	Y

Control	Standard	Proposal	T	O	N
D15.8 Foreshore Building Line (Continued)		The existing foreshore development at the subject site is unsympathetic to the natural coastline, and the proposed marine facilities exaggerate the overdeveloped nature of the intertidal area.  See further discussion below.			
D15.9 Public foreshore access	Development shall not be permitted within or adjoining the Pittwater waterway which will restrict pedestrian or boat access to/from the foreshore.	The proposed development is considered consistent with the outcomes of this control.	Y	Y	Y
D15.10 Fences		None proposed.	-	-	-
D15.11 Waterfront lighting		None proposed.	-	-	-
D15.12 Development seaward of mean high water mark	All new buildings are to be located landward of MHW. In instances where it is proposed to alter, extend or rebuild existing buildings seaward of MHW, any further encroachment should be minimised.	A portion of the proposed skid ramp is located seaward of MHW. The proposed skid ramp is inconsistent with Council's design criteria and is proposed on an area of natural sandy foreshore.  As currently proposed, the development is inconsistent with this control.  See further discussion with regard to D15.15 Marine Facilities and D15.8 Foreshore building line.	N	N	Y
D15.13 Lateral limits to development seawards of MHW		The proposed development does not encroach upon the lateral limits prescribed by this control.	Y	Y	Y
D15.14 Minimum frontage for marine facilities	Where an existing allotment has a water frontage of less than 15m, limited development such as a jetty, ramp and pontoon will generally only be permitted.	The subject site has a water frontage of 13.6m, and features an existing jetty and decking area (reclaimed area) within the waterways zoning. The development as currently proposed, which is inconsistent with the design criteria identified by D15.15 Marine Facilities, is not considered to minimise the individual and cumulative visual impact of the resultant development.	N	N	Y
D15.15 Marine facilities	Boatsheds shall meet the following criteria; - located above MHW on freehold land. Where this is not physically possible, the encroachment shall be minimised;  Slipways and Launching Ramps (skid ramps) are generally not favoured.  If the proposed slipway or launching ramp (skid ramp) does not impact upon the intertidal zone or visually detract from the natural setting, the following criteria shall apply; - innovative design incorporated into exiting structures is encouraged;	<u>Proposed boatshed</u> The proposed boatshed is located almost entirely on Crown Land, with only the north-western corner of the structure clipping the private property boundary.  <u>Proposed skid ramp</u> The proposed skid ramp further encroaches upon the intertidal zone and is unsympathetic to the natural curve of the foreshore. The skid ramp is located entirely on Crown Land, and extends below MHW. The proposed skid ramp is also proposed to be located in the middle of a small remaining portion of natural sandy beach. The applicant has been given the opportunity to amend the design of the proposed skid ramp to achieve greater consistency with the control, however no changes or justification for the non-compliance has been provided.	N	N	Y

Control	Standard	Proposal	T	O	N
D15.15 Marine facilities (Continued)	<ul style="list-style-type: none"> <li>- located entirely on freehold land;</li> <li>- slipways from boatshed or reclamation must be recessed into the subject structure;</li> <li>- timber is preferred over concrete.</li> </ul>	<p>It is noted that the Crown Lands Division have advised that the proposed boatshed would not be permitted without a suitable skid ramp.</p> <p>As discussed in consideration of D15.14 Minimum frontage for marine facilities, the proposed boatshed and skid ramp are considered to result in an overdevelopment of the foreshore area, on a site where foreshore development should be minimised.</p> <p>The proposed boat shed and skid ramp are not considered to achieve the outcomes of this control, and do not result in consistency with the desired character of the Waterways Locality.</p> <p>Should the application be approved, a condition of consent is recommended to delete the proposed skid ramp, boatshed, and associated retaining walls.</p>			
SEPP No 71 Coastal Protection		<p>As the proposal involves works below MHWL, the application was referred to the Department of Planning and Infrastructure pursuant to SEPP No. 71.</p> <p>A response was received from the Sydney East Director of the Department of Planning and Infrastructure on the 23 January 2013 which advised that there are no additional matters for consideration apart from those listed under Clause 8 of State Environmental Planning Policy No. 71 (Coastal Protection).</p> <p>As currently proposed the development which is considered to result in the overdevelopment of the foreshore area, is not considered to be consistent with Clause 8 or the aims of SEPP No. 71 – Coastal Protection.</p> <p>If the proposed boatshed and skid ramp were removed from the proposed development, the application is considered to be able to achieve consistency with the aims of SEPP No.71 – Coastal Protection.</p>	N	N	Y
SEPP (Building Sustainability Index: BASIX) 2004		BASIX Certificate 439689S dated 14 December 2012	Y	Y	Y

## 9.0 DISCUSSION OF ISSUES

### • B5.2 Wastewater Disposal

As the proposed development includes the installation of a wastewater disposal system, the application was referred to Council's Wastewater Officer who provided the following comment;

*I have assessed the following documents:*

1. Jack Hodgson Consultants Pty Limited "Risk Analysis & Management for proposed residence at 93 Florence Terrace, Scotland Island", dated
2. Blue Mountains Geological and Environmental Services Pty Ltd "Report on assessment for the siting of a proposed effluent management" system (Ref. No.120805 dated August 2012).
3. Site Plan prepared by Stephen Crosby & Assoc. Pty Ltd, drawing Number 2092-DA01, dated July 2012.
4. Survey site plan prepared by C.M.S. Surveyors Pty Limited (drawing name 9752detail, sheet 1 of 1, issue 3, dated 6 November 2012).

*Comments and Recommendations:*

*The land is currently vacant. A new dwelling and on-site sewage management system (aerated wastewater treatment system – AWTs) are proposed.*

*An existing on-site sewage management system (septic tank) is shown to be located adjacent to the proposed boatshed on the "Floor Plan Elevations & Sections" drawing prepared by Stephen Crosby & Assoc. Pty Ltd, drawing number 2092-DA07A, dated September 2012. The proposed boatshed and dwelling at 93 Florence Terrace, Scotland Island, are not permitted to be connected to this septic tank. Stephen Crosby advised me that it appears that the existing septic tank located adjacent to the proposed boatshed at 93 Florence Terrace, Scotland Island, is an encroachment and services the dwelling on the property at 91 Florence Terrace, Scotland Island. The location of the existing septic tank encroachment within 93 Florence Terrace, Scotland Island, is also confirmed within the survey site plan prepared by C.M.S. Surveyors Pty Limited (drawing name 9752detail, sheet 1 of 1, issue 3, dated 6 November 2012).*

*I have placed a condition within the proposed consent conditions that "The boatshed and dwelling at 93 Florence Terrace, Scotland Island, are not permitted to be connected to the existing on-site sewage management system (septic tank) shown to be located adjacent to the proposed boatshed on the "Floor Plan Elevations & Sections" drawing prepared by Stephen Crosby & Assoc. Pty Ltd, drawing number 2092-DA07A, dated September 2012".*

*It is recommended that Council's Natural Resources department consider the proposed siting of the land application (effluent irrigation) area. The Blue Mountains Geological and Environmental Services Pty Ltd "Report on assessment for the siting of a proposed effluent management" system (Ref. No.120805 dated August 2012) states that four spotted gum trees are located within the proposed land application (effluent irrigation) area. Provided that Council's Natural Resources department raise no objection to the proposal the following conditions are to be imposed into any consent documentation.*

It is noted that the application was referred to Council's Natural Resources who raised no concerns in regards to the siting of the land application area. It is further noted that the Arboriculture Assessment Report provided to support the application (Tree and Vegetation Assessment and Ecological Sustainability Concept Plan, prepared by Julia Stanton of Syncarpia Vegetation Management, dated November 2012) has considered the placement of the land application area and has provided a series of recommendations to minimise any resultant impact upon existing vegetation.

- **D8.7 Foreshore building line**

(Note: D8.7 Foreshore building line applies to residential zoned land as opposed to D15.8 Foreshore building line which applies to residential waterways zoned land)

The foreshore building line dissects the northern side property boundary at a distance of approximately 19.68m from the MHW by Title, and the southern side property boundary at a distance of 17.67m from the MHW by Title, creating a foreshore area on the residential site of approximately 228m<sup>2</sup>.

The architectural drawings indicate that a portion of the proposed new dwelling, two AWTS tanks, access stairs and retaining walls are proposed within this area. The structures proposed within the foreshore area of the residential site are considered as follows;

Access Stairs – 10m<sup>2</sup>

The applicant proposes the construction of an access stairway to provide pedestrian access to the proposed dwelling. The design of the access pathway is considered to be minimal and is located to minimise any resultant impacts upon existing vegetation. The proposed stairway/pathway is considered to achieve the outcomes of this control.

AWTS Tanks – 5.2m<sup>2</sup>

As the site is not connected to Sydney Water Sewerage System, the proposed dwelling is reliant upon an effluent management system located on the property. In this regard, the assessment for the siting of a proposed effluent management system (reference 120805, prepared by Blue Mountains Geological and Environmental Services Pty Ltd, dated August 2012) has identified that the proposed aerated wastewater treatment system (AWTS) tanks are located in the best fit location, being downhill of the proposed dwelling.

Given the slope of the site, and to mitigate hazards with regard to landslip, the geotechnical engineer has recommended a series of retaining walls to support the proposed system. Subject to conditions of consent regarding screen plantings and the finish of the tanks and retaining walls, the visual impact of the proposed development is considered to be minimised and consistent with the outcomes of this control.

Dwelling and associated balconies – 13.53m<sup>2</sup>

A portion of the dwelling and associated eastern balconies are located forward of the foreshore building line, with a maximum encroachment of 2.5m. It is noted that dwelling houses are not identified as being permitted within the foreshore area. The minor encroachment of the dwelling within the foreshore area is considered reasonable on merit, as follows;

- The proposed three bedroom dwelling, which is comparably moderately in size, has been located to minimise impact upon existing vegetation. If the proposed dwelling was to be relocated at a greater distance from the waterway, two additional Pittwater Spotted Gum Trees would be required to be removed;
- The proposed dwelling is consistent with the existing established character of Florence Terrace, where the majority of dwellings are located forward of the foreshore building line; and
- The proposed dwelling is well articulated and is not considered to be excessive in bulk or scale. The apparent size as viewed from the waterway is minimised and is able to be softened by existing and proposed vegetation between the foreshore building line and the waterway.

With this in mind, the proposed development is considered to achieve the outcomes of the foreshore building line control, despite a minor encroachment of a small portion of the proposed dwelling.

- **D15.8 Foreshore building line, D15.15 Marine facilities and SEPP No.71 – Coastal Protection**

(Note: D15.8 Foreshore building line applies to residential waterways zoned land as opposed to D8.7 Foreshore building line which applies to residential zoned land)

The applicant seeks consent to construct a boatshed and skid ramp on Crown Land, above MHWL (as defined by PLEP as being 0.515m AHD). MHWL is located at varied distance from the eastern property boundary, approximately 7.8m north eastern corner of the property, 6.4m from the south east corner of the property, at a maximum distance of 11.3m from the eastern property boundary, adjacent to the existing jetty. The area of land adjacent to the property boundary, above MHWL is approximately 121m<sup>2</sup>.

The structures proposed within the foreshore area of the adjoining portion of Crown Land are considered as follows;

Boatshed and associated retaining walls – 20m<sup>2</sup>

The boatshed is proposed to be located almost entirely on Crown Land, which is inconsistent with the design criteria identified by D15.15 Marine Facilities. The construction of a boatshed on a site less than 15m wide is also discouraged by D15.14 Minimum frontage for marine facilities. It is noted that 7 existing trees, including four (4) Swamp Oaks, two (2) Spotted Gums and One (1) White Mahogany are proposed to be removed to accommodate the proposed boatshed.

The proposed boatshed is to be partially located over an existing elevated deck/platform and partially cut into the slope of the site. The existing decking which covers the intertidal area is considered to alienate the natural shoreline. The excavation required to accommodate the proposed boatshed would necessitate the removal of seven (7) existing trees, including four (4) Swamp Oaks, two (2) Spotted Gums and one (1) White Mahogany.

Skid Ramp – 6m<sup>2</sup>

The proposed skid ramp is to be located over a small remaining portion of natural sandy beachfront. The natural quality of the foreshore adjacent to the residential site has otherwise been lost to existing development including seawalls, reclamation and decking.

The design of the proposed skid ramp is inconsistent with the design criteria identified by D15.15 Marine Facilities and is inconsistent with the aims of SEPP No.71 – Coastal Protection which encourage the protection of the natural quality of the intertidal zone.

Overall, the proposed boatshed and skid ramp are not considered to enhance the legibility of the natural foreshore and the resultant visual impact of the proposed development is not considered to be minimised. The proposed development is considered to clutter and dominate the intertidal zone and as such is not able to achieve consistency with the outcomes of P21 DCP.

Should the application be approved, a condition of consent is recommended to delete the proposed boatshed, skid ramp and any associated earthworks, retaining structures or tree removal.

## **10.0 STATE ENVIRONMENTAL PLANNING POLICY NO. 1 - DEVELOPMENT STANDARDS (SEPP No. 1)**

PLEP Part IV Section 7(4) specifies that a building shall not be erected between a foreshore building line and a bay, river, creek, lake or lagoon in respect to which the line is fixed. The foreshore building line is made pursuant to Clause 7(1) of the Environmental Planning and Assessment Model Provisions as adopted by PLEP 1993 and identified as a dashed line on a map with P21 DCP.

However, although the clause specifies that the foreshore building lined is fixed to the waterway, this is no longer the case. The foreshore building line map has undergone a number of amendments and is now generally more site specific. The foreshore building line is no longer fixed to a specific point, but is generally located at a distance of 15m of the MHWL or the property boundary.

This raises an issue in this particular instance as the property boundary is not the MHWL as defined by PLEP. The question is then whether the foreshore building line is fixed to the "waterway" as defined by PLEP (being below MHWL), or the waterway zoning.

As discussed in further detail with regard to site details and zoning, the most reasonable way of interpreting this clause of PLEP for this particular site is to consider the MHWL to be the division between Pittwater Waterway and land. It is noted that this is consistent with the foreshore building line controls within the specific waterways locality section of P21 DCP which makes reference to land within the Waterways Locality landward of MHWL.

### **1. Development Standard to be varied**

The applicant seeks consent to construct a new boatshed, skid ramp, retaining walls, access stairs, two (2) AWTs tanks, and a portion of the new two (2) storey dwelling on the land between the foreshore building line and the waterway.

The *Environmental Planning and Assessment Act 1979* defines a building as follows:

***building** includes part of a building, and also includes any structure or part of a structure (including any temporary structure or part of a temporary structure), but does not include a manufactured home, moveable dwelling or associated structure or part of a manufactured home, moveable dwelling or associated structure.*

As the proposed works are considered buildings by definition, a SEPP No.1 objection is required to vary PLEP Part IV Section 7(4) and the resulting development will result in the erection of new buildings between the foreshore building line and the waterway.

The area between the foreshore building line and MHWL is approximately 349m<sup>2</sup>, of which 228m<sup>2</sup> is located on private property and 121m<sup>2</sup> is located on Crown Land. Quantitatively, the proposed works will disrupt an area of approximately 54.73m<sup>2</sup> within this foreshore area, and as such the applicant seeks to vary the development standard by approximately 15.7%.

### **2. Underlying Object or Purpose of the Development Standard to be varied**

PLEP does not specify any aims or objectives of the implementation of the foreshore building line and any restrictions associated with it; however it is noted that it is in a section of PLEP titled General Amenity and Convenience. For the purpose of this assessment, the aims and objectives of the foreshore building line controls within P21 DCP are used as a guide to determine the reasonableness of the works proposed within the foreshore building line.



### 3. Consideration of the underlying objectives of the Development Standard to be varied

The aims of the D8.7 Foreshore building line and D15.8 Foreshore building line of P21 DCP are considered as follows;

- *To achieve the desired future character of the Locality.*

The works proposed on residential land are considered to compliment the existing character of Florence Terrace and achieve consistency with the desired future character of the Lower Western Foreshore and Scotland Island Locality.

However, as the proposed boatshed and skid ramp would result in the domination of built development within the intertidal zone, it cannot be said that the works proposed within the Waterways Locality are able to achieve consistency with the desired future character of the locality.

- *To preserve and enhance local views of the foreshore to reinforce and protect the Pittwater's natural context and enhance legibility.*

The existing waterfront structures located on Crown Land are considered to alienate the natural foreshore and inhibit the legibility of the intertidal zone. The works proposed atop of these structures and seaward of these structures are considered to further dominate the natural setting.

However, the works set back on residential zoned land maintain a sufficient setback from the waterway to allow for substantial vegetation to soften the visual impact of the proposed development.

- *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*

The proposed dwelling, AWTS tanks, and access ways are considered to be appropriately and responsively sited to minimise the resultant impact upon existing natural vegetation.

However, the proposed marine facilities require the removal of significant vegetation along the foreshore, and encroach upon a small remaining portion of sandy beachfront.

- *To ensure the amenity of foreshore areas is enhanced and protected.*

Subject to conditions of consent regarding materiality, finishes and replacement plantings, the works proposed on residential zoned land within the foreshore area are considered to enhance and protect the existing amenity of the area.

Unfortunately, given the narrow nature of the block and the level of development existing on the foreshore area, it is not seen how the works proposed on Crown Land could be seen to enhance the amenity of the intertidal area.

- *To ensure that development adjacent to public domain elements such as rivers, foreshores, streets, parks, bushland reserves and other public open spaces compliments the landscape character, public use and enjoyment of that land.*

The proposed dwelling and associated access ways and AWTS tanks are designed and sited in response to the characteristics of the natural site. The development proposed on residential land is considered an appropriate design response given the constraints of the site.

The proposed boatshed and skid ramp will require the removal of significant vegetation immediately adjacent to the public domain, and will dominate the small remaining stretch of natural beach front. With this in mind, the proposed marine facilities are not considered to compliment the landscape character of the site.

- *The visual impact of development when viewed from the waterway is reduced.*

Subject to conditions of consent regarding materiality, finishes and replacement plantings, the visual impact of the works proposed on residential zoned land is considered to be minimised.

However, given the narrow nature of the site, the inclusion of a boatshed and skid ramp where other marine facilities already exist is not considered to minimise the visual impact of the development as viewed from the waterway.

- *To achieve an uncluttered setback which enhances the legibility of the foreshore character of Pittwater.*

Existing and additional plantings, combined with suitable material and finishing selection, will ensure that the visual impact of the works proposed on residential land are softened as viewed from the waterway. The setback of these works from MHWM, and varying setbacks of the immediate adjoining properties ensure that the residential site does not appear cluttered or cramped.

However, the existing retaining structures and hard surfaces/reclaimed areas on Crown Land have already impeded the legibility of the intertidal zone. The works proposed within this area are considered to further dominate and clutter the natural quality of the waterway.

- *To enhance the spaciousness and protect the vegetation, landforms and the natural landscape of the foreshore.*

The proposed dwelling and associated access ways and AWTS tanks are designed and sited in response to the characteristics of the natural site. The development proposed on residential land is considered an appropriate design response given the constraints of the site.

The construction of the proposed boatshed will require excavation into the existing slope of the site, and the removal of seven (7) native canopy trees. Furthermore, the proposed skid ramp will exacerbate the dominance of development along the natural foreshore.

- *To protect and improve pedestrian access along the foreshore, where applicable.*

The existing waterfront development at 93 Florence Terrace restricts pedestrian access along the foreshore.

**4. Is compliance with the development standard unreasonable or unnecessary in the circumstances of this individual proposal?**

In *Webbe v Pittwater* [2007] NSWLEC 827, Chief Judge Preston puts forward the following rationale;

*Development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. Compliance with a development standard is fixed as the usual means by which the relevant environmental or planning objective is able to be achieved. However, if the development proffers an alternative means of achieving the objective, strict compliance with the standard would be unnecessary (it is achieved anyway) and unreasonable (no purpose would be served).*

As currently proposed, the development as a whole is unable to achieve the outcomes of the foreshore building line controls as identified by P21 DCP. However, in each instance it is noted that the outcomes would be achieved should the boatshed and skid ramp be deleted from the proposal.

Given that the proposed boatshed and skid ramp are also inconsistent with D15.14 Minimum frontage for marine facilities and D15.15 Marine facilities of P21 DCP and also the aims of SEPP No. 71 – Coastal Protection, it is recommended that should the application be approved, a condition of consent should be applied to ensure the deletion of the proposed boatshed and skid ramp.

Subject to a condition of consent requiring the deletion of the works proposed on Crown Land, the proposed development is otherwise able to achieve consistency with the aims of the foreshore building line controls as identified by P21 DCP.

It is noted that the deletion of the proposed boatshed and skid ramp would also reduce the area of noncompliance from 54.73m<sup>2</sup> down to 28.73m<sup>2</sup>, or 8.2% of the foreshore area.

As such, it can be said that strict compliance with the development standard prohibiting structures within the foreshore area is unnecessary as the objectives are achieved anyway, and that requiring compliance with the development standard is unreasonable in this particular instance as it would serve no real planning purpose.

**5. Is compliance with the Development Standard consistent with the aims of SEPP No.1?**

SEPP No.1 provides flexibility with respect to development standards in circumstances where strict compliance would be unnecessary, unreasonable or hinder the attainment of the objects specified in section 5(a)(i) or (ii) of the Act.

As discussed above, the proposed development (excluding the proposed marine facilities) is considered to achieve the objectives of the foreshore building line development standard and as such compliance in this regard is seen to be both unreasonable and unnecessary.

Clause 8 of SEPP 1 is as follows;

*The matters which shall be taken into consideration in deciding whether concurrence should be granted are:*

- (a) whether non-compliance with the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) the public benefit of maintaining the planning controls adopted by the environmental planning instrument.*

In accordance with Clause 8 of SEPP 1 it is considered that the resultant works within the foreshore area do not raise any matter of significance for State or regional planning. Furthermore, it is not considered that refusing the entirety of the works would result in any public benefit as the works proposed on private property are consistent with the character of the immediate locality and with the desired character of the Lower Western Foreshore and Scotland Island Locality as a whole.

With this in mind, the proposed development is considered to be consistent with the aims of SEPP No. 1.

## **6. Is the objection well founded?**

A written SEPP 1 objection was provided to support the proposed variance to Part IV Section 7(4) of PLEP. With regard to the works proposed on private property, the applicant has provided sufficient justification for the encroachment within the foreshore area, with respect to the proposed new dwelling, retaining structures, access ways and AWTS tanks. The SEPP No.1 Objection provided with regard to the works proposed on residential zoned land is considered to be well founded.

However, at this stage the applicant has not provided sufficient justification for the encroachment upon the foreshore area with regard to the proposed boatshed and skid ramp. Both of the proposed marine facilities are inconsistent with the relevant design criteria as identified within P21 DCP and the cumulative impact of the proposed works results in domination of the waterfront. The SEPP No.1 Objection provided with regard to the works proposed on Crown land is not considered to be well founded.

## **7. Conclusion**

Should the application be approved, a condition of consent is recommended to delete the proposed boatshed, skid ramp and associated earthworks/tree removal. Subject to the deletion of these works, the application is able to achieve consistency with the outcomes of P21 DCP and the desired future character of the Lower Western Foreshores and Scotland Island Locality. With this in mind, the imposition of the foreshore building line development standard is considered unreasonable and unnecessary with regard to the proposed new dwelling, access way and AWTS tanks. As the application was supported by a well founded SEPP No.1 Objection with regard to these structures, and as the proposal is consistent with the aims of SEPP No.1, Council is in a position to approve the proposed development, subject to conditions of consent.

## **11.0 CONCLUSION**

The Development Application has been assessed in accordance with the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, Pittwater Local Environmental Plan 1993, draft Pittwater Local Environmental Plan 2013, Pittwater 21 DCP and other relevant State and Council policies.

Whilst the application results in technical non-compliance with the foreshore building line development standard identified within Part IV Section 7(4) of PLEP and some of Council's built form controls, the proposed development is considered to achieve the outcomes and objectives of the relevant plans and policies and is consistent with the desired character of both the Lower Western Foreshore and Scotland Island Locality and the Waterways Locality. The resultant development is not considered to have any unreasonable impacts upon adjoining properties and is considered to positively contribute to the character of Florence Terrace. Accordingly, the application is recommended for approval.

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## **RECOMMENDATION OF DEVELOPMENT OFFICER / PLANNER**

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 grant consent to development application N0357/12 for the Construction of a new dwelling and installation of a wastewater disposal system at 93 Florence Terrace, Scotland Island subject to the attached draft determination.

Report prepared by

Rebecca Englund

**PLANNER**

**DRAFT DETERMINATION**  
**CONSENT NO: N0357/12**  
**ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)**  
**NOTICE TO APPLICANT OF DETERMINATION**  
**OF A DEVELOPMENT APPLICATION**

Applicants Name and Address:  
STEPHEN JAMES HAMPSON  
93 FLORENCE TERRACE  
SCOTLAND ISLAND 2105

Being the applicant in respect of Development Application No **N0357/12**

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 No **N0357/12** for:

**Construction of a new dwelling and installation of a wastewater disposal system**

**At: 93 FLORENCE TERRACE, SCOTLAND ISLAND (Lot 72 DP 12749)**

**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

**Architectural drawings 2092-DA02, 2092-DA05 and 2092-DA06 (3 pages), dated August 2012 and 2092-DA01A, 2092-DA03A and 2092-DA04A (3 pages), dated 11 February 2013, all 6 pages prepared by Stephen Crosby & Associates Pty Ltd;**

**Tree and Vegetation Assessment and Ecological Sustainability Concept Plan, prepared by Julia Stanton of Syncarpia Vegetation Management, dated November 2012;**

**Bushfire Risk Assessment Report, prepared by Matthew Willis of Bush Fire Planning Services, dated 13 August 2013;**

**Wastewater Management Report, reference 120805, prepared by Blue Mountains Geological and Environmental Services Pty Ltd, dated August 2012;**

**Geotechnical Risk Assessment Report, reference MN28380, prepared by Jack Hodgson Consultants Pty Limited, dated 20 August 2012;**

**BASIX Certificate 439659S dated 14 December 2012.**

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 **TBA**

Mark Ferguson  
GENERAL MANAGER  
Per:

## Conditions of Approval

This consent is not an approval to commence building work. The works associated with this consent can only commence following the issue 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, there is to be such a contract in force.
3. Critical stage inspections are to be carried out in accordance with clause 162A of the *Environmental Planning & Assessment Regulation 2000*. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken.
4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.

Any such sign is 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.

5. 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:
  - a. 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.
  - b. 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.

6. 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 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.
7. 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 adjoining boundary.

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

1. The Estuarine Planning level is 2.6m AHD.
  - a. All structural elements below the Estuarine Planning level shall be of flood compatible materials.
  - b. All structures must be designed and constructed to achieve a low risk of damage and instability due to estuarine hazard.
  - c. All electrical equipment, wiring, fuel lines or any service pipes and connections must be waterproofed to the Estuarine Planning level.
  - d. The storage of toxic or potentially polluting goods, materials or other products which may be hazardous or pollute floodwater is not permitted below the Flood Planning level.
2. As part of an integrated on-site stormwater management system, stormwater overflow from the rainwater tank is to be discharged into the adjacent waterway with erosion minimisation facilities installed.
3. All irrigation equipment must be installed in such a way that it will not be readily subject to damage.
4. The land application area must not be used to grow vegetables or fruit for human consumption.
5. Additional land application areas may only be used with the written prior approval of Pittwater Council.
6. The irrigation system must be aerated in such a way as to prevent any runoff of effluent from the land application area.
7. The On-site Sewage Management System shall be operated and maintained in accordance with the Manufacturers Specification, associated operational guidelines and the approved wastewater consultant report (Blue Mountains Geological and Environmental Services Pty Ltd "Report on assessment for the siting of a proposed effluent management system" (Ref. No.120805 dated August 2012)).
8. The on-site sewage management system must be maintained and operated in a proper and efficient manner to prevent air, water, noise, odour or land pollution with respect to the Protection of the Environment Operations Act, 1997, and other relevant legislation.
9. In accordance with the Blue Mountains Geological and Environmental Services Pty Ltd "Report on assessment for the siting of a proposed effluent management system" (Ref. No.120805 dated August 2012)) the aerated wastewater treatment system (AWTS) must be operated continuously and the power must not be turned.



10. The dwelling at 93 Florence Terrace, Scotland Island, is not permitted to be connected to the existing on-site sewage management system (septic tank) shown to be located adjacent to the proposed boatshed on the "Floor Plan Elevations & Sections" drawing prepared by Stephen Crosby & Assoc. Pty Ltd, drawing number 2092-DA07A, dated September 2012.
11. If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Metropolitan Local Aboriginal Land Council (MLALC) and Department of Environment & Climate Change (DECC) are to be notified.
12. At least six (6) locally native canopy trees are to be planted onsite to replace trees approved for removal. Canopy tree species are to be as per the approved Landscape Plan or selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and the Native Plants for Your Garden link on Council's website. All native trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree.
13. 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.
14. Any vegetation planted onsite outside approved landscape zones is to be consistent with:
  - a. Species listed in the Ecological Sustainability Plan or Bushland Management Plan (if applicable)
  - b. Species listed from the Endangered Ecological Community
  - c. 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](http://www.pittwater.nsw.gov.au/environment/species_lists)
15. No building materials or other materials are to be placed on Bushland vegetation. Sediment is not to leave the site or enter areas of Bushland vegetation, and the appropriate sediment fencing is to be installed.
16. 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 for noxious/environmental weed lists.
17. No environmental weeds are to be planted on the site. Refer to Pittwater Council website for environmental weed lists.
18. Any new fencing (with the exception of swimming pool fencing) is to be made passable to native wildlife. Hole dimensions are to be a minimum of 150mm wide x 100mm high at ground level spaced at 6 metre intervals.
19. There shall be no damage to intertidal habitats including rocky shores, seagrass beds, salt marshes or mangroves.
20. No building materials or other materials are to be placed on foreshore / Seagrass or other native vegetation. Sediment is not to leave the site or enter areas of Seagrass or its habitat.
21. 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.

22. In accordance with Pittwater Council's Tree Preservation Order, 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, as trees stand within the envelope of approved development areas. For all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.
23. 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.
24. The recommendations identified within the Bushfire Risk Assessment prepared by Matthew Willis of Bushfire Planning Services in respect of 93 Florence Terrace, Scotland Island, dated 13 August 2013 are to be incorporated into the design and maintained over the life of the development.
25. The solid fuel or wood burning appliances shall comply with Australian Standard AS 4013-1999 or any subsequent amending standard.
26. The dwelling is to be used for single residential habitation only and no part of the dwelling is to be converted to form additional dwellings or areas for separate residential habitation. No additional kitchen facilities are to be installed within the dwelling and the use of the dwelling as a boarding house is prohibited.
27. This development consent does not authorise the incorporation of an inclinator.
28. This development consent does not authorise the construction of a boatshed or skid ramp, or any associated works such as excavation, retaining walls and tree removal.
29. This development consent does not authorise the removal of tree 12, the Spotted Gum located to the east of the proposed new dwelling.
30. All sanitary drainage must be concealed in service ducts or otherwise hidden from external view to the satisfaction of the Responsible Authority.
31. The materials and colour schemes are to be in accordance with the samples submitted to Council on the schedule of exterior finishes prepared by [unknown] dated 3 December 2012. All retaining walls visible from the waterway shall be finished with dark and earthy tones.
32. Timber log retaining walls are not permitted and are not to be included in the proposed development.
33. 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.

**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. 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 Principal Certifying Authority.

2. 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.

3. Civil engineering details of the proposed excavation/landfill are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Each plan/sheet is to be signed by a qualified practising Civil Engineer who has corporate membership of the Institution 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.
4. Prior to release of the Construction Certificate 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.
5. Prior to release of the Construction Certificate 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.
6. 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.
7. Prior to the issue of a Construction Certificate, all drawings and supporting documentation are to be amended to demonstrate the deletion of the boatshed and skid ramp, and all associated works including excavation, retaining walls and tree removal.
8. Prior to the issue of a Construction Certificate, all drawings are to be amended to demonstrate the retention of tree 12, the spotted gum located to the east of the proposed dwelling.
9. Prior to the issue of a Construction Certificate, the drawings are to be amended to demonstrate additional plantings to the east of the AWTS tanks within the foreshore area. The plantings should screen the tanks and associated retaining walls from view, as seen from the waterway. The plantings shall be a native species, and shall be replaced if any die, or are removed or destroyed.

10. Where the building does not provide minimum 450mm eaves to any roof form, the proposal is to be modified to provide eaves a minimum of 450mm in width.
11. 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. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
2. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
3. 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 preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner.
4. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.
5. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
6. Waste materials generated through demolition, excavation and construction works are to be minimised by re-use on site, recycling or where re-use or recycling is not practical, disposal at an appropriate authorised waste facility.
7. All waste dockets and receipts regarding demolition, excavation and construction waste are to be retained on site to confirm which facility received the material for recycling or disposal.
8. The ongoing operation of Recycling and Waste Management Services is to be undertaken in accordance with the Waste Management Plan.
9. No works are to be carried out in Council's Road Reserve without the written approval of the Council.
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:
  - The builder's name, builder's telephone contact number both during work hours and after hours.
  - That no works are to be carried out in Council's Road Reserve without the written approval of the Council.
  - 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.

- That no skip bins or materials are to be stored on Council's Road Reserve.
  - That the contact number for Pittwater Council for permits is 9970 1111.
12. Protection fencing measures (including sedimentation fences) are to be installed in accordance with all approved plans including those specified in the Arborist Report and/or Ecological Sustainability Plan or Bushland Management Plan. Protection measures are to be maintained for the duration of works. Protection fencing that is no longer required is to be removed once all works are completed.
13. As there are existing trees to be retained within 5 metres of proposed development works, all recommendations as outlined in the supplied arborist report by Syncarpia Vegetation Management, dated November 2012 are required to be complied with before and throughout the development period, particularly with regard to the following:
- i. Works, erection/demolition of structures, excavation or changes to soil levels within 5 metres of existing trees are not permitted unless part of the development as approved, and the storage of spoil, building materials, soil or the driving and parking of any vehicle or machinery within 5 metres of the trunk of a tree to be retained is not permitted;
  - ii. Where specified, tree guards are to be provided to all trees as indicated in the report, and are to be installed prior to the commencement of any work on the site. Tree guard materials and dimensions are specified in the arborist report;
  - iii. All works within 5 metres of existing trees including demolition, excavation, civil works, fencing and the like must be carried out by hand and under the supervision of an experienced and suitably qualified arborist. In the event that major structural or feeder roots are encountered, the arborist is to advise the builder to carry out appropriate action to ensure the retention of the tree.
  - iv. Signage is to be erected advising all contractors and visitors to the site that no works or storage are to take place within the dripline of existing trees.
  - v. Any changes or alterations made to the tree management recommendations as outlined by the arborist report due to the discovery of new structural roots or underground services during development works must be reported to the Principal Certifying Authority prior to works recommencing.
14. All works within 5 metres of the existing trees to be retained including pruning, demolition, excavation, civil works, fencing and the like must be carried out by hand under the supervision of an experienced and qualified Arborist. Should roots larger than 50mm be encountered all excavation works are to cease immediately and a qualified Arborist is to advise on the impacts of the roots removal on the tree's survival and report to the Principal Certifying Authority prior to works recommencing. If tree roots are present a pier and beam method of footing construction is to be adopted so as to bridge/span any identified lateral roots.
15. A stamped copy of the approved plans is to be kept on the site at all times, during construction.
16. 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.

17. 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.

#### **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. 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 Principal Certifying Authority.
2. Certification is to be provided to the Principal Certifying Authority by a qualified experienced 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 drainage/stormwater management system has been installed to the manufacturer's specification (where applicable) and completed in accordance with the engineering plans and specifications required under this consent.
3. Prior to release of the Occupation Certificate the applicant shall submit written documentation from an appropriately qualified and practising waste water consultant confirming that all works associated with the domestic on-site sewage management system and land application area/s have been completed on site in accordance with the Blue Mountains Geological and Environmental Services Pty Ltd "Report on assessment for the siting of a proposed effluent management system" (Ref. No.120805 dated August 2012)
4. Prior to release of the Occupation Certificate a practising and licensed Plumber shall submit to Council documentation confirming 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/drainage.
  - (b) All effluent arising from the aerated wastewater treatment system (AWTS) is managed wholly within the premises where the system is installed.
  - (c) The AWTS 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. Note: Soaker hoses and standard household hose fittings, sprinklers and attachments are not permitted to be used for the irrigation of AWTS effluent.
  - (e) Effluent from the AWTS does not discharge into any natural watercourse or stormwater drain.
  - (f) The on-site wastewater treatment system is installed in strict accordance with manufacturer's specifications.



- (g) Works have been carried out in accordance with the NSW Code of Practice Plumbing and Drainage and relevant Australian Standards.
5. All effluent land application areas must be completely prepared or landscaped prior to commissioning of the AWTs.
  6. 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.
  7. Within the effluent irrigation area of the aerated wastewater treatment system there must be at least two warning signs that comply with AS 1319 and have a green background, 20mm high capital lettering in black and white and the words “Reclaimed Effluent Not For Drinking Avoid Contact”.
  8. Prior to the release of the Occupation Certificate the Applicant shall submit to Council the following documentation associated with the on-site wastewater treatment system:
    - (i) Statement of warranty
    - (ii) Statement of Service Life
    - (iii) Quality of Assurance Certification
    - (iv) A comprehensive installation manual
    - (v) A comprehensive service manual for use by service technicians which incorporates a detailed three yearly evaluation and maintenance schedule based on three monthly service intervals and three years de-sludging. The maintenance schedule shall specify the work to be carried out by a service contractor as part of the continuous maintenance.
    - (vi) Household instruction operators Manual suitable for use by the domestic operator and shall include but not necessarily be limited:
      - a) an overview of the on-site wastewater system and intended use,
      - b) warranty and service life,
      - c) servicing requirements,
      - d) trouble shooting and signs of failure,
      - e) a list of toxic substances/loads to be avoid,
      - f) desludging requirements,
      - g) safety information,
      - h) spreading of hydraulic loads,
      - i) alarm information and use restriction,
      - j) manufacturers name and contact details,
      - k) a service sheet suitable for use by technicians
  9. The tank associated with the Aerated Wastewater Treatment System shall have the following information permanently and legibly marked on a non-corrosive metal plaque attached to the lid:
    - a) The brand name of the system,
    - b) The manufacturer’s name or registered trademark, and
    - c) The month and year of manufacture.

10. 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 submitted with the application for the Occupation Certificate. The service agreement is to provide for:

- Quarterly testing of the system, as required by the Department of Public Health.
- 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.

11. Use of the new Aerated Wastewater Treatment System (AWTS) on-site sewage management facility is not permitted until an Occupation Certificate has been issued in accordance with the approved Development Consent and Construction Certificate.
12. Prior to the commencement of construction works, all tree protection recommendations in particular the establishment of tree protection zone fencing as specified in the approved Arborist Report (Syncarpia Vegetation Management dated November 2012) are to be certified by the consulting arborist as being adequate and in accordance with the specifications of AS 4970 ~ 2009 Protection of Trees on Construction Sites. Certification is to be provided to the certifying body prior to the issue of the Occupation Certificate. Documented evidence of a qualified arborist having supervised the works in proximity to trees being retained and ensuring that all tree protection measures are adopted as specified in the approved arborist report is required. This documentation is to be provided prior to the issue of the Occupation Certificate. Any excavation required for installation of wastewater dispersal equipment within the vicinity of existing trees is to be undertaken by hand and under supervision of a qualified arborist. No trees are to be removed to facilitate wastewater dispersal.
13. 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.
14. The dwelling is 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 certified by any appropriately qualified electrician prior to the issue of any Occupation Certificate.
15. Prior to the issue of an Occupation Certificate, a suitably qualified professional is to provide certification that the development complies with the recommendations identified within the Bushfire Risk Assessment prepared by Matthew Willis of Bushfire Planning Services in respect of 93 Florence Terrace, Scotland Island, dated 13 August 2013
16. A qualified acoustic engineer is to certify that the maximum noise level associated with the wastewater disposal system pump does not exceed 5dB(A) above ambient background level, when measured from any adjoining premises.
17. Certification is to be provided that the commitments identified in the BASIX Certificate have been fulfilled.

**F. Matters to be satisfied prior to the issue of Subdivision Certificate:**

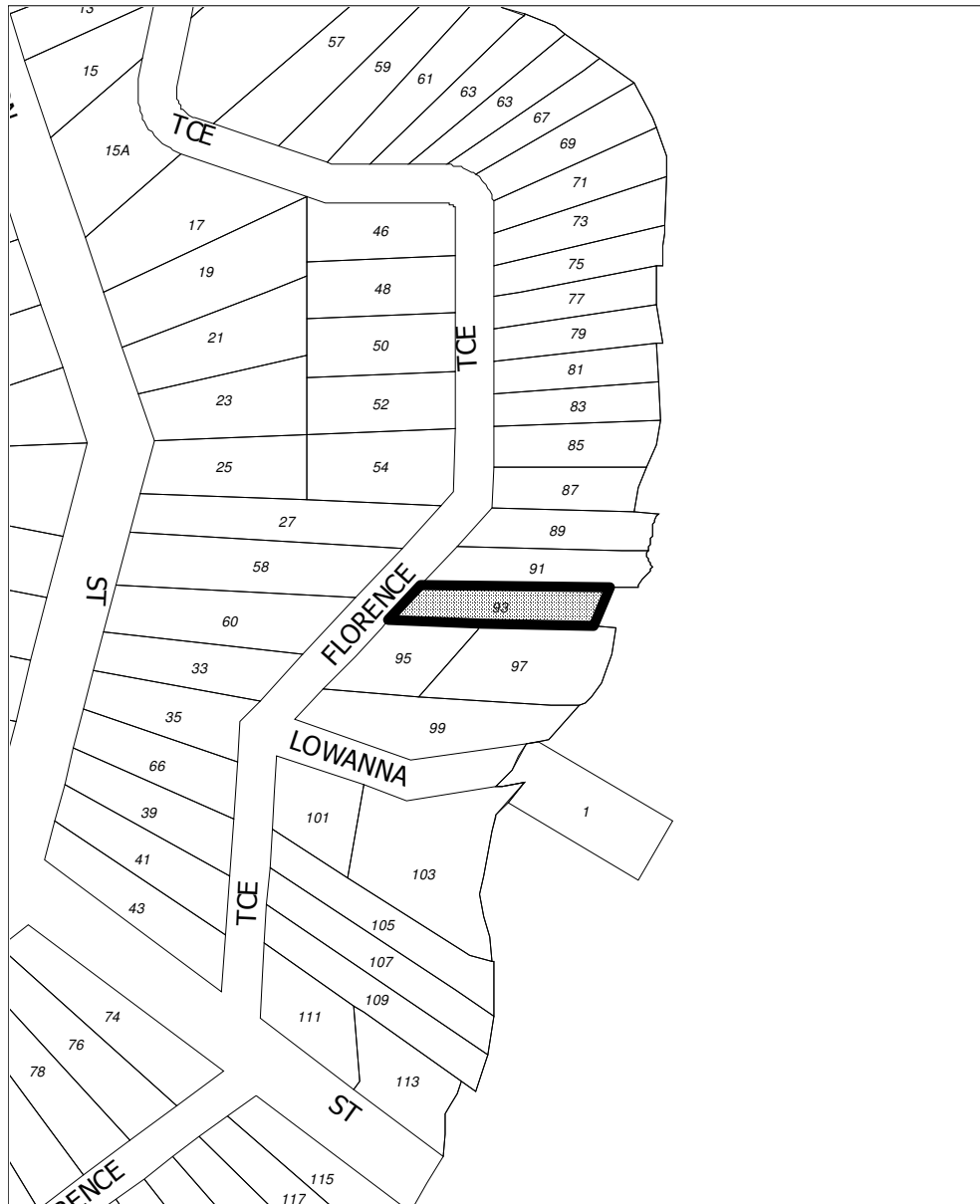
N/A



#### G. Advice:

1. Pittwater Spotted Gum Forest Endangered Ecological Community as listed on Schedule 1 of the NSW Threatened Species Act 1995, or its habitat has been recorded on this property. Under the TSC Act it is an offence to harm Endangered Ecological Communities, Endangered Populations or Threatened Species. No unapproved site disturbance or other activities shall be carried out on the property which adversely impacts on threatened species or EEC's.
2. 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.
3. The applicant is also advised to contact the various supply and utility authorities, i.e. Sydney Water, Sydney Electricity, Telstra etc. to enquire whether there are any underground utility services within the proposed excavation area.
4. 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.
5. In accordance with Section 95(1) of the Act, this consent will lapse if the development, the subject of this consent, is not physically commenced within 5 years after the date from which this consent operates.
6. To ascertain the date upon which the determination becomes effective and operates, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979* (as amended).
7. 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 1 year from the date of determination.
8. 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.
9. 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 met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.

## LOCALITY MAP



# NOTIFICATION PLAN



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<b>C12.4</b>	<b>Elanora Heights Public School - Traffic and Parking Improvement Scheme</b>
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**Meeting:** Planning an Integrated Built Environment Committee

**Date:** 20 May 2013

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**STRATEGY:** Transport & Traffic

**ACTION:** Providing planning, design, investigation and management of Traffic and Transport Facilities

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**PURPOSE OF REPORT**

To consider and seek approval for:

- 1) parking restrictions in Elanora Road around the Elanora Heights Public School to improve pedestrian safety and traffic management; and
- 2) the construction of a chicane in Woorarra Avenue to improve traffic safety at the intersection with Elanora Road.

**1.0 BACKGROUND**

- 1.1 At the request of the Parents and Citizens Association of the Elanora Heights Public School, Council and Department of Education representatives attended a series of meetings to discuss the Association's concerns regarding pedestrian and traffic safety around the school.
- 1.2 A Safety and Amenity Audit was carried out and this was compiled into the "Traffic, Pedestrian and Infrastructure Review" and the "Report – Elanora Road, Elanora Heights – Parking Restrictions around the Elanora Heights Public School". These documents provided a number of recommendations and proposed actions.
- 1.3 A proposal for parking restrictions and the provision of a chicane, were subsequently referred, as agreed, to the owners of properties adjacent to the proposed restrictions seeking their comments in respect to the proposal. The proposal and resident comments were then referred to the Traffic Committee held on 12 February 2013 (copy of report at **Attachment 1**),
- 1.4 At its meeting of 4 March 2013, Council considered the Minutes of the Traffic Committee and resolved, in relation to *Item TC4.10 – Elanora Road, Elanora Heights – Parking Restrictions around the Elanora Heights Public School*, as follows:

*"That the Traffic Committee recommendations contained in the Minutes of the Meeting of 12 February 2013 be adopted, save for item TC4.10 for further discussion with the Community ...."*
- 1.5 The reason for the deferral was that a resident identified a typographical error in one of the documents distributed by Council to the residents and suggested that some other sentences could have been misinterpreted.

- 1.6 In accordance with Council's resolution, the consultation documents were revised (see **Attachment 2**) and redistributed to the same residents seeking any further comments. The outcome of this further consultation is provided in this report.

## 2.0 ISSUES

### 2.1 On-Street Parking around Schools

- The demand for parking around all schools to allow carers to collect/drop off students far exceeds that which is available. Any actions by Council are aimed at improving safety and resident amenity as it is not possible to eliminate the problem.
- It is essential that school management also take action to assist Council to alleviate these problems. Elanora Primary School, through the Department of Education, is seeking funding in 2013/2014 to re-open the pedestrian access pathway adjacent to No 25 Elanora Road, which leads to the proposed new P2 drop off/pick up zone.
- The current proposal for Elanora Heights Public School is just a further project of many that have been undertaken by Council staff (in consultation with school communities) in recent years around all public schools in Pittwater. These projects have included education of carers, parking restrictions, pedestrian facilities, 'stop & drop' zones, footpaths and traffic calming.
- Any adopted parking restrictions would be reviewed to assess their effectiveness after at least 6 months of operation as per normal procedures.

### 2.2 Elanora Road Footpath Construction Proposal

- The construction of a footpath on the eastern side of Elanora Road in the immediate vicinity of Elanora Heights Public School (from existing footpath at No 37 to Weeroona Avenue), is included in Council's adopted Schools Footpath Plan. Funding for Stage 1 has been included in Council's draft 2013/14 Delivery Plan.
- Stage 1 requires the existing kerb and gutter between Nos 37 and 27 to be reconstructed such that the road pavement width becomes 6m (currently 7.3m) to allow the construction of a path directly behind the kerb. This is necessary as the steepness of the existing concrete driveways does not allow for them to be adjusted and retain the existing road width.
- Narrowing the road to allow the construction of a footpath is a standard Council construction technique (used in roads such as Grandview Drive, Newport and Whale Beach Road) where driveways cannot be reconstructed if a path is constructed behind the existing kerb and gutter. This preserves vehicular access to adjacent properties.
- Once reconstructed, it is essential that 'No Stopping' be implemented on the eastern side as proposed to ensure one (1) clear traffic lane remains available at all times, with maximum sight distances around the curves.
- Extension of this footpath would need to be considered as a further stage under the School Footpath Program.

### 2.3 Second Round Consultation Undertaken

- Letters were sent to all property owners who received letters in the first round of consultation (107 letters) containing the revised information (typographical error corrected and wording clarified) **Attachment 2**.

- Letters were sent in March with written responses requested by 14.4.13.
- Consultation with the school community was again the responsibility of the Parents and Citizens Association and school administration. The previous response from Elanora Heights Public School is included as **Attachment 3**.

## 2.4 **Assessment of Responses from Second Round**

- Four (4) written responses were received from the 107 letters sent out (less than 4% response rate).
- Additionally, eight (8) responses were received from residents who did not receive a letter from Council but live in Elanora Heights.

### (a) Responses to Council Letter

Of the four (4) responses received:

- Three (3) responses opposed the footpath construction in Elanora Road and one (1) supported it.
- One (1) response supported both the proposed new P2 zone and the extension of the existing P2 zone in Elanora Road.
- Three (3) responses opposed the proposed 'No Stopping' restrictions and one (1) supported them.
- No responses were received in respect to the proposed chicane.

Given that no new issues were identified, issues remain as described and assessed in results of original consultation (see Traffic Committee Report – **Attachment 1**).

Of the four (4) responses, one (1) respondent requested that, in addition to the proposed 'No Stopping' restriction, a 'No Stopping' restriction be provided in Elanora Road to the south of the Weeroona Road (east side) intersection as far as the driveway to No 1 Weeroona (approximately 20m beyond the statutory 10m restriction).

- In this location there is no area behind the kerb for pedestrians who are forced to walk on the roadway. The restrictions would improve pedestrian safety by providing excellent traffic sight distances.
- The provision of a footpath at this location is not included in the schools program as it does not satisfy the selection criteria.
- This suggestion was considered and the 'No Stopping' restriction supported by Council's Traffic Committee at its meeting of 9 April 2013 and is included in the Committee Minutes.

### (b) Responses from other Residents

Of the eight (8) responses received:

- Five (5) responses supported the construction of the footpath in Elanora Road and none opposed.
- Four (4) responses supported both the extension of the existing P2 zone in Elanora Road and creation of a new P2 zone. None opposed.

- Three (3) responses supported the provision of a chicane in Woorarra Avenue and none opposed.
- Two (2) responses supported the 'No Stopping' restrictions and three (3) opposed.

Again, given that no new issues were identified, issues remain as described and assessed in results of original consultation (see Traffic Committee Report – **Attachment 1**).

## 2.5 Elanora Heights Public School – Traffic & Parking Improvement Scheme

- The proposal remains as per the original put to consultation in December 2012/January 2013 with the addition of the 'No Stopping' restrictions in Elanora Road to the south of Weeroona Avenue. The full scope of recommended traffic management measures, as supported by the Pittwater Traffic Committee, are as follows (see Plan at **Attachment 4**):

### “1. Elanora Road

- 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the northern side between Nos. 53 and 57.
- 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the western side between the existing 'No Stopping' restriction at No. 88 and Woorarra Avenue, to replace all existing parking restriction in this section.
- Extension of the existing P2 zone on the eastern side to No. 37.
- New P2 zone (same restrictions as existing zone) on the eastern side from No. 27 (at end of 'No Stopping' zone) to the statutory 'No Stopping' limit at Weeroona Avenue.
- 'No Stopping' on the eastern side between the extended P2 zone (No. 37) and the new P2 zone (No. 27).
- 'No Stopping' on the eastern side between the statutory 'No Stopping' zone on the south side of Weeroona intersection and the driveway to No 1 Weeroona Avenue.

### 2. Georgina Avenue

- 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the eastern side between No 21 and the statutory 'No Stopping' limit at Anana Road (see **Attachment 5**).

### 3. Woorarra Avenue

- Proposed kerb blister/median island (chicane) adjacent to No. 174 Woorarra Avenue. “
- All parking restrictions and the proposed chicane in Woorarra Avenue have been considered and supported by the Traffic Committee.

Based on the significant improvements to safety for children and carers attending the Elanora Heights Public School, and the detailed report and assessment of issues raised, along with the support for the recommended actions by the Pittwater Traffic Committee, it is the recommendation of this report that Council approve the parking restrictions in Elanora Road and Georgina Avenue as well as the construction of a chicane in Woorarra Avenue.

Funding has been allocation in Council's 2013/14 Deliver Plan to deliver all components of the traffic management scheme as well as Stage 1 footpath construction along Elanora Road.

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### **3.0 SUSTAINABILITY ASSESSMENT**

#### **3.1 Supporting & Connecting our Community (Social)**

- 3.1.1 The proposed parking restrictions, traffic chicane and construction of a footpath in Elanora Road will improve the safety and amenity of both children walking to Elanora Heights Public School and carers who drive their children to the school.
- 3.1.2 The proposal results from requests to Council by the school community for assistance and in response to concerns expressed by residents of Elanora Road in respect to traffic congestion and pedestrian safety around the school at school drop off/collection times.
- 3.1.3 The proposal will rationalise on-street parking which in turn will significantly improve public amenity and safety, in particular for school children and also encourage more carers/children to walk (with positive health outcomes).

#### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

- 3.2.1 The proposal will encourage children/carers to walk to school rather than drive, which would result in positive environmental benefits.

#### **3.3 Enhancing our Working & Learning (Economic)**

- 3.3.1 The proposal will improve access for the customers of the businesses located adjacent to the school.

#### **3.4 Leading an Effective & Collaborative Council (Governance)**

- 3.4.1 The proposal responds to requests from the Elanora Road community for assistance to improve pedestrian and traffic safety/amenity around the Elanora Heights Public School during student drop off/collection times.
- 3.4.2 The development of the proposal included extensive consultation with the school community, the Department of Education and the owners of properties affected by the proposal.
- 3.4.3 Funding has been allocated in Council's 2013/14 Delivery Plan to provide all components of the components of the proposal:
  - parking restrictions in Elanora Road;
  - traffic chicane in Woorarra Avenue; and
  - Stage 1 of footpath construction in Elanora Road.
- 3.4.4 Future maintenance of infrastructure provided to be undertaken using funding allocated for this purpose in the delivery plan.

#### **3.5 Integrating our Built Environment (Infrastructure)**

- 3.5.1 The proposal will significantly improve pedestrian and vehicular access to the school and residents of Elanora Road, in particular at school drop off and pick up peak times.
- 3.5.2 The proposal improves community safety overall.



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## **4.0 EXECUTIVE SUMMARY**

- 4.1 A proposal for parking restrictions in Elanora Road and Georgina Place and the construction of a chicane in Woorarra Avenue (developed by Council in consultation with the Elanora Heights Public School and Department of Education) to improve student safety and traffic congestion around the school was considered by Council (when considering the minutes of the Traffic Committee) at its meeting of 4 March 2013.
- 4.2 Council, noting resident comments that minor typographical errors existed in the consultation documentation distributed to residents, resolved that further resident consultation occur. Further consultation took place during March/April with letters being sent to the same 107 affected property owners who received the initial letter, with 12 responses received.
- 4.3 Council received four (4) written responses to the letters, three (3) of which opposed the proposed 'No Stopping' restrictions and one (1) in support. There was majority support for the other components of the proposal.
- 4.4 Council also received eight (8) responses from the residents of Elanora Heights. These responses also opposed the 'No Stopping' restrictions but supported the other components.
- 4.5 No new issues were raised as a result of the second round consultation and as such, the previous detailed assessment of issues and recommended actions remain valid.
- 4.6 One resident requested a minor extension of the 'No Stopping' restrictions in Elanora Road (adjacent to their property) south of Weeroona Avenue to increase pedestrian safety as they have to walk for a distance of about 30m on the road pavement and the location. This proposal is supported by Council staff and is now included in the proposal.
- 4.7 All components of the proposal have been considered and supported by the Pittwater Traffic Committee.
- 4.8 Funding has been allocated in Council's 2013/14 Delivery Plan to implement all components of the scheme.
- 4.9 Based on the significant improvements to safety for children and carers attending the Elanora Heights Public School, and the detailed report and assessment of issues raised, along with the support for the recommended actions by the Pittwater Traffic Committee, it is the recommendation of this report that Council approve the parking restrictions in Elanora Road and Georgina Avenue as well as the construction of a chicane in Woorarra Avenue.

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## **RECOMMENDATION**

1. That Council approve the following parking restrictions:
  - "1. Elanora Road
    - 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the northern side between Nos. 53 and 57.
    - 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the western side between the existing 'No Stopping' restriction at No. 88 and Woorarra Avenue, to replace all existing parking restriction in this section.
    - Extension of the existing P2 zone on the eastern side to No. 37.

- New P2 zone (same restrictions as existing zone) on the eastern side from No. 27 (at end of 'No Stopping' zone) to the statutory 'No Stopping' limit at Weeroona Avenue.
- 'No Stopping' on the eastern side between the extended P2 zone (No. 37) and the new P2 zone (No. 27).
- 'No Stopping' on the eastern side between the statutory 'No Stopping' zone on the south side of Weeroona intersection and the driveway to No 1 Weeroona Avenue.

2. Georgina Avenue

- 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the eastern side between No 21 and the statutory 'No Stopping' limit at Anana Road.

2. That Council approve the construction of a chicane in Woorarra Avenue in the location shown on Council's Plan 30-TC-2012.

Report prepared by  
Paul Davies – Principal Engineer – Strategy, Investigation & Design

Mark Shaw  
**MANAGER, URBAN INFRASTRUCTURE**

**TC4.10: Elanora Road, Elanora Heights - Parking Restrictions around the Elanora Heights Public School****1.0 BACKGROUND**

- 1.1 Following a meeting between Council staff, Councillors and representatives of the Elanora Heights Public School, the school's Parents & Citizens' Association and the Department of Education it was agreed that Council staff would investigate possible actions (on the public roads surrounding the school) to further ameliorate the existing adverse traffic/safety impacts on the local community resulting from students being dropped off and collected by carers in vehicles. The school representatives agreed to investigate what actions could be undertaken by themselves to also assist in alleviating the adverse impacts.
- 1.2 Council staff investigated the existing traffic situation and potential actions, including seeking feedback/suggestions from local property owners and the school community. A report was produced for a further meeting with school stakeholder representatives (report to be tabled at this meeting) at which several specific actions suggested in the report were supported.
- 1.3 Those actions supported at the meeting (from the list of options considered) were then provided to the local affected property owners (see **Attachment 1** plan of proposed parking restrictions) seeking their comments prior to their consideration by the Traffic Committee and Council.

**2.0 ISSUES****2.1 Elanora Road, Elanora Heights - Proposed Parking Restrictions and Traffic Facilities**

The significant components of the proposal are:

1. Elanora Road
  - 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the northern side between Nos. 53 and 57.
  - 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the western side between the existing 'No Stopping' restriction at No. 88 and Woorarra Avenue, to replace all existing parking restriction in this section.
  - Extension of the existing P2 zone on the eastern side to No. 37.
  - New P2 zone (same restrictions as existing zone) on the eastern side from No. 27 (at end of 'No Stopping' zone) to the statutory 'No Stopping' limit at Weeroona Avenue.
  - 'No Stopping' on the eastern side between the extended P2 zone (No. 37) and the new P2 zone (No. 27).
2. Georgina Avenue
  - 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the eastern side between No 21 and the statutory 'No Stopping' limit at Anana Road.
3. Woorarra Avenue
  - Proposed kerb blister/median island (chicane) adjacent to No. 174 Woorarra Avenue.

## 2.2 Consultation Process

- Consultation was undertaken from 3 December 2012 to 14 January 2013.
- Letters were sent to affected property owners seeking written comments on the proposal.

## 2.3 Assessment of Responses

- Refer to **Attachment 2** for a summary of residents' comments and Council responses to them.
- Assessment of the responses in respect to the components of the proposal are as follows:

### 1. **Elanora Road** - proposed parking restrictions (Georgina Avenue to Marinna Avenue).

- Vehicles are able to legally park on the northern side of Elanora Road between Nos. 53 and 57, in a short 20 metre section of the road where there are no double separation lines. Vehicles parked here during school drop off/collection times impede the flow of traffic and force overtaking vehicles into potential conflict with the opposing heavy traffic flow.
- Imposing 'No Stopping' restrictions at this location during school drop off/collection times would improve traffic amenity/safety with minimum impact on parking for adjacent property owners as parking would remain available at all other times.
- The existing school bus zone immediately to the east of this area is of a shorter length than the current standard and would be upgraded in conjunction with the provision of any new 'No Stopping' signs. This would be for purely technical reasons as the existing separation lines already prevent parking.
- Council received four responses in respect to the proposal to implement 'No Stopping' restrictions. One was in support and the other three against on the basis of loss of parking. One resident opposing 'No Stopping' restrictions stated they would accept the restriction if it applied only during school drop off and collection times, which is what has now been recommended.

### **Elanora Road** - proposed parking restrictions (Anana Road to Woorarra Avenue)

- This section of road experiences the worst traffic impacts due to the desire of carers to drop off and collect students as close as possible to the school pedestrian access gates. Impacts arise from the volume of traffic, cars parked both sides of the street restricting the road to one traffic lane for the two way flow of traffic, parked vehicles blocking driveways, drivers doing multi-point turns (or using driveways), students crossing the street amidst manoeuvring traffic and pedestrians have to walk on the road pavement (of particular concern in the section of curves between Nos. 25 and 29).
- Parking restrictions implemented on both sides of the street in the past (including P2 student collection/drop off zones) have had a limited effect in reducing adverse traffic impacts.
- It is considered that existing traffic impacts would be significantly ameliorated if the following system of parking restrictions were implemented:
  - a. 'No Stopping' on the eastern side of Elanora Road from No. 37 to No 27, to ensure one clear traffic lane is maintained at all times in this section of road (S curve) that has to be narrowed to approximately 6 metres to allow Council to construct a footpath. No restrictions exist at present on the existing 7.2 metre wide roadway.

- b. 'No Stopping' on the western side of Elanora Road from No 88 (existing 'No Stopping' restriction) to Woorarra Avenue during school drop off/collection times (8.30 to 9.00am and 2.30 to 3.30pm) on school days, to ensure two traffic lanes are available at these times. This replaces existing parking restrictions between Nos. 88 and 70. This would reduce congestion, encourage circulation of traffic around the block and place all school drop off zones on the school side of the road.
  - c. P2 parking zones (school drop off areas). Extend the existing P2 zone to No. 37 (start of 'No Stopping' zone) and create a new P2 zone between No. 27 and the statutory 'No Stopping' restriction at Weeroona Avenue. The new zone would be usable now with students being able to walk to the school gate and also serve the school access steps adjacent to No. 25 when this pathway is reopened by the school in the future.
- Council received nine responses, three in support and six against principally on the basis of loss of on-street parking (cannot park for 24 hours on school days) and that the school should provide sufficient parking on school property for carers to drop off/collect students.

## 2. **Georgina Avenue** - proposed parking restrictions

- When dropping off students or collecting them carers park their vehicles on both sides of the road, as close as possible to the intersection with Anana Road. This results in the obstruction of driveways and in reducing vehicular access to one traffic lane serving two way traffic, causing extensive traffic congestion at these times only.
- To improve safety and reduce congestion it is proposed to extend the statutory 'No Stopping' zone on the eastern side of Georgina Avenue (on approach to the intersection) up to No. 21 (approximately 35 metres) by creating a 'No Stopping' zone (school days only) between the hours of 8.30 to 9.00am and 2.30 to 3.30pm. These periods are when the worst congestion occurs.
- This proposal leaves the existing parking situation unchanged outside these hours and means that carers would have to either park further along Georgina Avenue (away from Anana Road) where parking exists or in another local street. Both would require them to walk a short additional distance to the school, which is considered acceptable as a footpath exists in Elanora Road and the nature strips are generally even in the other low traffic streets.
- Three resident responses received with one in support and two opposing this proposal principally on the basis that parking would be lost for 1.5 hours on school days and that they doubted this would improve the situation.

## 3. **Woorarra Avenue** - proposed kerb blister/median island (chicane)

- Some residents and carers of school students have expressed concern when travelling south along Elanora Road turning right into Woorarra Avenue due to the limited traffic sight distance available and perceived excessive speed of approaching traffic.
- As a result they choose to undertake multi-point turns in Elanora Road (or use driveways) rather than circulate around the block, as promoted by the school. This further aggravates the existing traffic congestion in Elanora Road near the school and adversely impacts traffic and pedestrian safety.
- The provision of a kerb blister and median island to form a chicane in Woorarra Avenue (in front of No. 174) as shown in concept plan (30-TC-2012) **Attachment 3**, would both slow approaching vehicle speeds and improve the traffic sight distance for vehicles exiting Elanora Road.

- The resulting improvement in perceived safety would encourage additional numbers of carers to circulate around the block and ease congestion in Elanora Road.
- Council has received no responses from any resident in Woorarra Avenue in respect to this proposal. One response from a resident of Elanora Road did not support the proposal as they considered that no problem exists at this intersection.

### **3.0 TRAFFIC COMMITTEE CONSIDERATIONS**

3.1 A report was considered by the Traffic Committee on 12 February 2013 presenting the outcomes of the consultation with affected property owners with the following recommendations:

1. That Council supports the approval of the following parking restrictions to improve road user safety and resident amenity around the Elanora Heights Public School
  - a. Elanora Road – provide ‘No Stopping’ (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the western side between the existing ‘No Stopping’ restriction at No. 88 and Woorarra Avenue, to replace all existing parking restriction in this section.
  - b. Elanora Road – provide ‘No Stopping’ (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the northern side between Nos. 53 and 57.
  - c. Elanora Road – extend the existing P2 zone on the eastern side to No. 37.
  - d. Elanora Road – create a new P2 zone (same restrictions as existing zone) on the eastern side from No. 27 (at end of ‘No Stopping’ zone) to the statutory ‘No Stopping’ limit at Weeroona Avenue.
  - e. Georgina Avenue – provide ‘No Stopping’ (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the eastern side between No 21 and the statutory ‘No Stopping’ limit at Anana Road.
  - f. Elanora Rd – provide ‘No Stopping’ on the eastern side between the extended P2 zone (No. 37) and the new P2 zone (No. 27).
2. That Council supports the approval of a kerb blister and median island adjacent to No. 174 Woorarra Avenue as shown on plan 30-TC-2012, subject to approval by the Traffic Committee of a construction plan for the work prior to its construction.
3. That all property owners who received consultation letters from Council be advised of the Traffic Committee recommendations prior to their consideration by Council.
4. That Council suggests that the Elanora Heights Public School and the P & C provide a letter of support for the proposed scheme prior to consideration of the matter by Council.

## Consultation responses/comments – proposed parking restrictions in Elanora Road between Anana Road and Woorarra Avenue

### 1. Summary of responses received

- A total of 107 letters were sent to affected property owners and only their responses to be considered.
- Responses received (total of 16) generally focussed on proposal for their street, rather than the overall scheme and are summarised as follows:

Street	No. letters sent	No. responses received	Support overall scheme		Support proposal for their street	
			Yes	No	Yes	No
Georgina Avenue	21	3	0	0	1	2
Elanora Road (Georgina Ave to Marinna Rd)	12	4	2	2	1	3
Elanora Road (Anana Rd to Woorarra Ave)	58	9	3	6	3	6
Woorarra Avenue	5	0	0	0	0	0
Anana Road (sign post existing 'No Stopping' restrictions)	11	0	0	0	0	0
<b>Total</b>	<b>107</b>	<b>16</b>	<b>5</b>	<b>8</b>		

### 2. Council response to comments received

Street respondent resides	Resident comment	Council response
Georgina Avenue	<ul style="list-style-type: none"> <li>• Parking problem in Georgina Avenue only exists during the afternoon collection period</li> </ul>	<ul style="list-style-type: none"> <li>• Observations show problems are worse in the afternoon but do also occur in the mornings</li> </ul>
	<ul style="list-style-type: none"> <li>• Putting 'No Stopping' in Georgina Ave on a short length of one side will increase extent of parking over the rest of the length of street</li> </ul>	<ul style="list-style-type: none"> <li>• Agreed. However, traffic congestion in Georgina Avenue will be decreased and amenity/safety improved for both residents and students</li> </ul>
	<ul style="list-style-type: none"> <li>• School to provide parking on school property to ease problems</li> </ul>	<ul style="list-style-type: none"> <li>• Possible but would create additional student safety and traffic issues at the school.</li> </ul>
	<ul style="list-style-type: none"> <li>• 'No Stopping' restrictions over short length of Georgina Place would prevent resident's visitors/service people parking for 1.5 hours each school day</li> </ul>	<ul style="list-style-type: none"> <li>• Current demand for public parking during school drop off/collection times would already make it near impossible for resident's visitors to park during these times</li> </ul>
	<ul style="list-style-type: none"> <li>• Cannot park in front of their property for 1.5 hours each school day</li> </ul>	<ul style="list-style-type: none"> <li>• On-street public parking is available to any person and parking is available at other locations in Georgina Avenue</li> </ul>

Street respondent resides	Resident comment	Council response
Georgina Avenue	<ul style="list-style-type: none"> <li>Provide resident parking permit to allow parking in proposed no stopping zone</li> </ul>	<ul style="list-style-type: none"> <li>Such permits are not approvable under RMS guidelines and would defeat the purpose of the restrictions, to reduce traffic congestion</li> </ul>
	<ul style="list-style-type: none"> <li>Greater level of ranger enforcement of parking regulations, especially parking across driveways</li> </ul>	<ul style="list-style-type: none"> <li>Rangers provide enforcement within the limits of their resources</li> </ul>
	<ul style="list-style-type: none"> <li>School to educate carers as to parking requirements and consideration of school neighbours</li> </ul>	<ul style="list-style-type: none"> <li>School currently undertakes regular parent/carers education in respect to collection/drop off of students</li> </ul>
Elanora Road – Georgina Avenue to Marinna Road	<ul style="list-style-type: none"> <li>Remove kerb blisters on marked pedestrian crossing at Georgina Ave to allow traffic to pass vehicles turning right into Elanora Rd and Anana Rd at pedestrian crossing in Elanora Rd</li> </ul>	<ul style="list-style-type: none"> <li>Not supported. RMS guidelines do not permit two traffic lanes (same direction) across pedestrian crossings and crossing cannot be relocated</li> </ul>
	<ul style="list-style-type: none"> <li>Proposed 'No Stopping' between Nos 53 and 57 Elanora Road not supported due to loss of parking. At most, should only apply during school drop off/collection times.</li> </ul>	<ul style="list-style-type: none"> <li>'No Stopping' during school collection/drop off times necessary for student safety and traffic efficiency. Support limited time for restriction to apply.</li> </ul>
	<ul style="list-style-type: none"> <li>'No Stopping' restriction would result in cars parking in other places in local roads.</li> </ul>	<ul style="list-style-type: none"> <li>On street public parking in any street is free for anyone to use and ample parking exists within streets 500 metres of school gates. Walking to school is to be encouraged.</li> </ul>
	<ul style="list-style-type: none"> <li>Council to construct additional parking areas on the nature strip for residents affected by 'No Stopping' restrictions.</li> </ul>	<ul style="list-style-type: none"> <li>Not supported for financial and practical reasons and as Council is not responsible to provide parking for private vehicles. Residents to provide sufficient parking on their own properties where public parking is limited.</li> </ul>
	<ul style="list-style-type: none"> <li>Make a section of Elanora Road one way traffic from the school gate to Woorarra Ave.</li> </ul>	<ul style="list-style-type: none"> <li>Not supported. This suggestion not approvable and previous consultation showed that the local community does not support a one way traffic option.</li> </ul>
	<ul style="list-style-type: none"> <li>Residents should provide parking for their own vehicles on their own properties so Council only has to provide roads for traffic.</li> </ul>	<ul style="list-style-type: none"> <li>Roads are constructed to cater for vehicular and pedestrian traffic first and to provide for parking only where practical. Development controls require property owners to provide at least two parking spaces on their own property.</li> </ul>
	<ul style="list-style-type: none"> <li>Greater enforcement of existing parking regulations by rangers (especially P2 areas) would overcome problems</li> </ul>	<ul style="list-style-type: none"> <li>Rangers provide enforcement within their available resources but cannot be there every day</li> </ul>
	<ul style="list-style-type: none"> <li>No stopping restrictions will increase speeding on approach to pedestrian crossing</li> </ul>	<ul style="list-style-type: none"> <li>Possible, but increased traffic volumes and the 40kph school speed zone would make this unlikely</li> </ul>



Street respondent resides	Resident comment	Council response
Elanora Road – Georgina Avenue to Marinna Road	<ul style="list-style-type: none"> <li>Implement all proposed no stopping restrictions except at this location and see what happens before considering it</li> </ul>	<ul style="list-style-type: none"> <li>Not supported as part of an overall traffic scheme</li> </ul>
	<ul style="list-style-type: none"> <li>Should not reduce parking spaces for carers who want to drop off/collect students near the school</li> </ul>	<ul style="list-style-type: none"> <li>Parking near schools is highly desirable, but other options (walk, ride, bus) exist where this is not possible.</li> </ul>
	<ul style="list-style-type: none"> <li>Do not support loss of parking in front of their properties for amenity reasons</li> </ul>	<ul style="list-style-type: none"> <li>Prime function of roads is to facilitate a safe traffic flow, with on street parking being provided only where appropriate</li> </ul>
Elanora Road – Anana Road to Woorarra Road	<ul style="list-style-type: none"> <li>Support proposed scheme</li> </ul>	<ul style="list-style-type: none"> <li>Noted</li> </ul>
	<ul style="list-style-type: none"> <li>Support provision of footpath and associated 'No Stopping' restrictions</li> </ul>	<ul style="list-style-type: none"> <li>Noted</li> </ul>
	<ul style="list-style-type: none"> <li>School to provide parking and drop off/collection area on school site and not use road</li> </ul>	<ul style="list-style-type: none"> <li>Not supported. Creates additional student safety and traffic issues without eliminating problems in Elanora Road</li> </ul>
	<ul style="list-style-type: none"> <li>Construct a carpark in Elanora Rd where a playground now exists in public reserve (adjacent to No 92)</li> </ul>	<ul style="list-style-type: none"> <li>Not supported</li> </ul>
	<ul style="list-style-type: none"> <li>P2 zone and other parking restrictions ignored. Need enforcement by rangers</li> </ul>	<ul style="list-style-type: none"> <li>Rangers enforce regulations within the limits of their available resources</li> </ul>
	<ul style="list-style-type: none"> <li>School to reopen closed access path adjacent to No. 25</li> </ul>	<ul style="list-style-type: none"> <li>Supported</li> </ul>
	<ul style="list-style-type: none"> <li>Move the bus stops in Elanora Road and replace with parking</li> </ul>	<ul style="list-style-type: none"> <li>Not supported. Safest location is near an intersection and the marked pedestrian crossing</li> </ul>
	<ul style="list-style-type: none"> <li>Allow parallel parking in Elanora Rd opposite the 90° parking area near Anana Rd</li> </ul>	<ul style="list-style-type: none"> <li>Not supported. Inadequate pavement width to meet legal minimum distances</li> </ul>
	<ul style="list-style-type: none"> <li>Widen road to construct the footpath and avoid need for no parking restrictions</li> </ul>	<ul style="list-style-type: none"> <li>Not a practical option due to the standard of construction of some adjacent driveways/garages on the eastern side and the rockface on the western side</li> </ul>
	<ul style="list-style-type: none"> <li>Proposals not necessary for problems that only exist for 1.5 hours each school day</li> </ul>	<ul style="list-style-type: none"> <li>Safety and amenity of road users at any time is paramount</li> </ul>
	<ul style="list-style-type: none"> <li>Meeting between school and resident representatives, Council and other stakeholders is necessary to discuss possible options.</li> </ul>	<ul style="list-style-type: none"> <li>Not required for consultation carried out to date and Council has responsibility for final decision for benefit of the whole community</li> </ul>
	<ul style="list-style-type: none"> <li>Proposed chicane in Woorarra Ave not necessary as not aware of speeding problem and do not want any impediment of access to Wakehurst Parkway</li> </ul>	<ul style="list-style-type: none"> <li>Many drivers perceive speeding to be an issue at the Woorarra/Elanora intersection and chicane will alleviate this without impeding access to Wakehurst Parkway.</li> </ul>

Street respondent resides	Resident comment	Council response
Elanora Road – Anana Road to Woorarra Road	<ul style="list-style-type: none"> <li>Want no stopping the full length of the western side of Elanora Rd between 8.30 and 3.30 on school days</li> </ul>	<ul style="list-style-type: none"> <li>Not supported as monitoring has not shown that cars parked outside of the collection/drop off times do not cause any traffic problem</li> </ul>
	<ul style="list-style-type: none"> <li>Traffic calming required in Anana Rd to assist use of private driveways</li> </ul>	<ul style="list-style-type: none"> <li>Speed monitoring has not shown any problem in Anana Rd and traffic calming not to be considered. It is responsibility of property owner to provide a safe driveway and use it safely</li> </ul>
	<ul style="list-style-type: none"> <li>Do not want no stopping in front of nos. 25 – 37 (where road proposed to be narrowed to provide a footpath) as needed to park their vehicles that cannot be parked within their properties</li> </ul>	<ul style="list-style-type: none"> <li>Public on street parking is provided by Council wherever possible, for use by any member of the public. It is only provided after provision has been made for the safe flow of traffic and pedestrians and only where possible. Council is not responsible for providing public on street parking for residents to garage vehicles; as such parking always remains the responsibility of the vehicle owners.</li> </ul>

Paul Davies, Principal Engineer – Strategy, Investigation & Design/LEMO  
Phone 9970 1177 Mobile 0408 490 966

15 March 2013

Dear Sir/Madam

**Re: Elanora Road, Elanora Heights – Proposed Parking Restrictions around the Elanora Public School**

Council, at its meeting of the 4 March 2013, considered the recommendation of Council's Traffic Committee in respect to item TC4.10 Elanora Road, Elanora Heights - Parking Restrictions around the Elanora Public School (copy attached) and resolved that item TC4.10 be deferred for further discussion with the Community.

This decision for deferral is based on advice that discrepancies existed between the Traffic Committee recommendation, and some of the information enclosed with the letter dated 3 December 2012 sent to residents seeking comments on the proposal. Council would like to clarify that the diagrammatic plan of proposals shown in the Traffic Committee report is essentially the same plan which was sent to the residents. The typographical errors in the summary table accompanying the plan have been corrected and updated to correspond to the plan. Corrections or clarification to the text have been underlined for your convenience.

Council is re-issuing the amended supplementary information to residents should they wish to provide further comments regarding the proposal. Residents are requested to further submit their comments (if any) on the proposals for Elanora Road and Woorarra Road, noting that all previous comments will be retained and considered as part of the overall consultation process. It is requested that all written comments be received by 12 April 2013. Submissions are to be marked to the attention of Paul Davies and either emailed to [paul\\_davies@pittwater.nsw.gov.au](mailto:paul_davies@pittwater.nsw.gov.au) or posted to Pittwater Council, PO Box 882 Mona Vale 1660.

All comments will be summarised in a report to be presented to Council (anticipated to be in May 2013). The proposal does not need to go to the Traffic Committee for reconsideration as a technical review of the same recommendations undertaken previously was supported and no new restrictions are proposed. You will however be advised when the report will be considered by Council so that you may, if you wish, address Council in respect to the proposal prior to Council making a decision.

Should you have any enquiries please contact Paul Davies, Principal Engineer Strategy Investigation and Design, on 9970 1177.

Yours sincerely



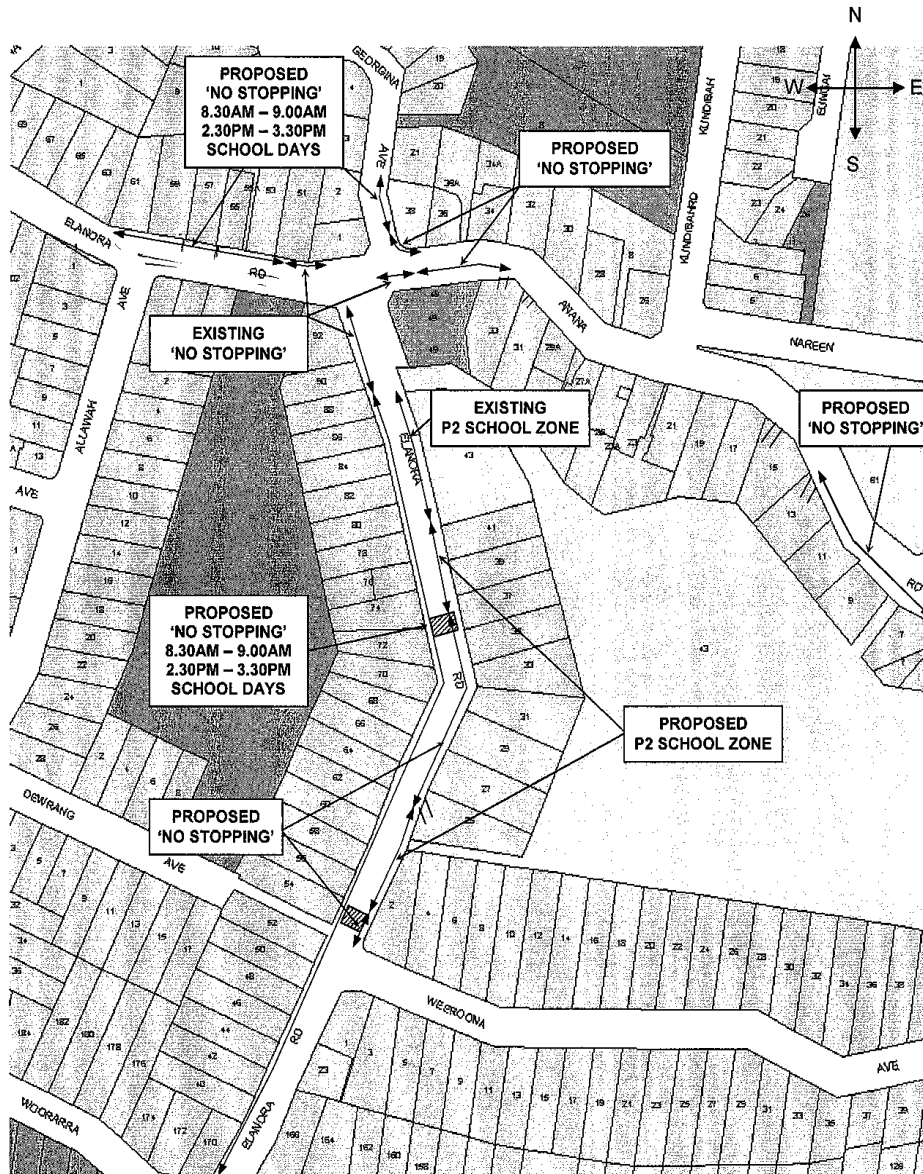
Mark Shaw  
**MANAGER, URBAN INFRASTRUCTURE**

#### **TC4.10 Elanora Road, Elanora Heights - Parking Restrictions around the Elanora Public School**

##### **COMMITTEE RECOMMENDATION**

1. That the Traffic Committee recommends approval of the following parking restrictions to improve road user safety and resident amenity around the Elanora Public School:
  - a. Elanora Road – provide 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the western side between the existing 'No Stopping' restriction at No. 88 and Woorarra Avenue, to replace all existing parking restriction in this section.
  - b. Elanora Road – provide 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the northern side between Nos. 53 and 57.
  - c. Elanora Road – extend the existing P2 zone on the eastern side to No. 37.
  - d. Elanora Road – create a new P2 zone (same restrictions as existing zone) on the eastern side from No. 27 (at end of 'No Stopping' zone) to the statutory 'No Stopping' limit at Weeroona Avenue.
  - e. Georgina Avenue – provide 'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) on the eastern side between No 21 and the statutory 'No Stopping' limit at Anana Road.
  - f. Elanora Rd – provide 'No Stopping' on the eastern side between the extended P2 zone (No. 37) and the new P2 zone (No. 27).
2. That the Traffic Committee recommends approval of a kerb blister and median island adjacent to No. 174 Woorarra Avenue as shown on plan 30-TC-2012, subject to approval by the Traffic Committee of a construction plan for the work prior to its construction.
3. That all property owners who received consultation letters from Council be advised of the Traffic Committee recommendations prior to their consideration by Council.
4. That the Committee suggests that the Elanora Public School and the P & C provide a letter of support for the proposed scheme prior to consideration of the matter by Council.

(Sgt Matthew Paterson / Ms Nazli Doraji Sabi)



At the meeting held between Pittwater Council, Department of Education and Communities and Elanora Heights Public School on Thursday 15 November 2012, Council has agreed to the following proposals to be put forward for consultation with residents and businesses in Elanora Road, Anana Road, Georgina Avenue and Wooroona Avenue.

	<b>Footpath and pedestrian access</b>	<b>Cost estimate</b>
<b>1</b>	<p>Construction of a footpath on Elanora Road has the highest priority in Council's Schools Footpath Program. A footpath between Weeroona Road to the existing footpath at the school has been scheduled to be built in four stages.</p> <p>A short section of Elanora Road in Stage 1 will have to be narrowed to accommodate a footpath on the eastern side. To ensure one traffic lane remains available at all times <u>through this section of road following the construction of the footpath</u>, 'No Stopping' restrictions will be implemented on the <u>eastern</u> side of Elanora Road in this section (Nos. <u>27</u> to 37)</p> <p>Stage 1 has been listed in Council's draft 2013/2014 Delivery Plan and will be subject to adoption by Council. Stages 2, 3 and 4 are included in Council's Schools Footpath Program and will be undertaken in future years subject to funding.</p>	
	<p>Stage 1      Anana Road to <u>Weeroona Avenue</u>, reconstruct 85m of kerb and gutter <u>through</u> curves – Nos, 27-35.</p>	\$60,000
	<p>Stage 2      Construct <u>part length</u> of retaining walls and handrail from No. 27 Elanora Road to <u>No.2 Weeroona Avenue</u>. Create 1.2 m wide level grassed area for future concrete path.</p>	\$85,000
	<p>Stage 3      Construct <u>remaining length</u> of retaining walls and handrail from No. 27 Elanora Road to <u>No.2 Weeroona Avenue</u>. Create 1.2 m wide level grassed area for future concrete path.</p>	\$85,000
	<p>Stage 4      Construct concrete footpath East side ..... 1.2m wide by 231m.</p>	\$60,000
	<b>Preliminary estimate for total footpath</b>	<b>\$290,000</b>

	Footpath and pedestrian access	Cost estimate
2	Existing 'No Parking' (8am – 9.30am and 2.30pm – 4pm, school days) restrictions on Elanora Road between No. 37 – 41 be removed and replaced with an extension of the P2 drop off and pick up zone.	
3	'No Stopping' to be installed on the western side of Elanora Road (Woorarra Avenue to opposite school driveway) between 8.30am – 9am and 2.30pm – 3.30pm, school days only. This will ensure that there are two through traffic lanes for vehicles moving along the street and to encourage drivers to circulate around the block rather than undertake 3 point turns using private driveways.	
4	Install 'No Stopping' on the eastern side of Georgina Crescent up to No. 21 between 8.30am – 9am and 2.30pm – 3.30pm, school days only to ensure two clear traffic lanes remain available.  'No Stopping' signs also to be placed on the corner of Georgina Avenue and Anana Road (existing statutory restrictions) to discourage illegal parking.	
5	Construction of a chicane to the west of the Woorarra Ave and Elanora Road intersection to slow the average traffic speed so as to encourage around the block traffic circulation during school drop off/collection times.  This item is to be included in Council's draft 2013/2014 Delivery Plan and will be subject to adoption by Council.	\$40,000
6	Install a new P2 school drop off and pick up zone in Elanora Road from 'No Stopping' zone in front of No 27 to Weeroona Avenue. This zone to be accessed via new path to existing school gate entrance and to serve future reconstructed school access adjacent to No 25 (school to apply to Department for funding in 2013.2014 to construct the access).	
7	<u>'No Stopping' (8.30 to 9.00am and 2.30 to 3.30pm, school days) restrictions to be installed on the northern side of Elanora Road between Nos. 53 and 57.</u>	



# Elanora Heights Public School

RESPECT

ACHIEVEMENT

RESPONSIBILITY

Wednesday, 20 February

Mr Mark Ferguson,  
General Manager,  
Pittwater Council,  
PO Box 882,  
Mona Vale,  
NSW 1660

Dear Mr Ferguson,

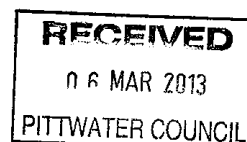
Thank you for the copy of the Traffic, Pedestrian and Infrastructure Review and the Report – Elanora Road, Elanora Heights – Parking Restrictions around the Elanora Public School. On behalf of Elanora Heights Public School could you please thank Mr Paul Davies and his staff for the very comprehensive and informative reports that they prepared.

After detailed analysis of the reports the school would like to support the recommendations of the Traffic Committee. Those recommendations being:

- Elanora Road – provide 'No Stopping' (8:30 – 9:00 am and 2:30 – 3:30pm, school days) on the western side between the existing 'No Stopping' restriction at no. 88 and Woorarra Ave, to replace all existing parking restriction in this section.
- Elanora Road – provide 'No Stopping' (8:30 – 9:00 am and 2:30 and 3:30pm, school days) on the northern side between Nos. 53 and 57.
- Elanora Rd – extend the existing P2 zone on the eastern side of No. 37
- Elanora Rd – create a new P2 zone (same restrictions as existing zone) on the eastern side from No. 27 (at end of 'No Stopping' zone) to the statutory 'No Stopping' limit at Weeroona Ave.
- Elanora Rd – provide 'No Stopping' on the eastern side between the extended P2 zone (No. 37) and the new P2 zone (No. 27)
- Georgina Ave – provide 'No Stopping' (8:30 – 9:00 am and 2:30 -3:30 pm, school days) on the eastern side between No. 21 and the statutory 'No Stopping' limit at Anana Rd.
- Woorarra Ave – approval of a kerb blister and median island adjacent to No. 174 as shown on plan 30-TC-2012, subject to approval by the Traffic Committee of a construction plan for the work prior to its construction

Yours faithfully,

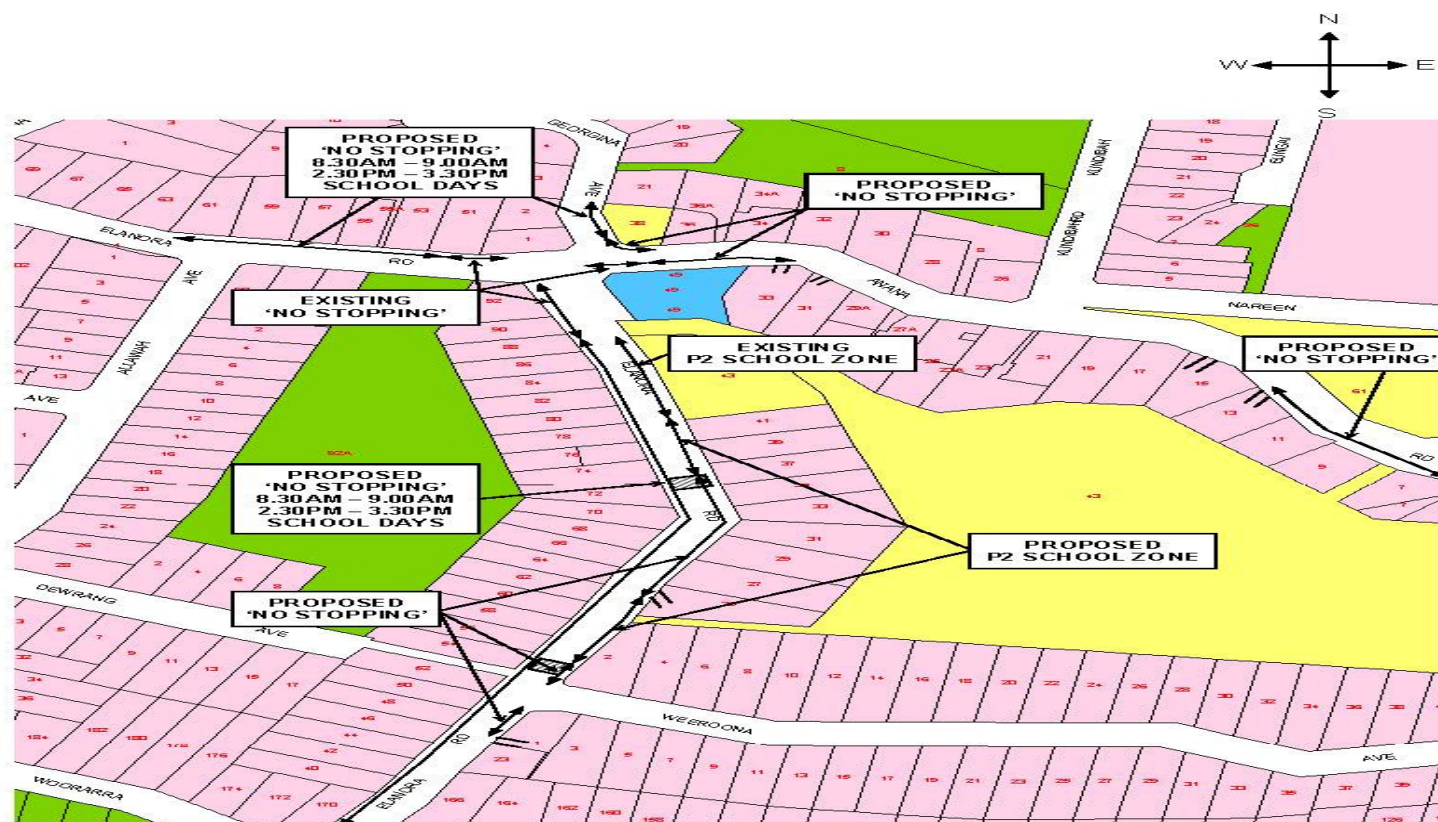
Bill Gillespie  
Principal

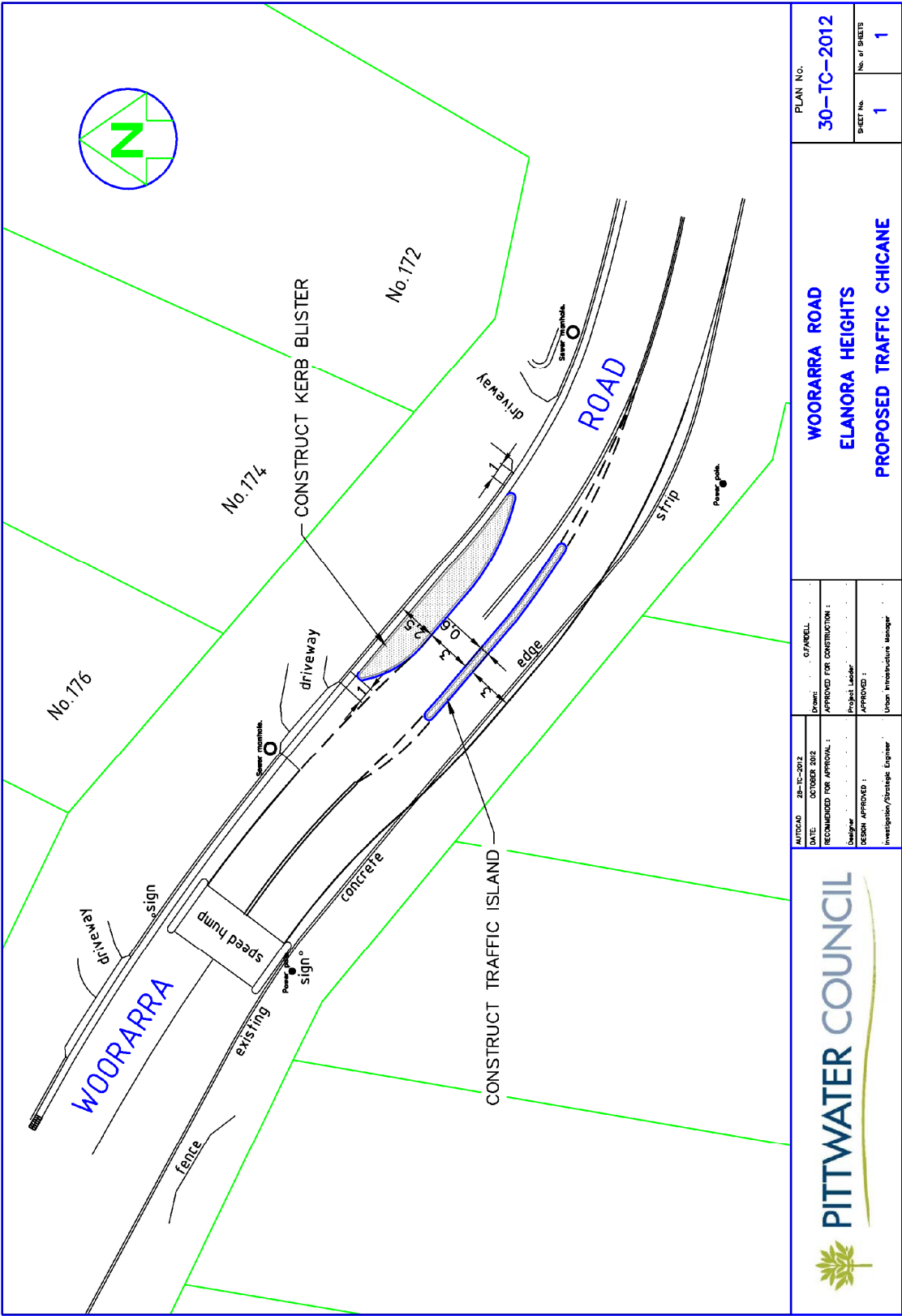


[www.elanorahts-p.school.nsw.edu.au](http://www.elanorahts-p.school.nsw.edu.au)

43 Elanora Rd, Elanora Heights NSW 2101 P (02) 9913 7283 / (02) 9913 7229 F (02) 9913 3749  
E [elanorahts-p.school@det.nsw.edu.au](mailto:elanorahts-p.school@det.nsw.edu.au)







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<b>C12.5</b>	<b>Pittwater Heritage Report, Heritage Strategy Annual Report &amp; Heritage Advisor Funding</b>
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**Meeting:** Planning an Integrated Built Environment Committee

**Date:** 20 May 2013

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**STRATEGY:** Land Use & Development

**ACTION:** To identify and conserve Pittwater's heritage

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### **PURPOSE OF REPORT**

This report seeks Council's adoption of the Annual Report to gain funding from the NSW Heritage Branch (through the Local Government heritage management program) for Council's Heritage Advisory Service. This report recommends Council endorse the attached Annual Report and send this to the NSW Heritage Branch.

### **1.0 BACKGROUND**

- 1.1 The NSW Heritage Branch runs a funding program to assist owners and managers of state significant heritage items, Aboriginal heritage and local government heritage management in New South Wales.
- 1.2 The NSW Heritage Grants provide funding to Councils to assist with the management of heritage items in their local government area.
- 1.3 Councils may apply for funding for a heritage advisor under the Local Government heritage management program (Local Government Heritage Advisors program).
- 1.4 A requirement of the NSW Heritage Grants- Local Government Heritage advisor program is that each Council must prepare, adopt and implement a three year Heritage Report. This Report must be based on the NSW Heritage Branch publication, "*Recommendations for local heritage council heritage management*".
- 1.5 This report will be prepared by the Council's heritage advisor and heritage officer and must be lodged with the NSW Heritage Branch along with claims for payment (invoices from the Heritage Advisor).
- 1.6 The Heritage Report and Annual report for 2012-2013 have been forwarded to the NSW Heritage Branch and funding was received for Council's Heritage Advisory service for the 2012-2013 financial year to meet their 15 May 2013 deadline.
- 1.7 This funding is separate to the funding for the Community Based Heritage Study which was recently received which is partly funding the current review of Council's heritage inventory.

## 2.0 ISSUES

### 2.1 NSW Heritage Branch Funding Offer- 2011-2014

- 2.1.1 On 21 October 2010 Pittwater Council received advice from the NSW Heritage Branch with a 3 year Heritage Advisory funding offer for 2011-14. This 3 year funding offer was approved for Council to continue with providing a heritage advisory service for 2011-2014. The funding was based on a Development grant as follows *"A \$1 for \$2 grant of up to \$7,500 per year for 3 years for Council's heritage advisory service"*.
- 2.1.2 This grant funding from the NSW Heritage Branch allows Councils to increase community participation and proactive heritage and urban design management in our local government area. Funding such as the NSW Heritage Branch- Local Government Heritage Management program grant allows Council to effectively provide our community with heritage advice in regards to Heritage items. Without the funding Council would find it very difficult to provide this service to the local community.
- 2.1.4 Some other benefits to Pittwater Council include an increased ability to provide advice for owners of listed items; the management of heritage in the Pittwater LGA, as well as providing comment on heritage and urban design aspects of development applications affecting heritage items. This process saves money and can also help avoid potential conflict with the Council on heritage development application (DA) matters.
- 2.1.5 Council has renewed the services of Mr Robert Moore from Robert A. Moore Pty Ltd - Architects and Conservation Consultants. Mr Robert Moore is a highly qualified architect and heritage consultant who has worked in the heritage industry for over 20 years. Mr Moore also provides heritage advice to several other councils in Sydney. Mr Moore provides Council with valuable heritage information including advice on heritage issues relating to development applications and attending site visits with heritage owners to offer advice. Without his services Council would not be able to provide high quality heritage information to the residents of Pittwater.
- 2.1.6 In order for Council to receive the new Heritage Funding for 2011-2014 Council is required to update Pittwater's Heritage Report, provide an annual financial report and an annual progress report from the heritage advisor. The annual report details the implementation of Council's Heritage Report to be prepared by the Council's heritage advisory officer and Council's heritage officer. To claim funds, Council needs to submit a copy of the Heritage Annual Report and a financial statement of its GST exclusive expenditure for the advisor position.
- 2.1.7 Council's Heritage advisor and heritage officer have prepared a heritage report for the management of items of heritage significance and heritage items within the Pittwater LGA. This heritage report is for three years and sets out heritage goals, aims and outcomes for a three year period.

It is a recommendation of this report that Council adopt the Annual Report and forward the report onto the NSW Heritage Branch for endorsement and for reimbursement of funds for the heritage advisor (see **Attachment 1**).

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### **3.0 SUSTAINABILITY ASSESSMENT**

#### **3.1 Supporting & Connecting our Community (Social)**

The Pittwater Heritage Report and Annual report allows Council to gain funding for the support of Council's Heritage Advisory Service. The Heritage Advisory service provides a key role in delivering accurate, timely and efficient heritage advice to the general public.

#### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

The Pittwater Heritage Report and Annual Report will allow Councils to gain funding for the support of Council's Heritage Advisory Service. Part of this service includes advice on heritage items including landscape items that are affected by Development applications.

#### **3.3 Enhancing our Working & Learning (Economic)**

On the 21 October 2010 Pittwater Council received advice from the NSW Heritage Branch with a 3 year Heritage Advisory funding offer for 2011-14. This 3 year funding offer was approved for Council to continue with providing a heritage advisory service for 2011-2014. The funding was based on a Development grant as follows "A \$1 for \$2 grant of up to \$7,500 per year for 3 years for Council's heritage advisory service".

#### **3.4 Leading an Effective & Collaborative Council (Governance)**

N/A

#### **3.5 Integrating our Built Environment (Infrastructure)**

The Pittwater Heritage Report and Annual Report will provide Council with the additional resources to adequately manage heritage items in the Pittwater LGA. The additional funding for the continuation of Pittwater's Heritage Advisory Service means that the local community can gain additional advice in regards to heritage when lodging Development applications for development in which sites either contain a heritage item or are in the vicinity of a heritage item.

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### **4.0 EXECUTIVE SUMMARY**

4.1 The NSW Heritage Branch runs a diverse and targeted funding program to assist owners and managers of state significant heritage items, Aboriginal heritage and local government heritage management in New South Wales. The NSW Heritage Grants provide funding to councils to assist with the management of heritage items in their local government area.

4.2 Councils may apply for funding for a heritage advisor under the Local Government heritage management program (Local Government Heritage Advisors program).

4.3 As part of the funding agreement for the heritage advisor, Council must prepare and submit an annual report on the implementation of Council's Heritage Report to the NSW Heritage Branch by 30 May each year. Generally this report will be prepared by Council's heritage advisor and heritage officer and must be lodged with the NSW Heritage Branch along with claims for payment (invoices from the Heritage Advisor).

- 4.4 It is a recommendation of this report that Council adopt the Annual Report and forward it onto the NSW Heritage Branch for endorsement and for reimbursement of funds for the heritage advisor, noting that the report has already been despatched to the NSW Heritage Branch to meet their 15 May 2013 deadline.

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## **RECOMMENDATION**

1. That the information provided in the report be noted.
2. That the attached Heritage Management Program "Annual Report" be adopted and forwarded to the NSW Heritage Branch.

Report prepared by  
Lara Goldstein, Assistant Strategic Planner

Andrew Pigott  
**(Acting) MANAGER, PLANNING AND ASSESSMENT**

# NSW Heritage Grants Local Government Heritage Management Program

## Template for Heritage Strategy Annual Report 2012–13

### Background

A requirement of the NSW Heritage Grants Local Government Heritage Management Program is that each council must prepare, adopt and implement a three-year heritage strategy for 2011–12 to 2013–14. This strategy must be based on *Recommendations for local government on heritage management* (Office of Environment and Heritage and the Heritage Council of NSW 2011).

As part of the funding agreement for each council's heritage advisor, the council must prepare and submit an annual report on the implementation of their heritage strategy to the Heritage Council by 15 May each year. Generally, this report will be prepared by the council's heritage advisor and heritage officer.

The outcomes and indicators in the Heritage Strategy Annual Report 2012–13 template are based on a standardised heritage strategy developed from *Recommendations for local government on heritage management*.

Councils must use this reporting template to summarise their achievements throughout the year.

Please complete this template electronically by inserting responses as follows:

1. Fill in the key performance indicator data in the **grey areas** for each heritage strategy recommendation.
2. Using this data, complete the **grey areas** for all four evaluation questions for each outcome.
3. If you would like to include extra information about and for your council, please add your comments in the 'optional comments' **grey area**.

The Heritage Council will include this data in their annual report on the NSW Heritage Grants Local Government Heritage Management Program. This report will be made available on the [Office of Environment and Heritage's \(OEHS\) website](#).

### Lodging your heritage strategy annual report for 2012–13

As per the heritage advisor agreement, a copy of this annual report must be:

1. Lodged with your council for adoption
2. Lodged with the Heritage Council.



Office of  
Environment  
& Heritage

OEHS 2013/0191



**Your council name: Pittwater Council**

I confirm that the total expenditure for the heritage advisor service during 2012–13 (which includes an estimate for the June 2013 visit) was \$ 4075 ex GST.



## Reporting on recommendations and outcomes

### Recommendation 1: Establish a heritage committee to deal with heritage matters in your area

#### Outcome 1: Caring for our heritage – increased community participation, awareness and appreciation of heritage in the local area

##### Key performance indicators

Heritage committee established	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Heritage committee constituted under s. 377 of the <i>Local Government Act 2009</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Optional comments:
Heritage policy written and adopted by the council	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed: November 2007, in force: 3 December 2007 Date/s reviewed and updated: last DCP review: 15 June 2009 Optional comments: Council has a Heritage Conservation Policy within Pittwater 21 Development Control Plan-Appendix 2.
Heritage committee advice/input to council decision making	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> # of pieces of advice/input to council decision making Optional comments:
Local heritage consultants directory established	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Optional comments:
(Optional) Council website link provided to the OEH website Heritage Consultants Directory	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Optional comments: Council website provides a list of useful heritage links including a link to the NSW Heritage Office.
Local services and suppliers directory established	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Optional comments:
(Optional) Council website link provided to the OEH website Services and Suppliers Directory	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Optional comments:

## Evaluation: (social, environmental, economic impacts)

Please add your commentary after each question

1. What do the KPIs show about this outcome?  
Council needs to consider the establishment of a heritage committee and or a heritage consultants directory. At this stage this is not a priority for heritage management within Council.
2. What were the key results or achievements for this year?  
Continuing to update and maintain heritage information contained in several Council documents and on the website. Council is currently undertaking a Community Based Heritage Study.
3. Were there any challenges or disappointments that had a major effect on results? Briefly describe what actions have been taken to address these.
4. What will you do next year?  
Currently undertaking a Community Based Heritage Study.

## Recommendation 2: Identify the heritage items in your area and list them in your local environmental plan (LEP).

### Outcome 2: Knowing and valuing our heritage – increased knowledge and proactive management of heritage in your local area

#### Key performance indicators

Community based heritage study completed	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Date completed: N/A Date/s reviewed and updated: N/A # N/A of heritage items recommended for inclusion in your LEP heritage schedule Optional comments: A community based heritage study has been commenced and is currently ongoing.
Aboriginal heritage study completed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed: 2008 Date/s reviewed and updated: Constant monitoring by the Aboriginal Heritage Office and Council for new items. Optional comments: Council has signed an MOU for the next 3 years (renewed) and as part of this process we employ an Aboriginal Heritage Officer (at the Aboriginal Heritage Office) to work on Aboriginal heritage issues, including investigative site visits, staff training and the general management of DA referrals (specifically when they affect known aboriginal heritage items).
Number of heritage items included in the	# 151 of heritage items included in LEP

existing LEP's heritage schedule	<p>heritage schedule</p> <p>Date completed: 5 June 2009</p> <p>Date/s reviewed and updated: 5 June 2009</p> <p>Optional comments: Heritage conservation amendment PLEP 1993 occurred 5 June 2009.</p>
The council has gazetted a principal LEP with model heritage provisions in accordance with the Standard Instrument (LEPs) Order	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Date gazetted: N/A</p> <p>Optional comments: Current LEP has Heritage consistent with Standard Instrument LEP format.</p>
Statement of significance for all heritage items in the existing LEP	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Date completed: Statements of Heritage significance currently under review. This is an ongoing process, original heritage study completed some heritage statements of significance in 1989.</p> <p>Date/s reviewed and updated: 2011-2012 (current internal review ongoing).</p> <p>Optional comments: Council is currently in the process of internally reviewing and updating each of the statements of significance of each of the heritage items listed in the PLEP 1993.</p>

### **Evaluation: (social, environmental, economic impacts)**

Please add your commentary after each question

1. What do the KPIs show about this outcome?  
That the Community Based Heritage Study currently underway should be completed.
2. What were the key results or achievements for this year?  
Commencement of the Community Based Heritage Study.
3. Were there any challenges or disappointments that had a major effect on results? Briefly describe what actions have been taken to address these.
4. What will you do next year?  
Complete the Community Based Heritage Study.

**Recommendation 3: Appoint a heritage and urban design advisor to assist the council, the community and owners of listed heritage items**

**Outcome 3: Caring for our heritage – increased community participation, and proactive heritage and urban design management in your local area**

**Key performance indicators**

Site visits	Number 6 of heritage site visits undertaken  Optional comments: Lower number of DAs received is reflected in the lower number of site visits.
Heritage/urban design advisements given	Number 4 of heritage/urban design advisements given  Optional comments:
Pre development application (DA) advice given on heritage/urban design issues	Number 2 of pre DA advice given on heritage/urban design issues  Optional comments:
Advisements on council DAs provided on heritage/urban design projects	Number 24 of advisements on council DAs provided on heritage/urban design projects  Optional comments:

**Evaluation: (social, environmental, economic impacts)**

Please add your commentary after each question

1. What do the KPIs show about this outcome?  
Council's heritage advisory service is adequate and that Council undertakes a significant number of heritage referrals and not too many site visits.
2. What were the key results or achievements for this year?  
Council's heritage advisor has undertaken heritage referrals, heritage site visits and provided heritage advice on these matters.
3. Were there any challenges or disappointments that had a major effect on your results?  
Briefly describe what actions have been taken to address these.  
Challenges involved poor quality heritage reports accompanying DA/s, need for heritage advice within tight timeframes.
4. What will you do next year?  
Continue to provide efficient and effective heritage advice to the general public in regards to development applications or general enquireies. Council will also encourage staff to seek heritage advisor input on heritage and urban design and DA issues.

## Recommendation 4: Manage local heritage in a positive manner

### Outcome 4: Caring for our heritage – proactive heritage and urban design management in your local area

#### Key performance indicators

Heritage development control plan (DCP) prepared by the council	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed: contained within Appendix 2- P21DCP in force: 3 December 2007. Date/s reviewed and updated: 5 June 2009 Optional comments:
Urban design DCP prepared by the council	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Date completed: Date/s reviewed and updated: Optional comments: Council has a P21DCP that covers the urban design aspect of development i.e. setbacks and height etc. Appendix 2 of the DCP also talks about the design aspects the owner will have to consider.
Waive or reduce development application fees	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Optional comments:
Adopt a flexible approach to planning and building requirements	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Optional comments:

#### Evaluation: (social, environmental, economic impacts)

Please add your commentary after each question

1. What do the KPIs show about this outcome?  
Council has integrated Heritage into Pittwater 21DCP at Appendix 2. This is a policy that is intended to give the general public some guidance when developing in a heritage conservation area or when the subject property is a heritage item or is in the vicinity of a heritage item using examples and pictures and written descriptions.
2. What were the key results or achievements for this year?  
Positive management of heritage matters.
3. Were there any challenges or disappointments that had a major effect on your results?  
Briefly describe what actions have been taken to address these.  
None.
4. What will you do next year?  
Continue to provide the best heritage advice to the general public. Work on the comprehensive LEP and the management of heritage items within the Pittwater LGA as well as continuing work on the Community Based Heritage Study.



**Recommendation 5: Introduce a local heritage incentives fund to provide small grants to encourage local heritage projects**

**Outcome 5: Caring for our heritage – increased community participation and proactive conservation and management of heritage in your local area**

**Key performance indicators**

Local heritage fund operational	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Optional comments:
Heritage projects funded with this year's funding	# 0 of heritage projects funded this financial year
Total project value	Total \$ N/A project value
Total local heritage fund contribution	Total \$ N/A contributed by local heritage fund
Total owner contribution to project	Total \$ N/A contributed by local heritage owner to heritage project
**Heritage projects that contribute to local tourism	# 0 of heritage projects that contribute to local tourism Optional comments:
**Projects that create paid employment	# 0 of jobs created Optional comments:
**Projects that create volunteer opportunities	# 0 of volunteer hours contributed Optional comments:

\*\* These indicators are important NSW Government indicators related to tourism, jobs and employment creation and **must** be completed.

**Evaluation: (social, environmental, economic impacts)**

Please add your commentary after each question

1. What do the KPIs show about this outcome?  
Council does not currently have a heritage incentives fund for small projects and it is not likely that one will be set up due to funding constraints.
2. What were the key results or achievements for this year?  
N/A
3. Were there any challenges or disappointments that had a major effect on your results?  
Briefly describe what actions have been taken to address these.  
Council has been unable to operate a local heritage fund program due to limited staffing and resources and financial constraints.
4. What will you do next year?  
N/A

## Recommendation 6: Run a heritage main street program

### Outcome 6: Caring for our heritage – councils, owners and the community actively participate in attractive and well managed heritage main streets

#### Key performance indicators

Heritage main street committee operational	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Optional comments:
Heritage main street study completed	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Date completed: Date/s reviewed and updated: Optional comments:
Heritage main street study recommendations implemented	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Date completed: Optional comments:
Heritage main street program expanded to other main streets in the local government area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Optional comments:

#### Evaluation (social, environmental, economic impacts)

Please add your commentary after each question

1. What do the KPIs show about this outcome?  
Council does not have a main street heritage program, however Council is undertaking main street revitalisation as part of the village centres upgrades.
2. What were the key results or achievements for this year?  
N/A
3. Were there any challenges or disappointments that had a major effect on your results?  
Briefly describe what actions have been taken to address these.  
N/A
4. What will you do next year?  
N/A

## Recommendation 7: Present educational and promotional programs

### Outcome 7: Valuing our heritage – increased awareness and appreciation of heritage by the council, owners and the community in your local area

#### Key performance indicators

Heritage information available for local government area, e.g. brochures, website, guidelines

Yes ☒ No ☐

Date/s originally set up: 1993

Date/s reviewed and updated: 2010

Optional comments: Council has heritage information available on its website for the local community, it also has information available within Council documents such as the P21DCP and LEP. Council also provides verbal and written advice as well as pre-DA meetings with the local community in regards to development involving heritage items.

Heritage promotional events held (e.g. National Trust Heritage Festival, local heritage festivals, heritage awards scheme, main street festivals)

# 3 of heritage events held in last financial year

Optional comments: Council holds heritage events through the local studies department of Pittwater Library. Events included heritage walks and talks as part of the Heritage Festival, an interactive childrens day with storytelling as part of the Gu-rng-gai festival for NAIDOC, and an event called "Threads" during History Week chronicling clothing throughout Australia's history. Council also works in conjunction with the local Historical society (Manly, Warringah and Pittwater Historical Society) which holds information rights for the public, talks by authors in the libraries.

Local/regional heritage tourism strategy completed

Yes ☐ No ☒

Date completed:

Date/s reviewed and updated:

The council has a local/regional tourist information centre

Yes ☐ No ☒

Optional comments: However, Council does have a local history librarian and dedicated section of Mona Vale library which serves as a local heritage information centre.

Heritage trail completed

Yes ☐ No ☒

Date completed:

Date/s reviewed and updated:

Optional comments: However, Council does have a heritage trail that goes from Palm Beach up to Palm



Beach light house (which is a well known heritage item)  
(20-30min walk) which is often used by locals & tourists.

Heritage training for staff

Yes ☒ No ☐

# 2 staff attended training

Optional comments: 2 staff attended introductory  
Aboriginal Heritage Training at the NSW Aboriginal  
Heritage Office.

Heritage training for councillors

Yes ☐ No ☒

# councillors attended training

Optional comments:

Heritage training/workshops for heritage  
owners

Yes ☐ No ☒

# of owners attended training

Optional comments:

Heritage training/workshops for local  
professionals

Yes ☐ No ☒

# of local professionals attended training

Optional comments:

### **Evaluation: (social, environmental, economic impacts)**

Please add your commentary after each question

1. What do the KPIs show about this outcome?
2. What were the key results or achievements for this year?  
Provision of accurate, timely and consistent advice and up to date heritage information is readily available for the community through Councils website. A number of heritage events facilitated by the Local Studies Unit of Council that successfully engaged with the community.
3. Were there any challenges or disappointments that had a major effect on your results?  
Briefly describe what actions have been taken to address these.  
Challenges include the cost of training and promotional events and the lack of staff to run such programs.
4. What will you do next year?  
Next year Council will work on increasing opportunities for heritage training to staff and councillors, initiate more web information and brochures, continue to maintain Councils website with the most up to date information available to Council on heritage matters and investigate new opportunities for heritage events.

## **Recommendation 8: Set a good example to the community by properly managing places owned or operated by the council**

### **Outcome 8: Caring for our heritage – a council proactively conserves and manages its heritage assets**

#### **Key performance indicators**

Council has an asset management plan with action plans for heritage assets	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  Optional comments: Some heritage items in Council ownership are covered by Plans of Management (POM). e.g. ocean pools, Avalon Golf club house, wharfs and the bible garden.
Council management plans (CMPs) and council management strategies (CMSs) prepared for state significant heritage assets	Number 0 of CMPs/CMSs prepared for state significant items this financial year  Optional comments:
Annual works budget secured for heritage asset maintenance and repairs	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  Optional comments: Included as part of overall works budget.

#### **Evaluation (social, environmental, economic impacts)**

Please add your commentary after each question

1. What do the KPIs tell you about this outcome?  
N/A
2. What were the key results or achievements for this year?  
Council has been successful in lobbying the State Government to make Currawong a State Listed Heritage item and in turn a State park for the future enjoyment of future generations. This is a major milestone for the Council and the general public. Currawong will hopefully have a CMP/CMS in place for the management of this most important heritage item for Pittwater.
3. Were there any challenges or disappointments that had a major effect on your results?  
Briefly describe what actions have been taken to address these.  
N/A
4. What will you do next year?  
N/A

## Recommendation 9: Promote sustainable development as a tool for heritage conservation

### Outcome 9: Caring for our heritage – proactive heritage and sustainable development in your local area

#### Key performance indicators

Heritage development application (DA) approvals for adaptive reuse works	Number 0 of adaptive reuse DA approvals Optional comments:
DA approvals for regeneration and urban design works	Number 0 of urban design /regeneration DA approvals Optional comments:
Heritage DA approvals for infill and additions works	Number 17 of infill/additions DA approvals Optional comments:
Pre-DA advice and advice given on sustainable and energy efficient modifications (power, water, waste, carbon neutral)	Number 0 of pre-DA advice and advice given on sustainable and energy efficient modifications Optional comments:
Sustainability and heritage awareness courses for councillors, council staff, heritage owners and community	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Number 0 of people who attended training Optional comments:

#### Evaluation (social, environmental, economic impacts)

Please add your commentary after each question

1. What do the KPIs show about this outcome?
2. What were the key results or achievements for this year?
3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe what actions have been taken to address these.  
There has been little training, guidelines or information made available to date to assist councils, heritage owners and the broader community in terms of what and how to achieve good heritage and sustainability outcomes.
4. What will you do next year?  
Council will encourage energy efficient design solutions for heritage places to retain heritage values. Council has written a document called the Pittwater Sustainability Principles and Checklist which outlines the Pittwater Sustainability Principles for Residential Design and is intended to be a guide for home owners in regards to building and developing dwellings in a more sustainable manner. This is an aspirational document that presents simple measures to promote a move towards sustainability.

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<b>C12.6</b>	<b>Minutes of the Pittwater Traffic Committee Meeting held on 9 April 2013</b>
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**Meeting:** Planning an Integrated Built Environment Committee

**Date:** 20 May 2013

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**STRATEGY:** Traffic and Transport

**ACTION:** Provide planning, design, investigation and management of traffic and transport facilities.

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**PURPOSE OF REPORT**

To present to Council for consideration, the Traffic Committee Minutes of 9 April 2013.

**1.0 BACKGROUND**

- 1.1 The Traffic Committee recommendations for the Traffic Committee of 9 April 2013 (refer **Attachment 1**) are referred to Council for consideration. In accordance with the delegation of the Roads and Maritime Services (RMS) of NSW to Council, Council must consider the advice of the Traffic Committee before making a decision with respect to the management of traffic in Pittwater.

**2.0 ISSUES**

- 2.1 **Item 4.1: Woorak Reserve, Palm Beach - Introduction of Pay and Display Scheme - Supported**
- 2.2 **Item 4.2: Kalang Road, Elanora Heights - Elanora Commercial Centre - Proposed new parking restrictions and disabled space on western side of centre - Supported**
- 2.3 **Item 4.3: Angophora Circuit, Warriewood - 1 Hour Parking Restrictions - Supported**
- 2.4 **Item 4.4: Sunrise Road, Palm Beach - 90° Angle Parking - Supported**
- 2.5 **Item 4.5: Woorarra Avenue / Elanora Road, North Narrabeen - Provision of Stop Signs - Supported**
- 2.6 **Item 4.6: Gladstone Street, Newport - Extension of 'No Stopping' Restrictions - Supported**
- 2.7 **Item 4.7: Terrol Crescent, Mona Vale - No Stopping Restrictions - Supported**
- 2.8 **Item 4.8: Barrenjoey Road and Golf Avenue, Mona Vale - Car Park Restrictions**  
**Support** for proposed parking restrictions in the interim car park proposed for Beeby Reserve on the corner of Barrenjoey Road and Golf Avenue, Mona Vale (refer **Attachment 2** report to Traffic Committee). Residents who spoke at the Traffic Committee meeting opposed the proposal indicating that the car park should be specifically for the benefit of park users, with concerns also raised on the number of proposed car park spaces. The plan considered was only a preliminary concept to allow consideration of parking restrictions should it be approved for construction. Due to this, the Committee discussed changes to the parking to remove the permit holder parking and agreed if this was removed, that these spaces would also be 4 hour parking.

Further design of this carpark has been undertaken resulting in the number of parking spaces reducing to 77 from the initial 81 spaces.

It has also been decided to remove the permit holder spaces thereby allowing the whole carpark to be used for sports related parking.

It should be noted that this carpark is included in the Kitchener Park Plan of Management adopted by Council.

#### **2.9 Item 4.9: Edmund Hock Avenue, Avalon - Proposed One Way traffic**

Proposals to address resident amenity and safety concerns in Edmund Hock Avenue following resolution from Council to further investigate the introduction of 'One Way' traffic flow and to review parking restrictions for driveway access (refer **Attachment 3**).

**Traffic Committee recommendation supports 'One Way' traffic flow in Simmonds Lane (westbound), and amendments to the short term parking operating hours on the western side of Edmund Hock Avenue. 'One Way' traffic flow and further changes to parking restrictions in Edmund Hock Avenue to be reconsidered in the future.**

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### **3.0 SUSTAINABILITY ASSESSMENT**

A sustainability assessment is not required for Minutes of Meetings.

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### **4.0 EXECUTIVE SUMMARY**

- 4.1 To present to Council the recommendations of the Traffic Committee contained in the minutes of the meeting of 9 April 2013 for Council's consideration.

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### **RECOMMENDATION**

That the Traffic Committee recommendations contained in the Minutes of the Meeting of 9 April 2013 be adopted.

Report prepared by  
Ricky Kwok - Civil Design & Traffic Engineer - Strategy, Investigation and Design

Mark Shaw  
**MANAGER, URBAN INFRASTRUCTURE**

# **Minutes**

## **Traffic Committee Meeting**

held in the Conference Room, Level 3, 5 Vuko Place, Warriewood  
on

**9 April 2013**

Commencing at 1:02pm.

**Mark Shaw**  
**MANAGER, URBAN INFRASTRUCTURE**



## **ATTENDANCE**

### **Voting Members of the Committee are invited to attend, namely:**

Chairperson, Cr Young

Roads and Maritime Services, Ms Nazli Doraji Sabi

Roads and Maritime Services, Mr Alex Coates

Traffic NSW Northern Beaches – Sergeant Matthew Paterson

### **And Non Voting Representatives from Bus Providers including State Transit Authority**

State Transit Authority – Mr Wade Mitford

### **Council Staff:**

Manager, Urban Infrastructure, Mark Shaw

Principal Engineer, Strategy Investigation and Design, Paul Davies

Civil Design & Traffic Engineer, Ricky Kwok

Road Safety Officer, Michelle Carter

Administration Officer / Minute Secretary, Sherryn McPherson

All Pittwater Council's Agenda and Minutes are available on Pittwater's website at  
[www.pittwater.nsw.gov.au](http://www.pittwater.nsw.gov.au)

## PITTWATER TRAFFIC COMMITTEE MEETING

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## **1.0 Apologies**

### **COMMITTEE RECOMMENDATION**

That apologies be received and accepted from Member for Pittwater, Mr Rob Stokes and Aaron Cutugno of Forest Coach Lines and leave of absence be granted from the Traffic Committee Meeting held on 9 April 2013.

(Cr Young / Nazli Doraji Sabi)

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## **2.0 Declarations of Pecuniary Interest**

## **3.0 Confirmation of Minutes**

### **COMMITTEE RECOMMENDATION**

That the Minutes of the Traffic Committee Meeting held on 12 February 2013, be confirmed as a true and accurate record of that meeting.

(Nazli Doraji Sabi / Sgt Matthew Paterson)

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## **4.0 Committee Business**

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<b>TC4.1</b>	<b>Woorak Reserve, Palm Beach - Introduction of Pay and Display Scheme</b>
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**COMMITTEE RECOMMENDATION**

That the Traffic Committee recommends that Council seek consent from the RMS for the introduction of a Pay and Display scheme at Woorak Reserve in accordance with adopted Plan of Management for the precinct.

(Cr Young / Sgt Matthew Paterson)

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<b>TC4.2</b>	<b>Kalang Road, Elanora Heights - Elanora Commercial Centre - Proposed new parking restrictions and disabled space on western side of centre</b>
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**COMMITTEE RECOMMENDATION**

1. That the Traffic Committee supports the introduction of 1-2 hour time restrictions as circulated and endorsed by local shopkeepers at Elanora Commercial Centre.
2. That the Traffic Committee endorses the provision of a further disabled carparking space on the western side of the centre as requested.

(Sgt Matthew Paterson / Cr Young)

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<b>TC4.3</b>	<b>Angophora Circuit, Warriewood - 1 Hour Parking Restrictions</b>
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**COMMITTEE RECOMMENDATION**

That the Traffic Committee supports the proposal to install 1 hour parking restrictions (7am-5pm Mon-Fri) for the westernmost car park space (one) fronting the parkland along Angophora Circuit, to enable maintenance access to the existing Gross Pollutant Trap (shown on Council Plan No.10-TC-2013).

(Nazli Doraji Sabi / Sgt Matthew Paterson)

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<b>TC4.4</b>	<b>Sunrise Road, Palm Beach - 90° Angle Parking</b>
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**COMMITTEE RECOMMENDATION**

That the Traffic Committee supports the request from local residents to install 90° angle parking (front or rear to kerb vehicles under 6m only) on the western side opposite No.30 Sunrise Road, in the existing level area of Reserve.

(Cr Young / Nazli Doraji Sabi)

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<b>TC4.5</b>	<b>Woorarra Avenue / Elanora Road, North Narrabeen - Provision of Stop Signs</b>
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**COMMITTEE RECOMMENDATION**

That the Traffic Committee supports the residents' request to improve traffic safety by replacing the existing 'Give Way' controls with 'Stop' controls at the Woorarra Avenue / Elanora Road intersection (shown on Council Plan No. 11-TC-2013).

(Cr Young / Sgt Matthew Paterson)

**Note:**

That the RMS representative advised that this does not comply with the RMS Guidelines.

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<b>TC4.6</b>	<b>Gladstone Street, Newport - Extension of 'No Stopping' Restrictions</b>
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**COMMITTEE RECOMMENDATION**

That the Traffic Committee supports the residents' request to improve traffic safety by increasing the statutory 10m 'No Stopping' restriction in Gladstone Street on the western side of the Bishop Street intersection to 20m (shown on Council Plan No. 9-TC-2013).

(Sgt Matthew Paterson / Nazli Doraji Sabi)

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**TC4.7 Terrol Crescent, Mona Vale - No Stopping Restrictions****COMMITTEE RECOMMENDATION**

That the Traffic Committee supports the proposed 'No Stopping' restrictions 15m either side of the driveway to No.15 Seabeach Avenue located along the inside of a curve in Terrol Crescent to improve traffic safety.

(Sgt Matthew Paterson / Nazli Doraji Sabi)

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**TC4.8 Barrenjoey Road and Golf Avenue, Mona Vale - Car Park Restrictions****COMMITTEE RECOMMENDATION**

That the Traffic Committee supports the proposed parking restrictions in the car park proposed to be constructed in a Reserve on the corner of Barrenjoey Road and Golf Avenue, Mona Vale (shown on Council Plan 12-TC-2013).

1. Provision of approximately 66 public car park spaces (number subject to final construction plan and to include 2 disabled car park spaces) with 4 hour parking restrictions (7am-6pm Mon-Fri).
2. Restricted parking area for Special Permit Holders Only (7am-6pm Mon-Fri) designated for Council staff (total of 15 car park spaces)
3. Should Council not support the proposed Special Permit Holders parking area, then the 4 hour parking restrictions (7am-6pm Mon-Fri) will also apply to these car park spaces.

(Nazli Doraji Sabi / Cr Young)

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## **TC4.9 Edmund Hock Avenue, Avalon - Proposed One Way traffic**

### **COMMITTEE RECOMMENDATION**

1. That the Traffic Committee recommends Council request the RMS to approve 'One Way' traffic flow in Simmonds Lane (from Old Barrenjoey Road to Edmund Hock Avenue).
2. That the Traffic Committee supports the proposal to amend the existing 1 hour parking, 5 minute parking, and Loading Zone restrictions (which apply at any time) on the western side of Edmund Hock Avenue, to apply only from 8.30am-6pm Mon-Fri and 8.30am-12.30pm Sat.
3. That the Traffic Committee, while supporting the concept of 'One Way' traffic in Edmund Hock Avenue, notes there is no conclusive community support for this and so recommends the proposal for 'One Way' traffic flow and further changes to the parking restrictions in Edmund Hock Avenue, be deferred for further consideration in the future at such time as a reviewed Avalon Beach Master Plan is placed on public exhibition.
4. That all property owners who received consultation letters from Council be advised of the Traffic Committee recommendations prior to their consideration by Council.

(Nazli Doraji Sabi / Cr Young)

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## **5.0 General Business**

### **Elanora Road, Elanora Heights – Proposed extension of 'No Stopping' restrictions -**

Council staff tabled a resident submission requesting 'No Stopping' restrictions on the eastern side of Elanora Road, from the Weeroona Avenue intersection to the driveway of No.1 Weeroona Avenue, to provide a safer environment for all road users by improving sight distances.

**Action:** The Traffic Committee supported the proposal and noted that it would be included in the report to Council for 'Parking Restrictions around the Elanora Public School'.

**Pittwater Road, Bayview – Bus Stop #210412 south of Gerroa Avenue -** Council staff tabled correspondence from a resident requesting that a footpath be provided to improve pedestrian access to the bus stop, or that it be relocated to a more accessible location.

**Action:** Council is unable to consider the provision of a footpath to the bus stop, however Sydney Buses will investigate and advise Council whether the bus stop can be relocated. Possible future Agenda item.

### **Elanora Road, Elanora Heights – Parking Restrictions around the Elanora Public School -**

Council staff tabled a letter circulated to residents advising them to oppose the proposed changes to parking restrictions.

**Action:** The Traffic Committee noted the resident's comments regarding the traffic issues and enforcement of existing parking restrictions around the Elanora Public School. The Northern Beaches Police indicated that they will act to increase Police patrols in the area following the school holidays requesting support from Council's Rangers, and that Council's Road Safety Officer advise the School accordingly. Not a future Agenda item.

### **Wangara Street, Mona Vale - Request for a pedestrian crossing for Mona Vale Public**

**School** – Council Staff tabled correspondence from a resident requesting a pedestrian crossing in Wangara Street to provide a safe crossing point for students walking to school.

**Action:** The proposed location is not suitable in respect to overall planning for pedestrian access around the School and can not meet the minimum RMS requirements for crossings. Council continues to work with the School to improve the safety of students on roads adjacent to schools. Not a future Agenda item.

**Foamcrest Avenue, Newport – Request for ‘No Stopping’ restrictions opposite Coles –** Councillor Young tabled correspondence from a resident requesting ‘No Stopping’ restrictions opposite the Coles loading dock during operating hours, to improve traffic safety, improve maneuverability and access for delivery vehicles to Coles.  
**Action:** Future Agenda item.

**Catalina Crescent, Avalon Beach – Reduction of Traffic -** Councillor tabled correspondence from a resident requesting Council to reduce the traffic in the area by implementing stop signs and speed humps in the area to prevent drivers that are exceeding the speed limit.  
**Action:** Resident already advised that Council does not support these proposals. Not a future Agenda item.

**Barrenjoey Road, Newport – Footpath Upgrade on Main Road**

**Action:** Rob Stokes MP discussing with RMS for a possible upgrade. Council to provide maintenance work to existing path. Not a future Agenda item.

**McCarrs Creek Road, Church Point –** Councillor tabled correspondence from a Resident requesting an extension of the 50kph speed zone from number 6 to 230 McCarrs Creek Road.  
**Action:** RMS (as approval authority) to advise status of Council’s previous requests to reduce speed limit to 50kph in Darley Street, McCarrs Creek Road, and Pittwater Road (Barrenjoey Road to McCarrs Creek Road). No future Agenda item.

**Pittwater High School, Mona Vale – Residents Parking Trailers on Road –** Councillor tabled correspondence from a resident requesting the implementation of additional parking restrictions in the area to prevent the long term parking of trailers at this location which reduces availability of parking during school drop off/pick up times and creates hazards for children entering and exiting the school.

**Action:** RMS currently considering the issue of trailers with advertising signs being parked on roads. Council considers no action necessary at this time as it will simply relocate to another possible less safe location. Not a future Agenda item.

**Warraba Road and Powderworks Road, North Narrabeen – Cars illegally parked –** Northern Beaches Traffic Sergeant tabled correspondence received from Narrabeen North Business Community Group a report to Police requesting they monitor cars illegally parked on Warraba Road.

**Action:** Northern Beaches Police have issued infringements notices in this area. Council Road Safety Officer is to request Rangers to monitor the area. Not a future Agenda item.

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## **6.0 Next Meeting**

That the next meeting of the Traffic Committee Meeting will be held on 11 June 2013 in the Level 3 Conference Room, 5 Vuko Place, Warriewood commencing at 1.00pm.

**THERE BEING NO FURTHER BUSINESS  
THE MEETING CONCLUDED AT 3.05PM ON  
TUESDAY 9 APRIL 2013**

## TC4.8 Barrenjoey Road and Golf Avenue, Mona Vale - Car Park Restrictions

### BACKGROUND

Council proposes the construction of an interim car park (to accommodate 81 car park spaces) located on the corner of Barrenjoey Road and Golf Avenue, Mona Vale.

### LOCATION

- Golf Avenue is a local road and cul-de-sac with a 50kph speed limit.
- The Mona Vale Golf Course is located on the southern side of Golf Avenue, and there is pedestrian access to Mona Vale Beach at the eastern end of the road.
- The Mona Vale Park and Ride facilities are located in Kitchener Park, accessed from Pittwater Road.
- On street parking on the southern side of Golf Avenue is 90° angle parking (front or rear to kerb vehicles under 6m only, with sections of parallel parking where there is insufficient road width for angle parking. Time restrictions do not apply.
- Parallel parking is unrestricted on the northern side of Golf Avenue and 'No Parking' restrictions apply in the turning area.

### ISSUES

- There is a large demand for vehicle parking in the Mona Vale Commercial Centre.
- Parking usage in Golf Avenue is shared between residents, beach visitors, and as an overflow parking area from the Golf Course. Bus commuters also park in Golf Avenue as an alternative to the Mona Vale Park and Ride facilities in Kitchener Park.
- The area for the proposed car park is Reserve, where up to 25 vehicles legally park in an informal unsealed area, and along the unsealed access road.
- The interim car park will initially provide 81 car park spaces, with plans for an additional 15 car park spaces to be provided in the future along with kerb and gutter and drainage.
- The existing Village Park Car Park adjacent to the Mona Vale Memorial Hall provides 24 time restricted (3P 7am-6pm Mon-Fri, and 2P 7am-6pm Sat-Sun-P/Hol) public car parking spaces, and 14 car park spaces for Special Permit Holders Only (7am-6pm Mon-Fri) used by Council staff.
- Council anticipates that the majority of the Special Permit Holders Only car park spaces in the Village Park Car park will be relocated to the new car park on the corner of Barrenjoey Road and Golf Avenue. Any relocated car park spaces from the Village Park Car Park will be converted to public parking.
- Council proposes 4 hour parking restrictions (7am-6pm Mon-Fri) which will apply to the public car park spaces in the new car park. A restricted parking area for Special Permit Holders Only (7am-6pm Mon-Fri), will be provided for Council staff (refer Council Plan 12-TC-2013 included in **Attachment 1**).
- It is considered reasonable that the request be granted as it will provide additional public parking for all users and improve amenity for the Mona Vale Commercial Centre.

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## **RECOMMENDATION**

That the Traffic Committee supports the proposed parking restrictions in the interim car park to be constructed on the corner of Barrenjoey Road and Golf Avenue, Mona Vale (shown on Council Plan 12-TC-2013).

1. Provision of 66 public car park spaces with 4 hour parking restrictions (7am-6pm Mon-Fri).
2. Restricted parking area for Special Permit Holders Only (7am-6pm Mon-Fri) designated for Council staff (total of 15 car park spaces)

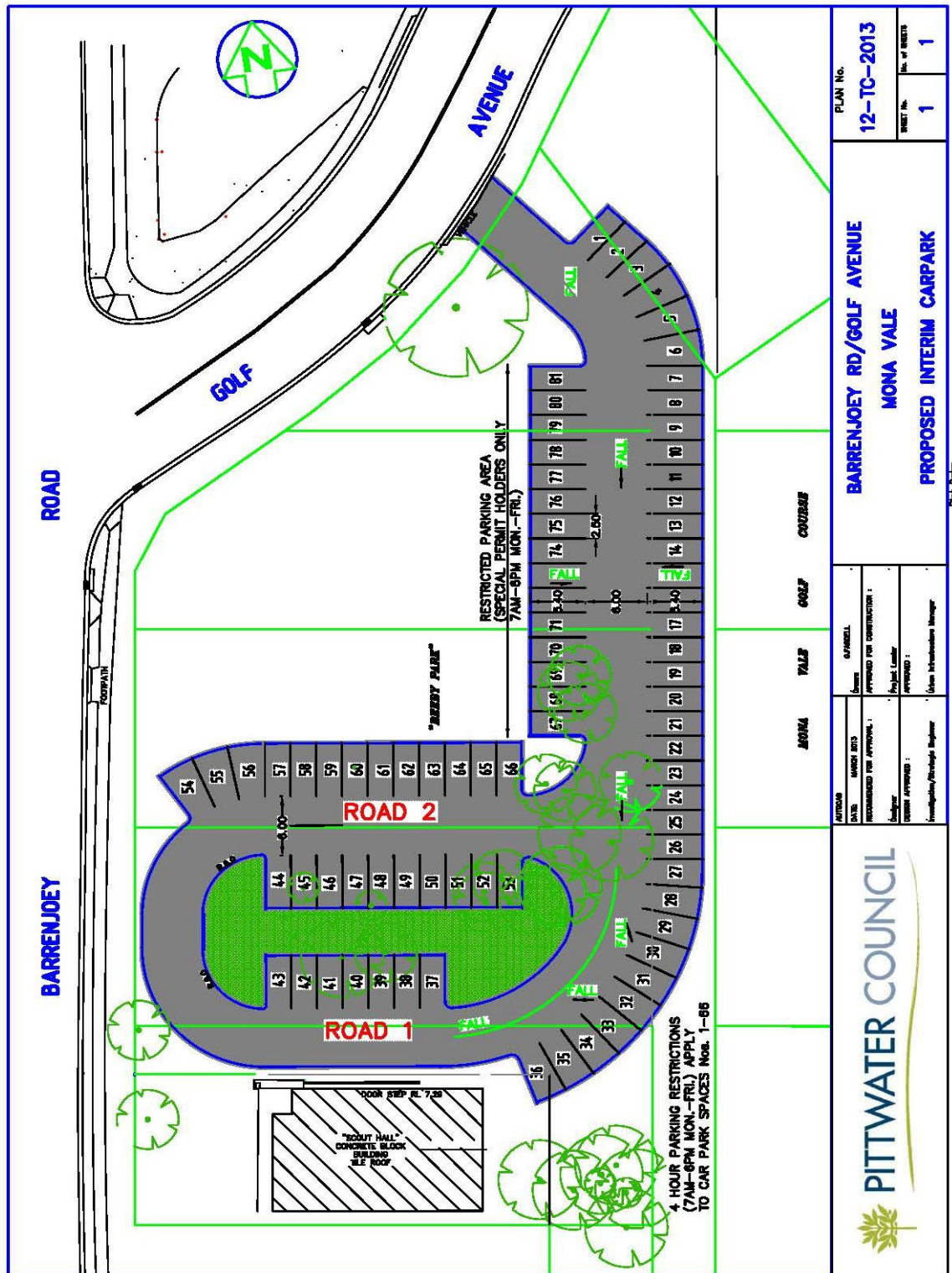
Report prepared by

Ricky Kwok

**Civil Design & Traffic Engineer – Strategy, Investigation & Design**



**ATTACHMENT 1**  
**TC4.8 - BARRENJOEY ROAD AND GOLF AVENUE, MONA VALE**  
**- CAR PARK RESTRICTIONS**



## TC4.9 Edmund Hock Avenue, Avalon - Proposed One Way traffic

### 1.0 BACKGROUND

- Council, at its meeting of the 16 July 2012, considered a Report on Resident Amenity and Safety Concerns in Edmund Hock Avenue, Avalon and resolved that further investigations be undertaken including the following:
  - *“One Way Traffic: Proposal is to be investigated as a project in Council’s 2012/13 Delivery Plan.”*
  - *“Access to Driveways: Amendments to existing parking restrictions to be considered as part of the One Way traffic proposal.”*
- Council staff investigated the existing traffic situation and have prepared a plan for the proposal (refer Council Plan 8-TC-2013 included in **Attachment 1**).
- The proposal for One Way traffic in Edmund Hock Avenue is included in the Avalon Village Masterplan adopted by Council for future development.
- It is necessary for Council to prepare a TMP and undertake public consultation before seeking RMS approval to make Edmund Hock Avenue one way traffic.

### 2.0 ISSUES

#### 2.1 Location

- Edmund Hock Avenue (referred to locally as a ‘lane’) carries two way traffic between Avalon Parade and The Crescent. It is situated behind the Avalon shops which front Old Barrenjoey Road, and has a pavement width of 5.8 metres wide.
- Simmonds Lane is situated behind the Avalon shops which front Avalon Parade, and has a road pavement width of 4.2 metres wide and two way traffic is permitted.
- There are no footpaths in the laneway.
- Developments are generally residential units on the eastern side of Edmund Hock Avenue, and commercial properties (including some shop top residential) on the western side.
- Residential developments fronting Barrenjoey Road and The Crescent have rear access to off street parking from the eastern side of Edmund Hock Avenue.
- Businesses on Old Barrenjoey Road receive deliveries at the back of the shops along Edmund Hock Avenue.

#### 2.2 Proposed One Way Traffic and Parking Restrictions

The significant components of the proposal are:

1. One Way Traffic
  - ‘One Way’ traffic flow in Edmund Hock Avenue from Avalon Parade to The Crescent.
  - ‘One Way’ traffic flow in Simmonds Lane from Old Barrenjoey Road to Edmund Hock Avenue.
2. Parking Restrictions in Edmund Hock Avenue
  - Change existing ‘No Parking’ timed restrictions (8.30am -6pm Mon-Fri 8.30am-12.30pm Sat) on the eastern side to ‘No Parking’ restrictions.

- Change parking arrangement on the western side of Edmund Hock Avenue, between Avalon Parade and Simmonds Lane, to include 30 minute parking for one car space (6m), and a smaller Loading Zone 9m in length, in addition to the 10m statutory 'No Stopping' restrictions from each intersection.
- 'No Stopping' restrictions on the southern side of the Edmund Hock Avenue/The Crescent intersection.

### 2.3 Consultation

- Council sent letters to the Avalon Beach Chamber of Commerce and owners of properties fronting Edmund Hock Avenue, seeking comments on the proposal from the period 6 March to 26 March 2013. Only the responses of the owners of properties were considered, with responses from residents noted separately.
- Although the Traffic Management Plan for Edmund Hock Avenue is to be considered as one overall proposal, the responses received (17 from owners, and 5 residents) generally focussed on the proposed one way traffic or parking restrictions on the eastern side of Edmund Hock Avenue.

### 2.4 Assessment of Responses

- Refer to **Attachment 2** for a summary of residents' comments and Council responses to them.
- Assessment of the responses in respect to the components of the proposal are as follows:
  1. One Way Traffic
    - The purpose of the 'One Way' proposal is to improve traffic circulation around the Village centre and to improve traffic/pedestrian safety and amenity in the narrow laneway at the rear of the shops.
    - The 'One Way' proposal will result in reduced traffic volumes in Edmund Hock Avenue by diverting the northbound traffic away from Edmund Hock Avenue westwards along The Crescent and north up Old Barrenjoey Road before rejoining Avalon Parade.
    - The 'One Way' in Simmonds Lane will restrict movements to only allow vehicle entry from Old Barrenjoey Road with traffic exiting at Edmund Hock Avenue.
    - Although access to Edmund Hock Avenue and Simmonds Lane will be restricted due to the proposed 'One Way' traffic flow, the alternate routes do not significantly increase travel time for road users.
    - The proposal will also minimise traffic conflict and congestion at the intersections at both ends of Edmund Hock Avenue, in particularly the Avalon Parade/Edmund Hock Avenue intersection.
    - The proposal will impact the collection of residential garbage bins in Edmund Hock Avenue. All residents will be required to place bins on the eastern kerbside for collection as the lifting arm of waste service collection vehicles is located on the left hand side. Businesses will not be affected as they arrange for separate on site collection of commercial waste services.
    - Council received nine responses from property owners supporting the proposals for 'One Way' traffic, and eight objections. It was also noted that an additional 5 responses were received from residents with one supporting and four objections.
    - The majority of the objectors to the proposal were located on the eastern side of Edmund Hock Avenue, with concerns over the relocation of all bins to the eastern side for collection. Two respondents also expressed concerns that changing the traffic flow to 'One Way' would increase speeding in the laneway.

- The consultation showed that support for 'One Way' traffic flow in Edmund Hock Avenue is inconclusive, and it is recommended that the matter be reconsidered in the future at such time as a reviewed Avalon Master Plan is placed on public exhibition.
  - Some respondents indicated support for 'One Way' traffic flow in Simmonds Lane, and there were no specific objections to this proposal. It is considered reasonable that Council request the RMS to approve 'One Way' traffic flow in Simmonds Lane due to the narrow road width, and minimal impact on businesses and residents.
2. Parking Restrictions in Edmund Hock Avenue
- The existing 'No Parking' (8.30am-6pm Mon-Fri 8.30am-12.30pm Sat) timed restrictions on the eastern side of Edmund Hock Avenue, allows overnight parking and parking for residents and visitors on Saturday afternoon and all day Sunday. This arrangement was the agreed outcome of extensive consultation with residents and the Avalon Beach Chamber of Commerce, several years ago.
  - There is a large demand for off street parking in Edmund Hock Avenue from residents with multiple vehicles, as well as visitors to Avalon on the weekend.
  - Some residents have expressed concerns that vehicles currently parked legally adjacent or opposite driveways restrict access to/from their properties.
  - It is considered that existing traffic impacts and driveway access to all properties would be significantly improved if the following parking restrictions (proposal put to consultation) were implemented:
    - a. Change existing 'No Parking' timed restrictions (8.30am-6pm Mon-Fri 8.30am-12.30pm Sat) on the eastern side to 'No Parking' which will apply at all times, to ensure clear access to/from driveways.
    - b. Change parking arrangement on the western side of Edmund Hock Avenue, between Avalon Parade and Simmonds Lane, to include 30 minute parking for one car space (6m), and a smaller Loading Zone 9m in length, in addition to the 10m statutory 'No Stopping' restrictions from each intersection. These measures will provide one additional short term car parking space for visitors to the Avalon shops, and improve safety at the junction of Edmund Hock Avenue and Simmonds Lane by preventing parking near the intersection.
    - c. Provide 'No Stopping' restrictions on the southern side of the Edmund Hock Avenue/The Crescent intersection. This will improve safety and manoeuvring area at the junction of Edmund Hock Avenue and The Crescent by preventing parking opposite the intersection.
  - Council received six responses from property owners supporting the parking restrictions, and eight objections. It was also noted that an additional 5 responses were received from residents objecting to the proposal.
  - The majority of the objectors to the proposal were located on the eastern side of Edmund Hock Avenue, with concerns over the loss of up to 15 car park spaces used mainly by residents for overnight parking.
  - One respondent identified an issue near the Red Cross, which currently permits 1 hour or 5 minute parking (everyday) on the western side at any time, and overnight parking (6pm-8.30am) on the eastern side. Problems occur when vehicles park on both sides of the road directly opposite each other, thereby blocking the lane for through traffic. It was suggested that timed restrictions be implemented on the western side to prevent parking outside business hours.

- Council proposes that the existing 1 hour parking, 5 minute parking, and Loading Zone restrictions (which apply at any time) on the western side of Edmund Hock Avenue, be amended to apply only from 8.30am-6pm Mon-Fri and 8.30am-12.30pm Sat (refer Council Plan 8A-TC-2013 included in **Attachment 3**). The existing problems at this location do not arise if Council's proposal for 'No Parking' restrictions on the eastern side are implemented, however it is recommended that any further proposals for changes to the existing parking restrictions in Edmund Hock Avenue will be reconsidered in the future at such time as a reviewed Avalon Master Plan is placed on public exhibition.

### **3.0 RECOMMENDATION**

3.1 A report was considered by the Traffic Committee on 9 April 2013 presenting the outcomes of the consultation with affected property owners with the following recommendations:

1. That the Traffic Committee recommends Council request the RMS to approve 'One Way' traffic flow in Simmonds Lane (from Old Barrenjoey Road to Edmund Hock Avenue).
2. That the Traffic Committee supports the proposal to amend the existing 1 hour parking, 5 minute parking, and Loading Zone restrictions (which apply at any time) on the western side of Edmund Hock Avenue, to apply only from 8.30am-6pm Mon-Fri and 8.30am-12.30pm Sat.
3. That the Traffic Committee, while supporting the concept of 'One Way' traffic in this lane, recommends the proposal for 'One Way' traffic flow and further changes to the parking restrictions in Edmund Hock Avenue, be reconsidered in the future at such time as a reviewed Avalon Beach Master Plan is placed on public exhibition.
4. That all property owners who received consultation letters from Council be advised of the Traffic Committee recommendations prior to their consideration by Council.

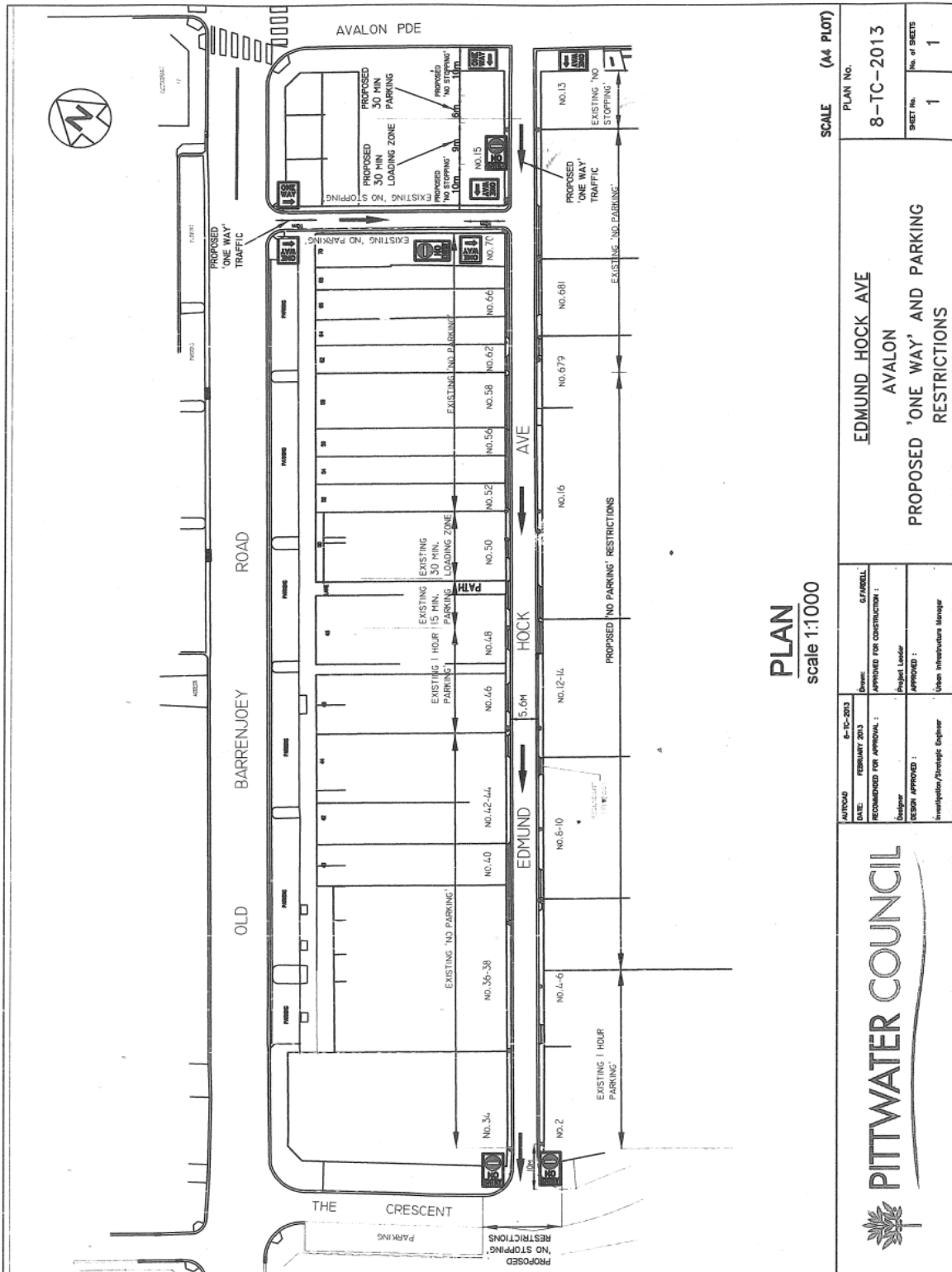
Report prepared by

Ricky Kwok

**Civil Design & Traffic Engineer - Strategy, Investigations & Design**

# ATTACHMENT 1

## TC4.9 EDMUND HOCK AVENUE, AVALON - PROPOSED ONE WAY TRAFFIC







Simmonds Lane - Looking east towards Edmund Hock Avenue



Edmund Hock Avenue - Looking north towards Avalon Parade

**ATTACHMENT 2**  
**TC4.9 EDMUND HOCK AVENUE, AVALON - PROPOSED ONE WAY TRAFFIC**

**Consultation responses/comments**

**– Proposed One Way traffic in Edmund Hock Avenue**

**1. Summary of responses received**

- A total of 116 letters were sent to affected property owners and only their responses to be considered.
- Responses received (total of 17) generally focussed on the proposed one way traffic or parking restrictions on the eastern side of Edmund Hock Avenue, rather than the overall scheme and are summarised as follows:

Street	No. letters sent	No. responses received	Support One Way traffic		Support parking restrictions	
			Yes	No	Yes	No
The Crescent (eastern side of Edmund Hock)	37	10	4	6	2	7
Barrenjoey Road (eastern side of Edmund Hock)	10	1	1		1	
Avalon Parade	15	1	1		1	
Old Barrenjoey Road (western side of Edmund Hock)	53	5	3	2	2	1
Avalon Chamber of Commerce	1					
<b>Total</b>	<b>116</b>	<b>17</b>	<b>9</b>	<b>8</b>	<b>6</b>	<b>8</b>

**2. Council response to comments received**

Street respondent resides	Resident comment	Council response
The Crescent (eastern side of Edmund Hock)	<ul style="list-style-type: none"> <li>• Supports Council Plan to make Edmund Hock one way traffic having experienced first hand the congestion the current configuration causes.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted</li> </ul>
	<ul style="list-style-type: none"> <li>• Unacceptable for residents on the eastern side to bear the large number of garbage bins during collection.</li> <li>• Additional burden of large commercial waste bins from businesses on garbage collection day.</li> <li>• Does not support removal of parking on the eastern side as it will prevent overnight parking when the street is quiet and will inconvenience 15 car owners in a densely populated street.</li> </ul>	<ul style="list-style-type: none"> <li>• Any inconvenience will apply for a short period to enable collection, residents will be required to place bins on the eastern kerbside due to the position of the lifting mechanism of waste service collection vehicles.</li> <li>• Commercial waste collection from businesses will remain unchanged with separate on site collection services.</li> <li>• Some residents have indicated that vehicles parked legally adjacent or opposite driveways restrict access to/from their properties. The proposed 'No Parking' restrictions on the eastern side will ensure access to all properties at all times.</li> </ul>



Street respondent resides	Resident comment	Council response
The Crescent (eastern side of Edmund Hock)	<ul style="list-style-type: none"> <li>Currently there is a parking problem near the Red Cross, which permits 1 hour or 5 minute parking on the western side 24 hours a day and overnight parking (6pm-8.30am) on the eastern side, which prevents through traffic when cars are parked directly opposite each other. Suggests timed restrictions on the western side to prevent parking outside business hours.</li> </ul>	<ul style="list-style-type: none"> <li>The parking problem at this location does not occur if Council's proposal for 'No Parking' restrictions on the eastern side is implemented, however a review of the suggested parking changes may be considered if the proposal is not adopted.</li> </ul>
	<ul style="list-style-type: none"> <li>Inconvenient for the residents on the western side to cross the street multiple times with wheelie bins (sometimes at night), which exposes them to risks of being struck by a car.</li> </ul>	<ul style="list-style-type: none"> <li>The new arrangements for bin collection have been adopted in other 'One Way' streets in Council without difficulties, and resulting in reduced traffic volumes and improved amenity.</li> </ul>
	<ul style="list-style-type: none"> <li>Unable to travel south along Edmund Hock Avenue when garbage truck has on occasions stopped outside Red Cross opposite driveway, requiring residents to travel in the opposite direction.</li> </ul>	<ul style="list-style-type: none"> <li>Garbage collection services should only cause minor delays and not prevent prolonged access issues.</li> </ul>
	<ul style="list-style-type: none"> <li>Cars are forced to travel slowly with the current two-way traffic flow, hence helping to protect children who use the laneway to play. Making the laneway one way will speed up traffic and place children at increased risk.</li> </ul>	<ul style="list-style-type: none"> <li>It is anticipated that the introduction of 'One Way' traffic will result in reduced traffic volumes in Edmund Hock Avenue and improved traffic/pedestrian safety and amenity.</li> </ul>
	<ul style="list-style-type: none"> <li>Supports proposal as it is a constant problem navigating the street due to its narrowness and mindless attitude of some motorists who park without consideration of others, at times blocking access completely.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
	<ul style="list-style-type: none"> <li>Does not support proposal. No problem in the current situation for driveway access.</li> <li>Further restricting parking in Avalon will discourage visitors to maintain an economically viable shopping centre.</li> </ul>	<ul style="list-style-type: none"> <li>Residents of No.4-6 The Crescent do not have accessibility issues as there are existing 'No Parking' restrictions opposite the driveway. The proposed parking restrictions will ensure access to all properties.</li> <li>Visitors currently park on the eastern side (up to 15 car spaces) in the evenings, Saturday afternoon and Sunday, and will need to park in the surrounding streets if the proposed parking restrictions are implemented. The proposal includes one new 30 minute car park space located south of the intersection with Avalon Parade.</li> </ul>

Street respondent resides	Resident comment	Council response
The Crescent (eastern side of Edmund Hock)	<ul style="list-style-type: none"> <li>Restricting parking to the western side of the street has merit but would like to see parking restricted to 15 minutes and/or residents of Edmund Hock Avenue only</li> </ul>	<ul style="list-style-type: none"> <li>The timed restrictions on the western side of Edmund Hock Avenue are varied to accommodate different users. On-street public parking is available to any person and can not be restricted to residents only.</li> </ul>
	<ul style="list-style-type: none"> <li>Overnight parking is needed for the residents as there is not enough parking in The Crescent.</li> </ul>	<ul style="list-style-type: none"> <li>The prime function of roads is to facilitate a safe traffic flow, with on street parking being provided only where appropriate.</li> </ul>
	<ul style="list-style-type: none"> <li>Supports 'No Stopping' restrictions at the T-junction with The Crescent as one car parked there makes it difficult for all traffic to pass and manoeuvre properly.</li> </ul>	<ul style="list-style-type: none"> <li>Noted</li> </ul>
Barrenjoey Road (eastern side of Edmund Hock)	<ul style="list-style-type: none"> <li>Supports proposal to make Edmund Hock Avenue one way and removal of overnight parking on the eastern side but please address inconvenience to residents on the eastern side regarding garbage bins.</li> </ul>	<ul style="list-style-type: none"> <li>Noted, however bins need to be placed on the eastern kerbside to enable collection from waste service vehicles.</li> </ul>
Avalon Parade	<ul style="list-style-type: none"> <li>Supports proposals for One Way and parking restrictions.</li> </ul>	<ul style="list-style-type: none"> <li>Noted</li> </ul>
Old Barrenjoey Road (western side of Edmund Hock)	<ul style="list-style-type: none"> <li>Does not support proposals for One Way in Edmund Hock Avenue, but supports One Way in Simmonds Lane due to its narrowness and short length.</li> <li>Opportunity to improve amenity in the area by designating it a shared vehicle/pedestrian space, with street planting when funds are available.</li> <li>Is not strongly opposed to parking restrictions, however there may be less benefits than proposed.</li> </ul>	<ul style="list-style-type: none"> <li>Noted. Although Council's overall Management Plan proposes One Way traffic flow for both Edmund Hock Avenue and Simmonds Lane, the introduction of One Way traffic flow in Simmonds Lane may be implemented separately.</li> <li>The Avalon Village Masterplan includes provisions to further investigate the opportunities to create a shared zone in the lanes, which may be considered with future development, subject to meeting RMS requirements.</li> <li>The proposed 'No Parking' restrictions on the eastern side will ensure access to all properties at all times but will result in the loss of 15 car spaces for parking overnight, Saturday afternoons and Sundays.</li> </ul>
	<ul style="list-style-type: none"> <li>Supports proposals for One Way, however the road could remain two-way if all parking was removed.</li> <li>Objects to proposal to remove time restricted parking for 15 car spaces, and questions where will the parking spaces be relocated to.</li> </ul>	<ul style="list-style-type: none"> <li>Noted, however Council does not propose to remove all parking on both sides of the road.</li> <li>Residents who currently use Edmund Hock Avenue to park their vehicles will need to park in the surrounding streets should the proposed parking restrictions be implemented.</li> </ul>

Street respondent resides	Resident comment	Council response
Old Barrenjoey Road (western side of Edmund Hock)	<ul style="list-style-type: none"> <li>Supports proposals for Edmund Hock Avenue to be made One Way from north to south. Some vehicles exceed the speed limit and a speed radar device should be installed.</li> </ul>	<ul style="list-style-type: none"> <li>Council does not provide speed cameras and traffic calming is not to be considered as part of the proposal.</li> </ul>
	<ul style="list-style-type: none"> <li>Supports proposals for One Way and parking restrictions.</li> <li>Vehicles especially mini buses and 4WD parked close to the western side of the Edmund Hock Avenue/The Crescent intersection restrict sight distances for vehicles exiting Edmund Hock Avenue.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Consider extending statutory 'No Stopping' restrictions to 20m on the western side of the Edmund Hock Avenue/The Crescent intersection.</li> </ul>
	<ul style="list-style-type: none"> <li>Does not support proposal for One Way traffic as it will create a 'circling effect' as drivers look for parking, pushing people back through the main shopping centre which is already congested.</li> </ul>	<ul style="list-style-type: none"> <li>The 'One Way' proposal will act to improve traffic circulation around the Village centre.</li> </ul>



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**Council Meeting**

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**13.0          Adoption of Governance Committee Recommendations**

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**14.0          Adoption of Planning an Integrated Built Environment  
Committee Recommendations**

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