



PITTWATER COUNCIL

Agenda

Council Meeting

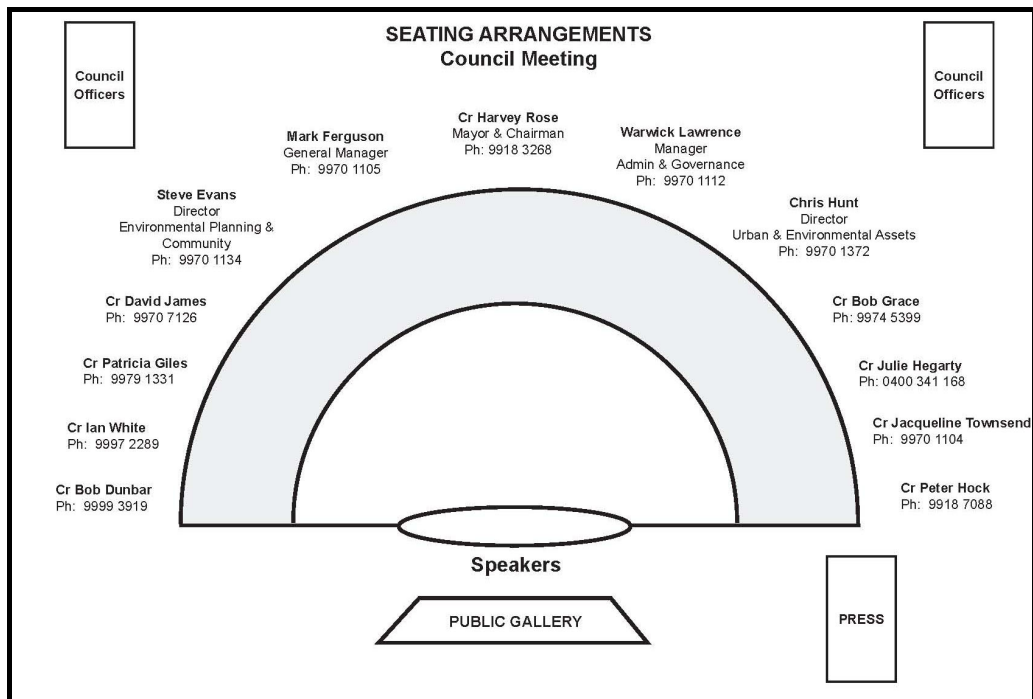
Notice is hereby given that a Council Meeting of Pittwater Council will be held at Mona Vale Memorial Hall on

16 May 2011

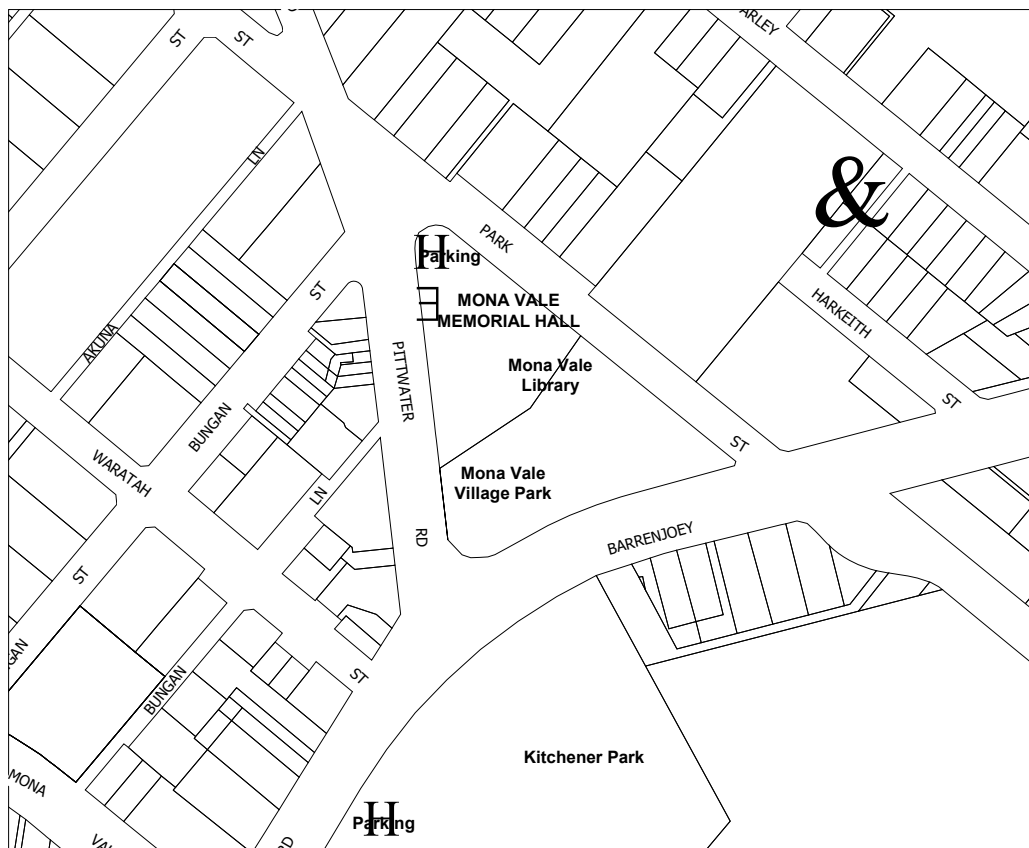
Commencing at 6.30pm for the purpose of considering the items included on the Agenda.

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

IMPORTANT NOTE FOR COUNCILLORS

The Council has received Confidential Commercial Advice in relation to the matters listed below which is attached as **Appendix 1 to Councillor's Agenda on yellow paper**. It is important that Councillors read these documents prior to determining the matters. Should the Council wish to consider the Confidential Advice during the course of the meeting, the following procedure should be followed:

1. Any persons wishing to address the Council are invited to address the Council in Open Session, so that the general (non-confidential) issues relating to the matter are debated in Open Session.
2. Should the Council wish to consider the Confidential Advice at any time during the debate, the Council should resolve into Committee of the Whole in Closed Session in accordance with Section 10A(2)(g) of the Local Government Act 1993, and debate the Advice and any related confidential issues in a Closed Forum, with the Press and Public excluded. The Council does not have to make any resolution whilst in Committee of the Whole in Closed Session.
3. Following conclusion of the Confidential discussion concerning the Confidential Advice the Council should resolve back into Open Session to continue the debate as required, excluding any reference to that advice. Once again it is noted that the debate in Open Session should centre around the general (non-confidential) issues associated with the matter.
4. The Council should then determine the matter in Open Session.

The Reports on the items below are listed in Open Session in the Agenda:

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C10.6	Audit Services Tender	65

Mark Ferguson
GENERAL MANAGER

Council Meeting

Acknowledgement of Country

Pittwater Council honours and respects the spirits of the Guringai people.
Council acknowledges their traditional custodianship of the Pittwater area

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CONFIDENTIAL CLAUSE		
<i>This report is CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the Council to close the meeting to the public for business relating to the following: -</i>		
(d) <i>Commercial information of a confidential nature that would, if disclosed:-</i>		
<ul style="list-style-type: none"> <i>• prejudice the commercial position of the person who supplied it; or</i> <i>• confer a commercial advantage on a competitor of the Council; or</i> <i>• reveal a trade secret.</i> 		
Confidential Commercial Advice – Audit Services Tender		
The Senior Management Team has approved the inclusion of all reports in this agenda.		

Council Meeting

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.

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.

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.

- Resident questions are to be handed up on the form located at the back of the Meeting room to Council staff in attendance at the Meeting prior to the commencement of the Meeting;
- A period of up to 10 minutes is allocated to Resident Question Time. A limit of 2 resident questions per person per Meeting is permitted;
- Residents are asked to keep their questions precise to allow the opportunity for clear responses. Questions may be taken on notice depending on the complexity of the question and the need to refer to relevant Council documents;
- There will be no debate or questions with, or by, councillors during/following a resident question;
- No defamatory or slanderous questions will be permitted. Should a resident make such a comment, their question will be immediately terminated by the Chair of the Meeting;
- Questions will not be permitted in relation to the following matters:
Matters involving current dealings with Council (eg. development application, contractual matters, tenders, legal matter, etc);
- Council's general Meeting procedures apply to Resident Question Time, in particular, no insults or inferences of improper behaviour in relation to any other person/s is permitted.

Mark Ferguson
GENERAL MANAGER

3.0 Apologies

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

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.

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 2 May 2011.

6.0 Business by Exception (All items on the Agenda)

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

7.0 Public Addresses

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

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 four speakers may address on any one item, with a maximum of two speakers in support of the recommendation in the report, and two 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.*

8.0	Mayoral Minutes - Nil
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9.0	Council Meeting Business
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C9.1	NOTICE OF MOTION - Support for Controls on Selling Rabbits – Motion submitted by Cr Jacqueline Townsend
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Meeting: Council

Date: 16 May 2011

NOTICE OF MOTION

BACKGROUND

Each year Council runs two programs to control the infestation of feral rabbits in our area. These programs involve a multitude of sites across the whole of Pittwater. The programs involve baiting with Pindone, release of Calicivirus, fumigation and shooting.

Last financial year Council spent \$40k and the same will be spent this year.

Damage occurs on playing fields with burrowing and in Council parks and gardens as plants are destroyed by rabbits feeding. The burrowing into our playing fields is of great concern to the safety of the users of these grounds.

Bushland Regeneration works are severely affected as rabbits eat planted tube stock which limits regrowth in some of our sensitive bushland areas.

Also after fire control burns in natural areas, regrowth is eaten back by rabbits which affects regeneration leaving large areas exposed to weed infestation and also potential erosion problems. The real cost of this will not be known for some years yet.

The problem we as a Council face is that rabbits can live on private property under houses and come onto public land to wreak havoc. There is a call at the moment from community groups to prevent the selling of rabbits. What we can do is to lobby the State Government to legislate to prevent the sale of rabbits which have not been desexed.

One domestic rabbit which escapes can breed with a wild rabbit and produce almost 100 rabbits in 12 months. We need to break the cycle from breeder to pet shop, to impulse buyer to rabbit surrender and then death, both at retail and breeder level.

Motion

1. That Council write to the State Government to seek the following legislative changes:
 - Breeders of rabbits to be regulated and licensed to control the numbers of rabbits sold.
 - Breeders of rabbits to desex rabbits prior to sale to pet shops.
 - Animal farms that focus on baby animals be restricted from breeding rabbits and leaving them at schools at 2 days old with inexperienced teachers. These practices encourage impulse buying as the teachers and children are encouraged to take the surviving rabbits home.

- Pet shops are not to sell intact rabbits.
 - Pet shops to be responsible for the distribution of educational material prior to sale, so that potential owners can make informed decisions about the most appropriate pet for their lifestyle.
 - Purchasers to demonstrate knowledge of responsible rabbit care prior to sale or buying a restricted pet.
 - Owners to desex rabbits prior to resale or presenting their unwanted rabbits to pet shops.
2. That Council submit this as a motion to the next NSW Local Government Association Conference for statewide support.
 3. That Council seek support from the Urban Feral Animal Action Group and SHOROC and Catchment Management Authorities.

Cr Jacqueline Townsend

Governance Committee

10.0 Governance Committee Business

C10.1	Financial Report for the Period Ending 31 March 2011 of the 2010/2011 Financial Year
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Meeting: Governance Committee

Date: 16 May 2011

STRATEGY: Business Management

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

PURPOSE OF REPORT

To provide Council with the financial results for the period ending 31 March 2011 of the 2010/2011 Financial Year. As per Local Government (General) Regulations Clause 203 which states, *"No later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement."*

1.0 BACKGROUND

1.1 The Original 2010/2011 Budget was adopted by Council as part of the 2010-2014 Delivery Program and Budget on 21 June 2010. The Revised 2010/11 Budget was adopted by Council on 21 February 2011 as a part of the December quarterly review, 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, Balance Sheet, Cash flow)
- Reserve Balances
- 2010/2011 Major Projects
- Rates Debtors
- Loan Liability
- Environmental Levy - Escarpment Acquisition
- Environmental Infrastructure Levy
- Stormwater Management Service Charge
- Developer Contribution Plans
- Key Directions and Associated Strategies

2.0 ISSUES

2.1 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 Statement for Pittwater Council for the quarter ended 31/03/11 indicates that Council's projected financial position at 30/06/11 will be satisfactory having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure."

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	2010/11 <i>Budget March Review</i>	2009/10 Actual	2008/09 Actual	Local Government Bench Mark
1	Operating Result (before Capital amounts)	\$174,000 Surplus	\$2.128m Surplus	\$62,000 Surplus	Surplus
2	Consolidated Result	\$62,000 Surplus	\$278,000 Surplus	\$76,000 Surplus	N/A
3	Unrestricted Current Ratio	3.47:1	3.81:1	2.92:1	>100% or 1:1
4	Debt Service Ratio	2.23%	2.71%	1.82%	<10%
5	Rates and Annual Charges Coverage ratio	60.36%	63.01%	63.22%	>50%
6	Rates and Annual Charges Outstanding %	5.00%	4.95%	4.65%	<5%
7	Building and Infrastructure Renewals Ratio	1.02:1	0.64:1	1.56:1	>100% or 1:1

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 \$3.47 (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

2010-11 Budgeted 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)	70,117
Total indirect income (Including transfer from Reserves)	29,983
Total income	100,100
Total direct Expenditure (Operating & Capital Expenditure)	75,482
Total indirect Expenditure (Including transfers to Reserves)	24,555
Total Expenditure	100,038
Increase in Council Funds (Includes Operating Results before Capital of \$174,000)	62

2010-11 Budgeted **Income Statement**

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

	(\$ '000)
Operating Income	68,493
Operating Expenditure	68,319
Operating Results before Capital	174
Capital Income (Grants and Contributions)	5,491
Changes in Net Assets – Resulting from Operations	5,665

2010-11 Budgeted 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	69,495
Cash outflows	66,966
NET Inflows/(Outflows)	2,529
Funds Carried Forward from Prior year	19,771
Total General Fund	22,300

2010-11 Budgeted **Balance Sheet**

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

	(\$ '000)
Current Assets (Includes Cash Assets of \$22,300)	30,720
Non Current Assets	1,988,925
Total Assets	2,019,645
Current Liabilities	9,214
Non Current Liabilities	5,914
Total Liabilities	15,128
Net Community Assets	2,004,517
Balance at Beginning of the year	1,998,852
Net results	5,665
TOTAL COMMUNITY EQUITY	2,004,517

2.4 Consolidated Financial Statement

As a result of the March Quarterly Review, the projected financial position shows a surplus in uncommitted funds of \$62,000, a decrease of \$17,000 from the previously adopted budget of \$79,000.

The fluctuation in the budget can be mainly attributed to: -

Budgeted Consolidated Result as per the Adopted Budget - Y/E 30 June 2011 Increase of Council Fund: \$		79,000
INCOME		
Additional User fees mainly relating to Parking machine & Cemetery Income	\$	79,000
Additional Operating Grant Transfers mainly relating to additional Works Program such as Flood Mapping, Bushland Mgmt & WW Wetlands Works	\$	225,000
Reduced Capital Grant Transfers mainly relating to timing of Works Program such as Palm Beach Ferry Wharf & Dunbar Park works	-\$	187,000
Additional Capital & Operating Contributions mainly relating to S94 WWV Contributions	\$	2,308,000
Additional Return on Investments & Other Interest Income mainly relating to an increase of General funds invested due to addition income received from developer contributions	\$	147,000
Additional Other Income mainly relating to Insurance Recovery and Markets Income	\$	209,000
Additional Capital Sales mainly relating to Motor Vehicle Sales	\$	41,000
Additional Transfers from Reserve - S94 mainly relating to additional Works Program	\$	100,000
EXPENDITURE		
Reduced Salaries, Wages & On costs mainly due to the use of temporary staff & contractors in lieu of wages and salaries	\$	188,000
Additional Materials, Stores & Contract Services External mainly relating to additional works such as Bushland Management, Seawall and Sportsground Maintenance works	-\$	68,000
Additional Professional Expenses relating to the use of temp staff and contractors in works such as Enforcement Control and partly offset by a reduction in Salary & Wages	-\$	314,000
Additional Legal Expenditure	-\$	120,000
Additional Other Expenditure mainly relating to Street Lighting, Insurance & waste disposal	-\$	93,000
Additional Levies/Contributions/subsidies mainly relating to an increase in the NSW fire brigades levy	-\$	146,000
Additional Capital Purchases/Payments mainly relating to Motor Vehicle purchases	-\$	78,000
Additional Transfer to Reserve - S94 Mainly relating to additional WWV Income	-\$	2,308,000
Projected Budget Consolidated Result year ending 30 June 2011 - Increase of Council Funds	\$	62,000

The Actual Year to Date Consolidated Financial Result for the period ending 31 March 2011 is a surplus of \$3.417 million. Compared to the year to date budget of \$2.328 million call on Council funds, this amounts to a positive variance of \$1.090 million.

CONSOLIDATED STATEMENT

Pittwater Council Consolidated Statement For Period 9 Ending 31 March 2011							
Year to Date - \$000's			Annual Budget - \$000's				
Budget	Actual	Variance		Original	Revised	Projected	Variance
			Direct Income				
8,271	8,637	366	User Fees	10,319	10,461	10,540	79
1,159	1,212	53	Regulatory Fees	1,535	1,560	1,578	18
2,017	1,865	-152	Regulatory Fines	2,691	2,691	2,694	3
2,739	2,484	-255	Operating Grant Transfers	2,768	3,606	3,830	225
994	790	-205	Capital Grant Transfers	4,527	1,898	1,711	-187
1,479	3,512	2,034	Capital Contributions	3,175	1,536	3,780	2,244
408	544	137	Operating Contributions	355	571	635	64
23,716	23,632	-84	Rates Income	31,827	31,827	31,827	0
7,384	7,421	37	Domestic Waste Charges	9,849	9,849	9,849	0
1,057	1,264	206	Return on Investments & Other Interest Income	1,210	1,210	1,357	147
288	288	0	Rebates Income	252	288	288	0
482	765	283	Other Income	485	539	748	209
917	1,279	362	Capital Sales	1,239	1,239	1,280	41
50,911	53,692	2,782	Total Direct Income	70,231	67,275	70,117	2,842
			Indirect Income				
1,940	1,969	29	Plant Hire Recovery	2,577	2,588	2,588	0
2,315	2,315	0	Notional Rental Income	3,088	3,088	3,088	0
614	914	300	Service Agreement Income	809	819	819	0
5,369	5,369	0	Overhead Recovery	7,162	7,162	7,162	0
1,147	1,243	96	Contract Internal Income	1,883	1,530	1,530	0
5,989	5,991	2	Transfer From Reserve-Depreciation	7,988	7,988	7,988	0
742	116	-626	Transfer From Reserve-S94	2,119	1,170	1,270	100
4,258	2,885	-1,374	Transfer From Reserve-Other	4,743	5,553	5,538	-15
22,375	20,803	-1,572	Total Indirect Income	30,369	29,898	29,983	85
			Direct Expenditure				
14,548	14,284	263	Salaries & Wages	19,388	19,444	19,307	137
5,313	5,126	187	Other Employee Costs	7,024	7,085	7,034	51
1,074	903	171	Materials	1,597	1,386	1,358	29
252	249	3	Stores	287	324	298	26
69	54	15	Minor Plant Purchases	89	92	94	-2
1,732	1,818	-86	Plant & Equipment	2,107	2,113	2,116	-3
11,116	9,286	1,830	Contract Services External	17,652	15,146	15,264	-118
5,989	5,991	-2	Depreciation Expense	7,988	7,988	7,988	0
407	409	-2	Interest Expense	683	543	543	0
2,767	2,236	530	Professional Expenses	3,353	3,913	4,227	-314
750	803	-53	Legal Expenses	900	1,000	1,120	-120
204	299	-94	Bad & Doubtful Debts	207	207	208	-1
454	451	3	Leases/Rentals/Hire/Licences	485	579	588	-9
1,075	1,164	-89	Public Utilities	1,386	1,434	1,482	-48
231	293	-62	Communications	313	308	308	0
304	276	28	Advertising	428	403	404	-1
768	814	-46	Insurance	971	1,011	1,048	-37
142	159	-17	Banking	190	190	190	0
377	367	10	Other Expenses	591	644	624	20
273	374	-100	Office Expenses	359	362	406	-44
2,713	2,834	-121	Sundry Services/Waste Disposal	3,556	3,604	3,623	-19
82	108	-27	Memberships	92	98	102	-4
2,293	2,294	-1	Levies/Contributions/Subsidies	2,973	2,931	3,077	-146
2,800	2,923	-123	Capital Purchases/Payments	4,064	3,996	4,073	-78
55,735	53,517	2,218	Total Direct Expenditure	76,685	74,801	75,482	-682
			Indirect Expenditure				
765	765	0	Corporate Development Overhead	1,020	1,020	1,020	0
1,089	1,089	0	IT Services Overhead	1,453	1,453	1,453	0
1,438	1,438	0	Financial Services Overhead	1,918	1,918	1,918	0
2,315	2,315	0	Accommodation Overhead	3,088	3,088	3,088	0
833	833	0	Insurance Overhead	1,111	1,111	1,111	0
582	582	0	Records Overhead	776	776	776	0
662	662	0	Customer Service Overhead	884	884	884	0
1,940	1,964	-24	Plant Hire Charge Internal	2,577	2,588	2,588	0
1,147	1,243	-96	Contract Services Internal Expense	1,883	1,530	1,530	0
576	895	-319	Service Agreement Expense	759	769	769	0
1,296	3,564	-2,269	Transfer To Reserve-S94	1,775	1,296	3,604	-2,308
2,579	2,210	369	Transfer To Reserve-Other	6,597	5,861	5,815	46
15,223	17,561	-2,338	Total Indirect Expenditure	23,840	22,293	24,555	-2,262
2,328	3,417	1,090	Increase/(call) on Council Funds	75	79	62	-17

2.5 Operating Statement

The Projected Operating Result before Capital for the financial year 2010/2011 is a surplus of \$174,000, a variance of \$14,000 compared to the previously adopted budget of \$160,000 surplus.

The fluctuation in the budget can be mainly attributed to: -

Budgeted Operating Results before Capital as per Adopted Budget for the year ending 30/6/11		\$	160,000
INCOME			
Additional User fees mainly relating to Parking machine & Cemetery Income		\$	79,000
Additional Operating Grant Transfers mainly relating to additional Works Program such as Flood Mapping, Bushland Mgmt & WW Wetlands Works		\$	225,000
Additional Operating Contributions mainly relating to S94 WWV Contributions		\$	64,000
Additional Return on Investments & Other Interest Income mainly relating to an increase of General funds invested due to addition income received from developer contributions		\$	147,000
Additional Other Income mainly relating to Insurance Recovery and Markets Income		\$	209,000
Additional Profit on Sale of Assets		\$	50,000
EXPENDITURE			
Reduced Salaries, Wages & On costs mainly due to the use of temporary staff & contractors in lieu of wages		\$	188,000
Additional Materials, Stores & Contract Services External mainly relating to works such as Bushland Management and Sportsground Maintenance works		-\$	246,000
Additional Professional Expenses relating to the use of temp staff and contractors in works such as Enforcement Control and partly offset by a reduction in Salary & Wages		-\$	323,000
Additional Legal Expenditure		-\$	120,000
Additional Public Utilities Expenditure mainly relating to Street Lighting Expenditure		-\$	48,000
Additional Levies/Contributions/subsidies mainly relating to an increase in the NSW fire brigades levy		-\$	146,000
Additional Other Expenditure mainly relating to Insurance & waste disposal Expenditure		-\$	65,000
Projected Operating Results before Capital for the year ending 30 June 2011 Surplus		\$	174,000

The Actual Year to Date Operating result before Capital for the period ending 31 March 2011 shows a profit of \$1.374 million. Compared to the Year to Date Budget of a \$523,000 profit, this indicates a positive variance of \$851,000.

OPERATING STATEMENT

Pittwater Council Operating Statement For Period 9 Ending 31 March 2011							
Year to Date - \$000's			Annual Budget - \$000's				
Budget	Actual	Variance		Original	Revised	Projected	Variance
			Direct Income				
8,271	8,637	366	User Fees	10,319	10,461	10,540	79
1,159	1,212	53	Regulatory Fees	1,535	1,560	1,578	18
2,017	1,865	-152	Regulatory Fines	2,691	2,691	2,694	3
2,739	2,577	-162	Operating Grant Income	2,768	3,606	3,830	225
408	544	137	Operating Contributions	355	571	635	64
23,716	23,632	-84	Rates Income	31,827	31,827	31,827	0
7,384	7,421	37	Domestic Waste Charges	9,849	9,849	9,849	0
1,057	1,264	206	Return on Investments & Other Interest Income	1,210	1,210	1,357	147
288	288	0	Rebates Income	252	288	288	0
482	763	280	Other Income	485	539	748	209
120	207	87	Profit / (Loss) on Sale of Assets	160	160	210	50
0	0	0	Gain from Joint Venture Assets	0	0	0	0
47,641	48,409	769	Total Direct Income	61,451	62,762	63,556	794
			Indirect Income				
1,940	1,969	29	Plant Hire Recovery	2,577	2,588	2,588	0
614	914	300	Service Agreement Income	809	819	819	0
1,147	1,243	96	Contract Internal Income	1,883	1,530	1,530	0
3,701	4,127	426	Total Indirect Income	5,269	4,937	4,937	0
			Direct Expenditure				
14,129	13,948	181	Salaries & Wages	18,829	18,885	18,748	137
5,137	4,979	158	Other Employee Costs	6,789	6,849	6,799	51
639	656	-16	Materials	799	837	824	13
239	225	15	Stores	287	311	285	26
69	52	17	Minor Plant Purchases	89	92	94	-2
1,704	1,756	-52	Plant & Equipment	2,107	2,085	2,088	-3
7,160	7,019	140	Contract Services External	8,891	9,436	9,716	-280
6,095	6,095	0	Depreciation Expense & Ammortisation	7,988	8,129	8,129	0
407	409	-2	Interest Expense	683	543	543	0
2,076	2,025	51	Professional Expenses	2,596	2,910	3,233	-323
750	803	-53	Legal Expenses	900	1,000	1,120	-120
204	299	-94	Bad & Doubtful Debts	207	207	208	-1
414	409	5	Leases/Rentals/Hire/Licences	485	539	538	2
1,075	1,163	-88	Public Utilities	1,386	1,434	1,482	-48
231	293	-62	Communications	313	308	308	0
304	276	28	Advertising	428	403	404	-1
768	814	-46	Insurance	971	1,011	1,048	-37
142	159	-17	Banking	190	190	190	0
377	366	10	Other Expenses	591	644	624	20
273	367	-94	Office Expenses	359	362	406	-44
2,667	2,788	-121	Sundry Services/Waste Disposal	3,556	3,558	3,577	-19
82	108	-27	Memberships	92	98	102	-4
2,293	2,294	-1	Levies/Contributions/Subsidies	2,973	2,931	3,077	-146
47,237	47,302	-65	Total Direct Expenditure	61,510	62,763	63,542	-779
			Indirect Expenditure				
1,858	1,910	-52	Plant Hire Charge Internal	2,467	2,478	2,478	0
1,147	1,243	-96	Contract Services Internal Expense	1,883	1,530	1,530	0
576	707	-131	Service Agreement Expense	759	769	769	0
3,581	3,860	-279	Total Indirect Expenditure	5,109	4,777	4,777	0
523	1,374	851	Operating Results before Capital	101	160	174	14
2,473	4,429	-1,956	Grants & Contributions - Capital	6,301	3,434	5,491	-2,057
0	0	0	Material Public Benefits - S94	0	0	0	0
2,996	5,803	2,807	Change in Net Assets - Resulting from Opera	6,402	3,593	5,665	2,072

2.6 Cash Flow Statement

The projected total General Fund for the year ended 30 June 2011 stands at \$22.300 million. Compared to the previously adopted budget, this amount is an increase of \$1.671 million. This is mainly attributed to an increase in developer contributions.

The actual result for the period ended 31 March 2011 is a net inflow of \$7.988 million. Compared to the year to date budget, this amounts to a variance of \$3.048 million.

Following is a statement of Council's cash position budget to actual:-

Pittwater Council Cash Flow Statement For Period 9 Ending 31 March 2011							
Year to Date - \$000's			Annual Budget - \$000's				
Budget	Actual	Variance		Original	Revised	Projected	Variance
Cash Inflows							
33,500	33,616	116	Rates & Garbage	41,590	41,590	41,590	0
3,400	3,123	-277	Grants	7,294	5,407	5,007	-400
8,300	8,553	253	User Charges	10,319	10,461	10,538	77
2,900	2,800	-100	Regulatory Fees & Fines	4,226	4,251	4,272	21
1,296	434	-862	Contributions & Donations	355	815	811	-4
1,050	1,165	115	Return on Investments & Other Interest Income	1,210	1,210	1,357	147
917	1,279	362	Sale of Assets (Excluding Land)	1,239	1,239	1,280	41
0	0	0	Sale of Land	0	0	0	0
770	1,058	288	Other	737	827	1,036	209
1,296	3,564	2,268	S94 Contributions Received	1,775	1,292	3,604	2,312
0	0	0	Proceeds from loan	1,400	0	0	0
0	184	184	GST Net Inflow	0	0	0	0
53,429	55,775	2,346	Total Inflows	70,145	67,092	69,495	2,403
Cash Outflows							
14,548	14,578	-31	Employee Salary & Wages	19,388	19,444	19,307	137
4,600	4,802	-202	Employee Other Costs	6,480	6,497	6,497	0
460	470	-10	Insurance Claims/Premiums	971	1,011	1,048	-37
1,400	1,391	9	Levies & Contributions	2,973	2,931	3,077	-146
23,635	22,614	1,021	Materials/Stores/Contracts	32,692	30,804	31,292	-488
750	803	-53	Legal Expenses	900	1,000	1,120	-120
296	296	0	Loan Interest Repayments	622	552	552	0
457	457	0	Loan Principal Repayments	866	824	824	0
2,343	2,377	-34	Purchase Of Assets	3,198	3,171	3,249	-78
48,489	47,787	702	Total Outflows	68,091	66,234	66,966	-732
4,940	7,988	3,048	Net Inflows/(Outflows)	2,054	858	2,529	1,671
19,771	19,771	0	Funds Carried Forward from Prior Year	18,676	19,771	19,771	0
24,711	27,759	3,048	Total General Fund	20,730	20,629	22,300	1,671
5,697	8,591	-2,894	Less Restricted Assets	3,444	5,269	7,477	-2,208
936	936	0	Less Unexpended Grants	1,400	800	800	0
10,425	11,429	-1,004	Less Internal Reserves	13,030	12,411	12,380	31
7,653	6,803	-850	Increase/(call) on Council Funds	2,856	2,149	1,643	-506

2.7 Balance Sheet

Council's Projected total increase in equity for the year ending 30 June 2011 is \$5.665 million (net change in assets resulting from operations) this will increase the Total equity to \$2.005 billion.

Pittwater Council Balance Sheet For Period 9 Ending 31 March 2011			
Actual 31/03/2011 \$'000's		Projected 30/06/2011 \$'000	Actual 30/06/2010 \$'000
CURRENT ASSETS			
1,221	Cash Assets	3,380	3,260
26,538	Investments	18,920	16,511
3,169	Receivables	3,000	3,461
60	Inventories	70	59
382	Other	850	958
4,598	Non Current Assets held for sale	4,500	4,597
<u>35,968</u>	TOTAL CURRENT ASSETS	<u>30,720</u>	<u>28,846</u>
NON-CURRENT ASSETS			
0	Investments	0	0
0	Receivables	600	733
0	Inventories	0	0
1,975,069	Infrastructure Property, Plant and Equipment	1,978,199	1,975,848
5,173	Investment Property	5,173	5,173
4,990	Investments Accounted for using the Equity Method	4,953	5,094
<u>1,985,232</u>	TOTAL NON-CURRENT ASSETS	<u>1,988,925</u>	<u>1,986,848</u>
<u><u>2,021,200</u></u>	TOTAL ASSETS	<u><u>2,019,645</u></u>	<u><u>2,015,694</u></u>
CURRENT LIABILITIES			
3,403	Payables	2,591	3,268
344	Interest Bearing Liabilities	823	828
6,247	Provisions	5,800	5,998
<u>9,994</u>	TOTAL CURRENT LIABILITIES	<u>9,214</u>	<u>10,094</u>
NON-CURRENT LIABILITIES			
0	Payables	0	0
6,386	Interest Bearing Liabilities	5,754	6,593
165	Provisions	160	155
<u>6,551</u>	TOTAL NON-CURRENT LIABILITIES	<u>5,914</u>	<u>6,748</u>
<u><u>16,545</u></u>	TOTAL LIABILITIES	<u><u>15,128</u></u>	<u><u>16,842</u></u>
<u><u>2,004,655</u></u>	NET ASSETS	<u><u>2,004,517</u></u>	<u><u>1,998,852</u></u>
EQUITY			
2,004,655	Accumulated Surplus/ (Deficit)	2,004,517	1,998,852
	Asset Revaluation Reserve		
<u><u>2,004,655</u></u>	TOTAL EQUITY	<u><u>2,004,517</u></u>	<u><u>1,998,852</u></u>

2.8 2010/2011 Reserve Balances

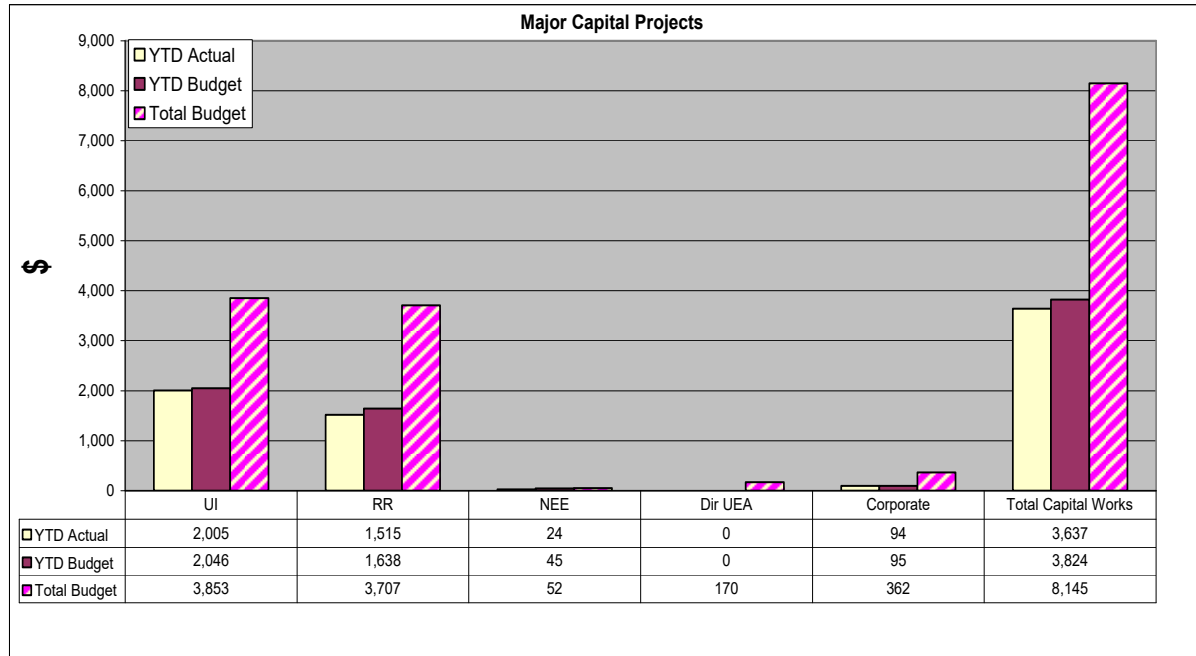
Council's Projected Reserve Balances which reflect funds restricted for both internal and external purposes amount to \$20.657 million. In addition to the restricted amounts listed below, Council also holds \$1.643 million in unrestricted funds which when combined with restricted funds amount to Council's projected year end cash position of \$22.300 million.

Unlike Council's restricted funds which are held for specific purposes such as Section 94 works, Cemetery works, Caravan Park Capital Works etc, Council's unrestricted funds are utilised as one mechanism to fund the business's ongoing operations. This does not mean that they can be spent in isolation, as Council's annual income and expenditure are managed via Council's Consolidated Statement which currently reflects an almost balanced position of \$62,000 surplus.

General Reserves	Opening Balance 01.07.2010	Transfers To Reserve	Transfers From Reserve	Closing Balance 30.06.2011
Environmental Levy (Escarpment)	1,696,083	-	20,146	1,675,937
Environmental Infrastructure Levy	667,855	1,469,481	2,036,954	100,382
General Reserve	3,473,072	1,418,346	1,247,645	3,643,773
Employee Leave Entitlement	1,234,432	-	-	1,234,432
Caravan Park Capital Works	206,727	200,000	150,000	256,727
Cemetery Reserve	1,384,816	228,252	190,000	1,423,068
Road Reserve	463,121	144,942	41,000	567,063
Capital Works Reserve	123,220	-	123,220	-
Strategic Property Rationalisation Reserve	163,452	-	35,000	128,452
Plant Replacement	69,446	-	49,000	20,446
Tennis Liason Trust Fund	169,613	48,306	60,000	157,919
Other	512,673	986,741	512,066	987,348
Lagoon Entrance Clearing	100,000	25,000	-	125,000
Avalon Golf Course	32,953	-	-	32,953
Commercial Centres Outdoor Seating	29,034	119,746	90,000	58,780
Marine Infrastructure	161,580	50,000	137,453	74,127
Church Point Easement	131,934	-	131,934	-
Election Reserve	75,000	75,000	-	150,000
IT Reserve	48,000	-	30,000	18,000
Restoration Reserve	40,000	75,000	-	115,000
Trust and Bonds (eg. Tree and Footpath)	596,882	-	-	596,882
Community Centre Trusts	168,801	-	121,339	47,462
Bus Shelter Reserve	28,730	-	-	28,730
Total Reserves	11,577,424	4,840,814	4,975,757	11,442,481
Section 94	5,142,975	3,603,915	1,269,867	7,477,023
Domestic Waste Management	458,867	443,995	-	902,862
Specific Purpose Unspent Grants and Contributions	716,009	5,625,170	5,541,179	800,000
Stormwater Management Levy	67,317	530,000	562,399	34,918
Total Reserves & Section 94	17,962,593	15,043,894	12,349,202	20,657,285

2.9 2010/2011 Major Projects

The total expenditure for Major Projects (including revotes) under the previously adopted 2010/2011 Capital Improvements Program amounted to \$8.526 million. The program has now been amended to \$8.145 million in the March Quarterly Review.



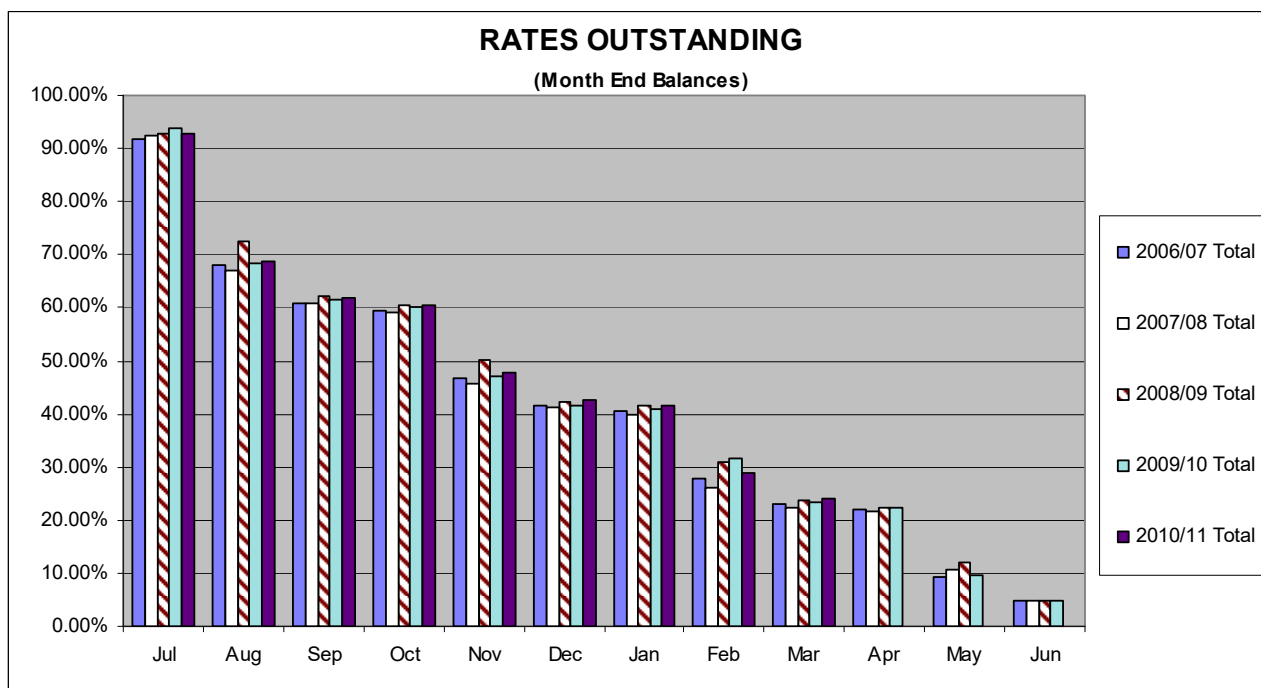
2010/2011 MAJOR PROJECTS		Revised	Projected	Gross	Percentage
PERIOD ENDING 31st March 2011		Total	Total	Exp	Complete
TOP TEN JOBS BY PROJECTED BUDGET	Comment	Budget	Budget	Actual	%
Deep Creek Pedestrian Bridge - Construction	RTA/Warringah/Pittwater Joint Funded	912,000	912,000	-	0%
Governor Phillip Park Landscape & Playground Upgrade	Grant, El Levy Works near completion	484,017	484,017	410,474	85%
Car/Trailer Park Upgrade Woorak Reserve PB	Grant, Marine Reserve Funded	355,000	355,000	2,492	1%
Billies Kiosk Bilgola Beach Design	Project Complete	236,980	236,980	247,725	105%
Church Point Seawall (Works)	El Levy Works	267,136	200,000	-	0%
RTA Funding Traffic Signs & Linemarking	Ongoing works	194,000	194,000	136,538	65%
Avalon Golf Course - Tanks and Irrigation	El Levy Works	164,200	164,200	42,983	26%
Sydney Lakeside Improvements	Ongoing works	150,000	150,000	45,772	31%
Winnereremmy Bay Upgrade	S94 Funded Works	140,000	140,000	6,391	5%
North Narrabeen Rock Pool Carpark	Ongoing works	126,794	126,794	50,069	39%

2.10 Rates Debtors

Throughout the year, Council Rates staff will make a concentrated and consistent approach to all aspects of the debt recovery process. Council's target for rate arrears amounts to 5% or lower. In attempting to obtain the target, staff monitors and follows up ratepayers to ensure compliance with all aspects of Council rate recovery practices.

As at the quarter ended 31 March 2011, Council collected \$ 33.281M (76.01%) of the total of \$43.788M collectable, being the current year rate levy, (including the environmental infrastructure levy), domestic waste management charges, supplementary rate levies, onsite waste water management charges, stormwater management services charges, interest charges, legal costs and the outstanding rates and charges brought forward from the previous year. This left a balance of \$ 10.506M (23.99%) outstanding at 31 March 2011.

A monthly comparison of the ratio of outstanding rates from 2006/07 to 2010/11 is shown on the graph below.



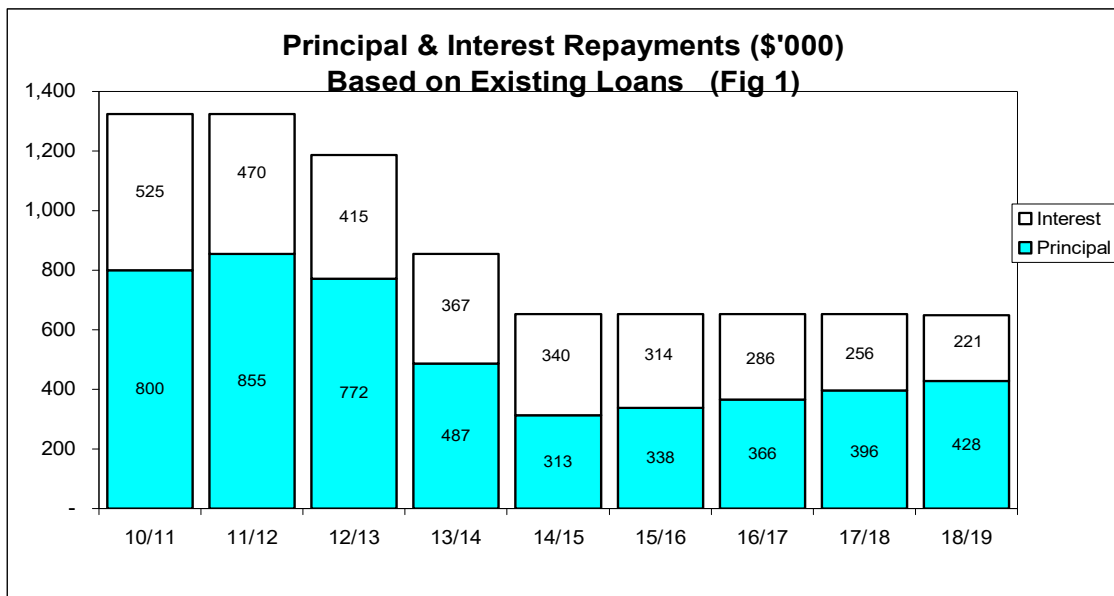
The outstanding total of \$ 10.506M included \$ 1.764M owing by the following categories of ratepayers for which Council will not take legal action for the recovery of outstanding amounts:

- Pensioners – no legal action is taken, apart from the issuing of normal Rate Notices and a reminder letter - \$ 1.338M. The majority of this amount is not yet due for payment and will be collected over the remaining instalment.
- Ratepayers paying off their rates in accordance with individually agreed arrangements - \$ 0.261M. Council's policy is to allow such arrangements to be made and not to take recovery action against such ratepayers unless they default on their payment arrangements.
- Ratepayers who are eligible to have part of their rates postponed for up to five years because their land is zoned for a higher valued purpose, but is used for residential purposes - \$ 0.165M. This is an entitlement contained in the Local Government Act, for which no recovery action can be taken.

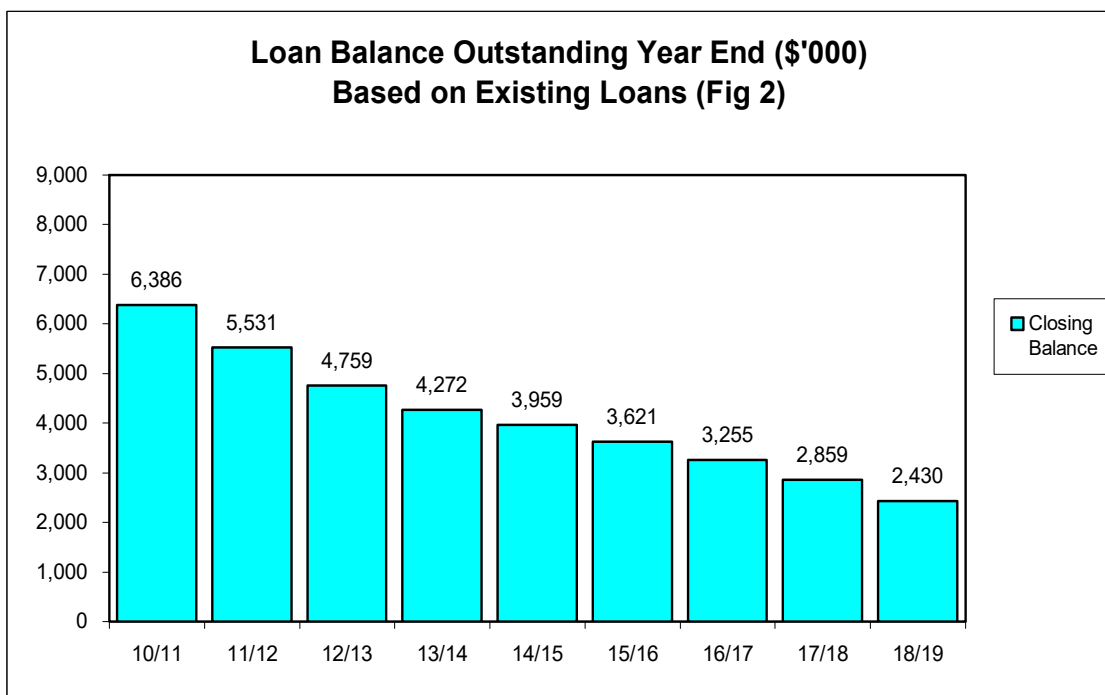
2.11 Loan Liability

Council's outstanding loan position as at 31 March 2011 was \$6.386 million.

As shown in Figure 1 below, total loan repayments in 2010/2011 amount to \$1.325 million. These repayments are made up of principal repayments totalling \$800,000 and interest repayments totalling \$525,000.



As shown in Figure 2 below, Council's outstanding loan balance will decrease to \$5.531 million as at 30 June 2011. (These figures are based on current loan levels, and are subject to review).



Council's Debt Service Ratio currently stands at 2.23% based on Borrowings as at 31 March 2011.

2.12 Environmental Levy – Warriewood/Ingleside Escarpment Acquisition

The Environmental Levy to date has helped to fund the following land acquisitions:

▪ Healesville Holding (Burrawang Ridge Estate)	28.0 hectares
▪ Part Mater Maria School site	3.6 hectares
▪ Heydon Estate	<u>26.6 hectares</u>
TOTAL	<u>58.2 hectares</u>

In addition, Council has resolved to enter into negotiations with the Uniting Church in regard to the potential acquisition of part of their land at Elanora Heights for escarpment protection.

Opening Reserve Balance as at 01/07/10	\$1,696,083
YTD Income to 31/03/11	\$0
YTD Expenditure to 31/03/11	\$27,019
Closing Reserve Balance as at 31/03/11 (restricted)	\$1,669,064

2.13 Environmental Infrastructure Levy

The Environmental Infrastructure (EI) Levy commenced 1 July 2005 to provide funds for the environmental infrastructure retrofit and upgrade throughout the Pittwater area.

The EI-Levy provides funds for environmental infrastructure that will progressively improve both our 'urban' and 'natural' environment. The EI-Levy over a seven year period will target high priority projects that benefit the broadest cross section of our community.

Council's Management Plan includes a schedule of EI-Levy funded projects for the next five years, which will be reviewed and publicly exhibited annually. The schedule of works will also receive input from the community through the Environmental Infrastructure Levy Advisory Committee comprising representatives from the four Portfolio Committees.

Opening Reserve Balance as at 01/07/10	\$667,855
YTD Income to 31/03/11	\$1,097,122
YTD Expenditure to 31/03/11	\$848,272
Closing Reserve Balance as at 31/03/11 (restricted)	\$916,705

2.14 Stormwater Management Service Charge

The Stormwater Management Service Charge Program is funded by a Stormwater Management Service Charge commencing from 1 July 2007 under amendments to the Local Government Act 1993 and the Local Government (General) Regulations 2005.

The Stormwater Management Service Charge Program is made under the recent addition of 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.

The Stormwater Management Service Charge Program 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 for the current and future years is set out in Councils 2009-2013 Management Plan in the Major Projects Work Schedules for Urban Infrastructure Business Unit.

Opening Reserve Balance as at 01/07/10	\$67,317
YTD Income to 31/03/11	\$396,164
YTD Expenditure to 31/03/11	\$290,994
ng Reserve Balance as at 31/03/11 (restricted)	\$172,487

2.15 Developer Contribution Plans

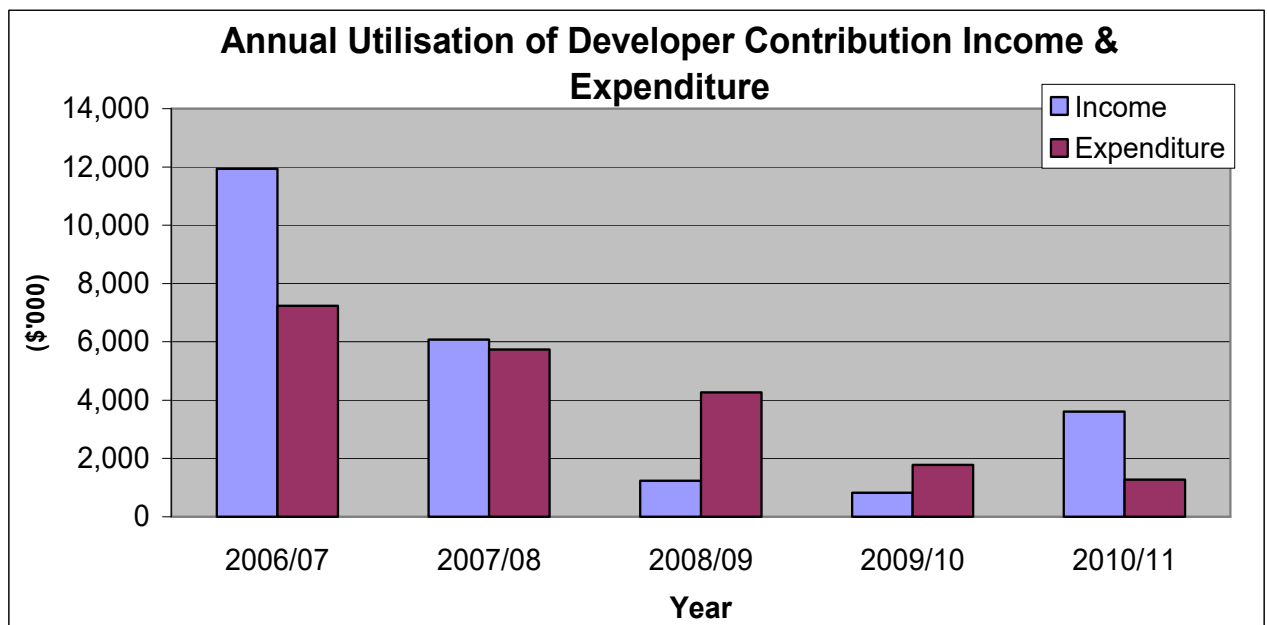
Developer Contributions are monetary contribution levied on developers at the development applications stage to pay for a proposed increase in demand for public services, such as roads and parks.

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	Plan Balance as at 30/06/10	Expenditure for 2010/11	Income for 2010/11	Plan Balance as at 30/06/11	Plan Balance as at 31/3/11
Community Service Facilities	\$ 103,117	\$ 146,512	\$ 200,000	\$ 156,605	\$ 279,785
Mona Vale Car Parking	\$ 3,190,169	\$ 100,000	\$ 34,210	\$ 3,124,379	\$ 3,219,033
Newport Car Parking	\$ 85,794	\$ -	\$ -	\$ 85,794	\$ 85,794
Open Space	\$ 199,674	\$ 684,303	\$ 749,498	\$ 264,869	\$ 838,565
Village Streetscape	\$ 121,313	\$ 196,512	\$ 372,202	\$ 297,003	\$ 493,515
Public Libraries	\$ 155,858	\$ 142,540	\$ 130,000	\$ 143,318	\$ 270,296
Warriewood Valley	\$ 1,287,050	\$ -	\$ 2,118,005	\$ 3,405,055	\$ 3,404,306
Totals	\$ 5,142,975	\$ 1,269,867	\$ 3,603,915	\$ 7,477,023	\$ 8,591,295

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.



3.0 SUSTAINABILITY ASSESSMENT

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 2010/11 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)

3.1.1 The net impact of the 2010/11 projected budget for this key direction is a cost of \$5.355 million.

This net cost includes:	
Operating Expenditure	\$9.557 million
Capital Expenditure	\$1.698 million
Income	(\$4.642) million
Transfer from Reserve*	(\$2.223) million
Transfer to Reserve*	\$964,000
Net Cost to Council	\$5.355 million

3.2 Valuing & Caring for our Natural Environment (Environmental)

3.2.1 The net impact of the 2010/11 projected budget for this key direction is a cost of \$4.359 million.

This net cost includes:	
Operating Expenditure	\$15.440 million
Capital Expenditure	\$1.945 million
Income	(\$11.740) million
Transfer from Reserve*	(\$2.934) million
Transfer to Reserve*	\$1.648 million
Net Cost to Council	\$4.359 million

3.3 Enhancing our Working & Learning (Economic)

3.3.1 The net impact of the 2010/11 projected budget for this key direction is a cost of \$976,000.

This net cost includes:	
Operating Expenditure	\$4.697 million
Capital Expenditure	\$886,000
Income	(\$3.833) million
Transfer from Reserve*	(\$1.354) million
Transfer to Reserve*	\$580,000
Net Cost to Council	\$976,000

3.4 Leading an effective & Collaborative Council (Governance)

3.4.1 The net impact of the 2010/11 projected budget for this key direction is income of \$15.981 million.

This net income includes:	
Operating Expenditure	\$19.719 million
Capital Expenditure	\$4.512 million
Income	(\$41.460) million
Transfer from Reserve*	(\$3.112) million
Transfer to Reserve*	\$4.360 million
Net Income to Council	(\$15.981) million

3.5 Integrating our Built environment (Infrastructure)

3.5.1 The net impact of the 2010/11 projected budget for this key direction is a cost of \$5.228 million.

This net cost includes:	
Operating Expenditure	\$13.828 million
Capital Expenditure	\$3.149 million
Income	(\$8.442) million
Transfer from Reserve*	(\$5.173) million
Transfer to Reserve*	\$1.866 million
Net Cost to Council	\$5.228 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:

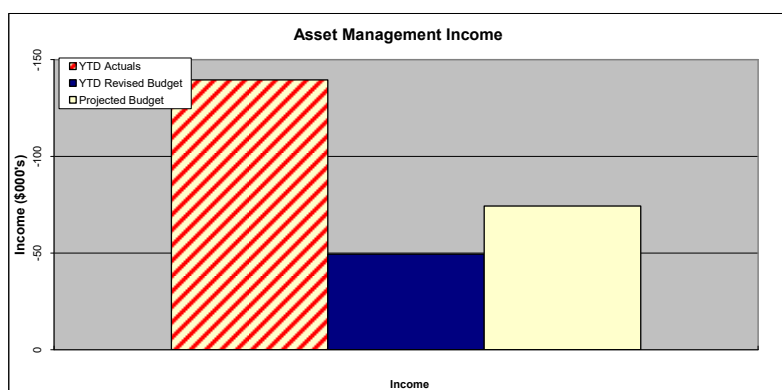
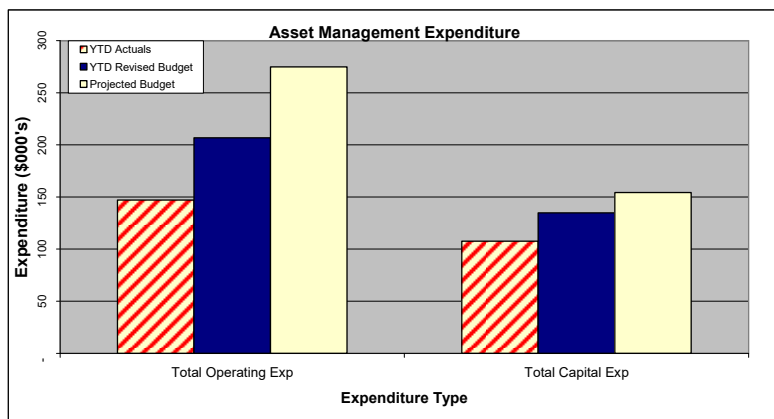
ASSET MANAGEMENT

STRATEGY

Asset Management Coordination

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	98	121	161
Other Employee Costs	39	48	65
Materials and Contracts	0	(0)	(0)
Depreciation	0	0	0
Interest	0	0	0
Other Costs	9	38	49
Total Operating Exp	147	207	275
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	108	135	154
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	108	135	154
Income (Op & Cap)			
User Fees	(79)	0	0
Fees and Charges	0	0	0
Grant Transfers	(0)	(0)	(15)
Contributions	(58)	(48)	(58)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(2)	(1)	(2)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(139)	(49)	(74)
Transfers from Reserves	(0)	(10)	(9)
Transfers to Reserves	58	48	65
Net Cost* / (Income)	173	330	411

* Net Cost Funded By Rates



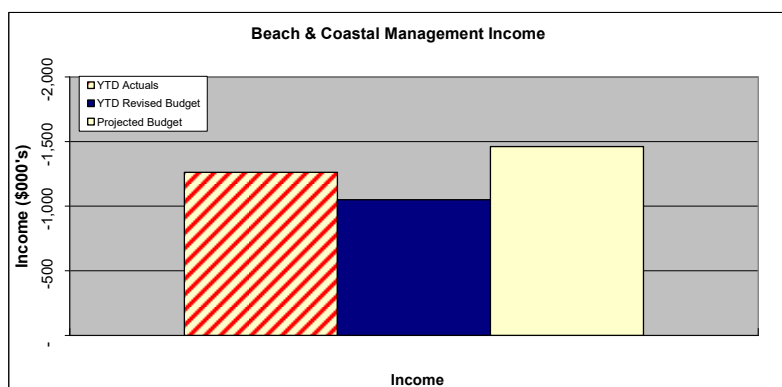
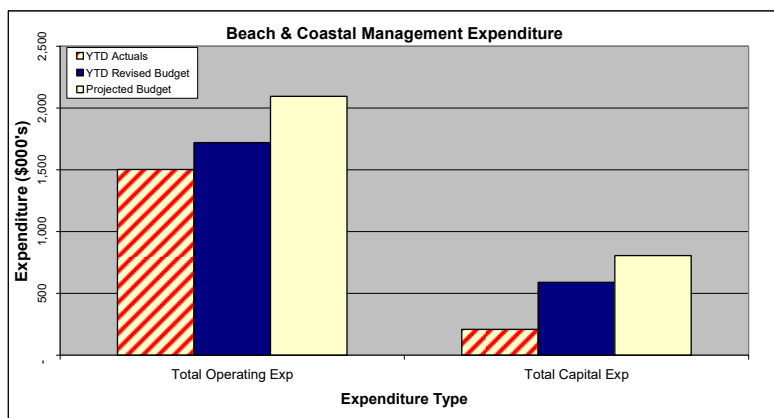
BEACH & COASTAL MANAGEMENT

STRATEGY

Beach & Coastal Management

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	356	339	453
Other Employee Costs	123	123	164
Materials and Contracts	792	852	1,125
Depreciation	82	82	109
Interest	0	0	0
Other Costs	149	324	243
Total Operating Exp	1,501	1,720	2,095
Capital Expenditure			
Capital Asset Acquisitions	39	120	120
Capital Works Programs	171	470	686
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	210	590	806
Income (Op & Cap)			
User Fees	(1,078)	(807)	(1,167)
Fees and Charges	0	0	0
Grant Transfers	(65)	(139)	(169)
Contributions	(114)	(97)	(114)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(3)	(7)	(10)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(1,261)	(1,050)	(1,460)
Transfers from Reserves	(809)	(1,116)	(871)
Transfers to Reserves	267	195	306
Net Cost* / (Income)	(92)	339	876

* Net Cost Funded By Rates

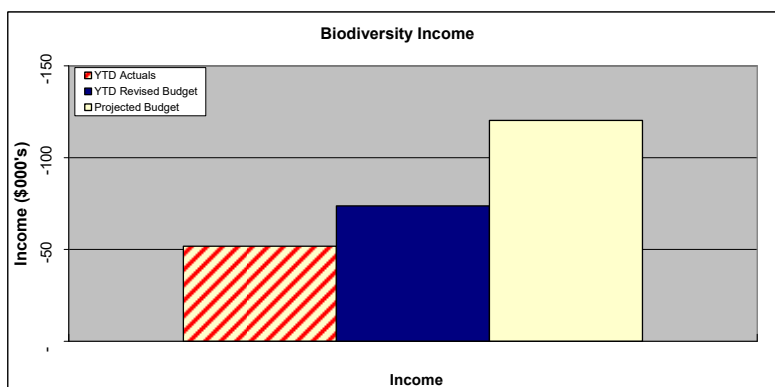
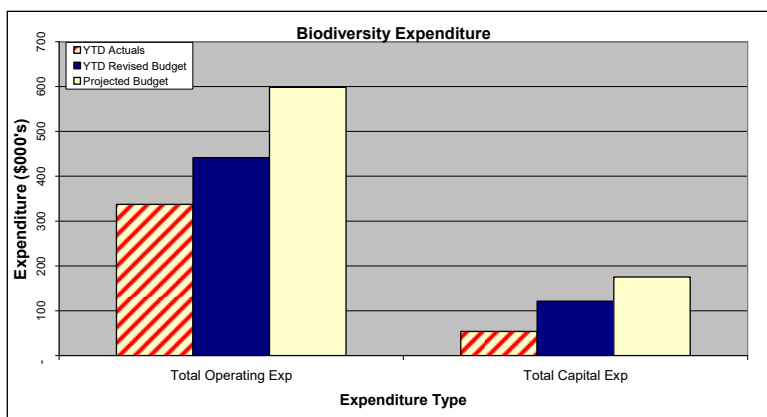


BIODIVERSITY

STRATEGY Biodiversity

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	135	168	225
Other Employee Costs	49	59	79
Materials and Contracts	130	192	263
Depreciation	0	0	0
Interest	0	0	0
Other Costs	24	22	31
Total Operating Exp	337	441	598
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	54	121	175
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	54	121	175
Income (Op & Cap)			
User Fees	(0)	0	0
Fees and Charges	(7)	(7)	(9)
Grant Transfers	(40)	(63)	(105)
Contributions	(5)	(3)	(5)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(0)	(1)	(1)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(52)	(74)	(120)
Transfers from Reserves	(61)	(132)	(186)
Transfers to Reserves	1	0	2
Net Cost* / (Income)	280	357	469

* Net Cost Funded By Rates

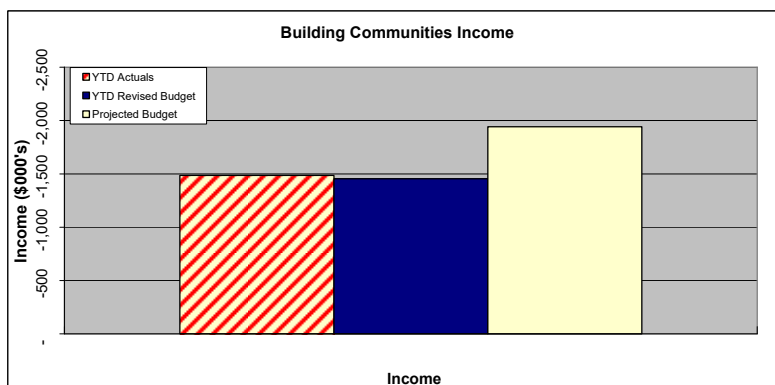
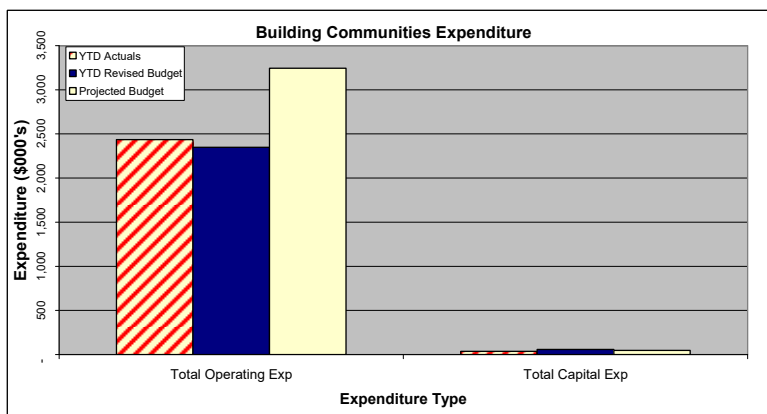


BUILDING COMMUNITIES

STRATEGY Building Communities

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	1,346	1,296	1,767
Other Employee Costs	411	394	534
Materials and Contracts	193	166	214
Depreciation	1	1	2
Interest	1	1	2
Other Costs	483	489	727
Total Operating Exp	2,435	2,348	3,244
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	37	57	48
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	37	57	48
Income (Op & Cap)			
User Fees	(703)	(711)	(967)
Fees and Charges	(94)	(97)	(129)
Grant Transfers	(578)	(552)	(727)
Contributions	(95)	(85)	(102)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(15)	(10)	(16)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(1,485)	(1,455)	(1,942)
Transfers from Reserves	(99)	(121)	(43)
Transfers to Reserves	103	58	111
Net Cost* / (Income)	991	887	1,419

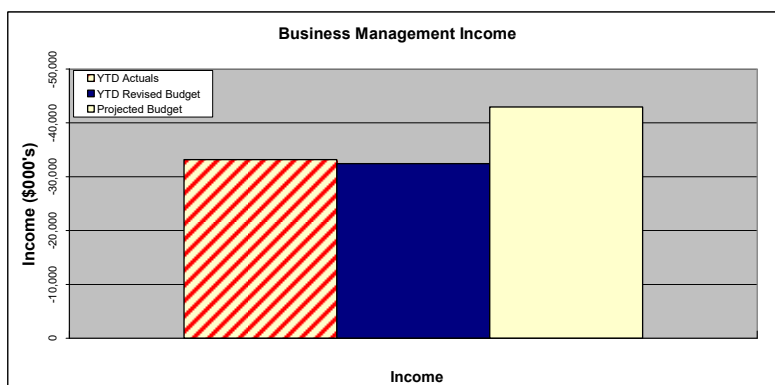
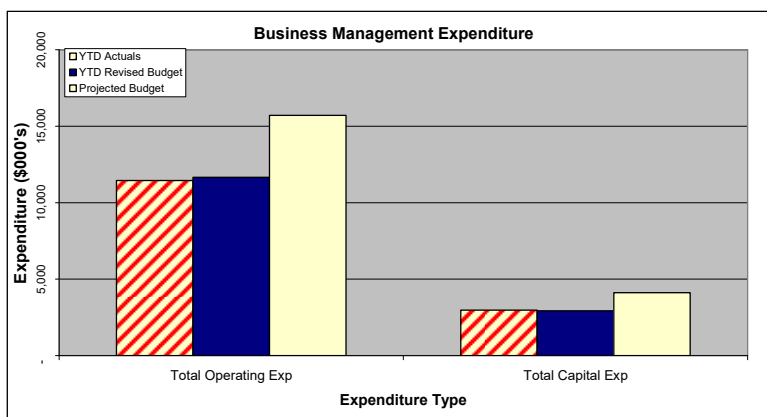
* Net Cost Funded By Rates



BUSINESS MANAGEMENT

STRATEGY Business Management			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	3,120	3,039	4,028
Other Employee Costs	1,266	1,328	1,763
Materials and Contracts	1,193	1,601	1,923
Depreciation	1,479	1,479	1,972
Interest	395	394	525
Other Costs	3,992	3,824	5,498
Total Operating Exp	11,445	11,664	15,710
Capital Expenditure			
Capital Asset Acquisitions	2,123	1,841	2,617
Capital Works Programs	369	612	679
Capital Material Public Benefits	0	0	0
Loan Repayments	480	480	824
Total Capital Exp	2,973	2,933	4,120
Income (Op & Cap)			
User Fees	(4,673)	(4,731)	(5,781)
Fees and Charges	(156)	(187)	(272)
Grant Transfers	(1,349)	(1,323)	(1,659)
Contributions	(197)	(48)	(193)
Rates Income	(23,632)	(23,716)	(31,827)
Domestic Waste Charge	0	0	0
Return on Investments & Other I	(1,264)	(1,057)	(1,357)
Other Income	(632)	(460)	(594)
Capital Assets Disposals	(1,279)	(917)	(1,280)
Total Income (Op & Cap)	(33,180)	(32,439)	(42,962)
Transfers from Reserves	(976)	(1,180)	(1,990)
Transfers to Reserves	2,395	1,925	4,370
Net Cost* / (Income)	(17,343)	(17,096)	(20,752)

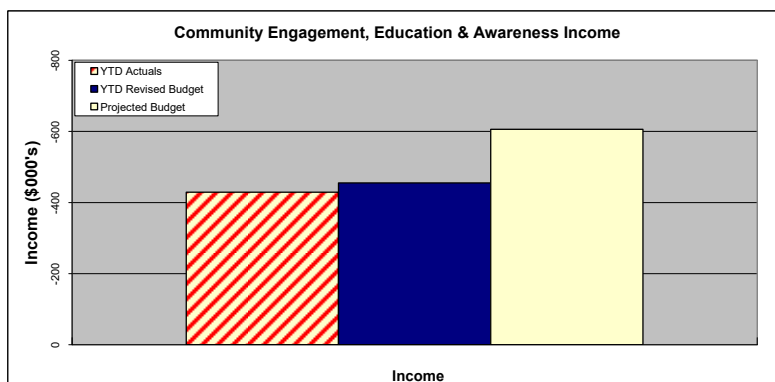
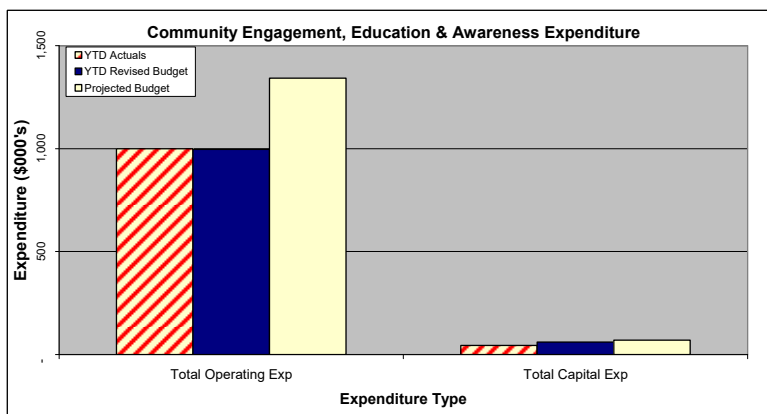
* Net Cost Funded By Rates



COMMUNITY ENGAGEMENT, EDUCATION & AWARENESS

STRATEGY Community Engagement, Education & Awareness			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	364	346	462
Other Employee Costs	110	101	135
Materials and Contracts	206	156	184
Depreciation	0	0	0
Interest	12	11	15
Other Costs	308	382	546
Total Operating Exp	999	997	1,343
Capital Expenditure			
Capital Asset Acquisitions	19	27	36
Capital Works Programs	26	34	34
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	45	61	71
Income (Op & Cap)			
User Fees	(256)	(274)	(376)
Fees and Charges	(27)	(28)	(38)
Grant Transfers	(81)	(102)	(118)
Contributions	(54)	(41)	(62)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(11)	(9)	(13)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(429)	(455)	(606)
Transfers from Reserves	(11)	(45)	(59)
Transfers to Reserves	55	51	62
Net Cost* / (Income)	659	609	810

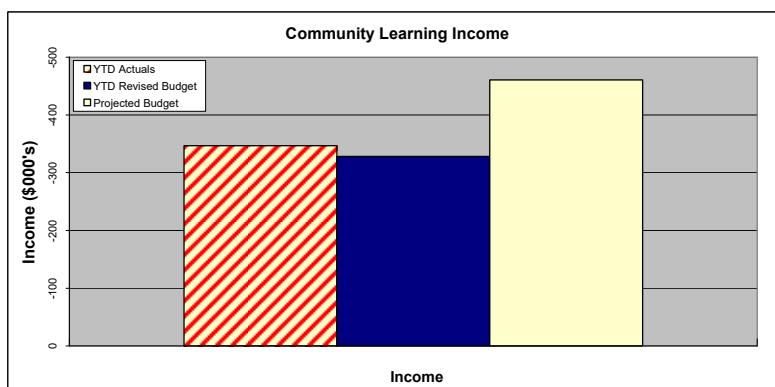
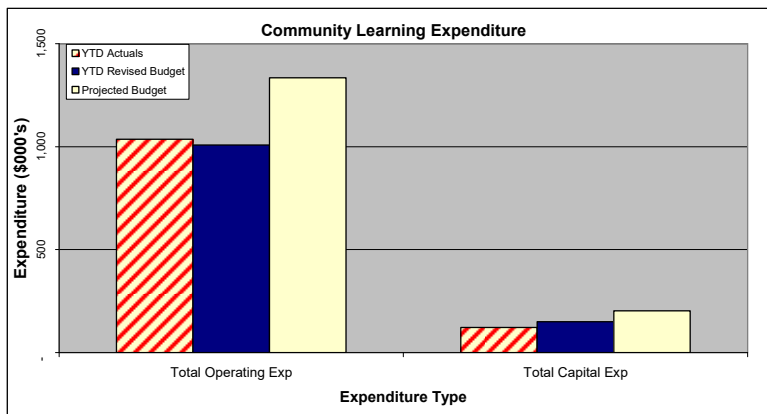
* Net Cost Funded By Rates



COMMUNITY LEARNING

STRATEGY Community Learning			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	539	515	700
Other Employee Costs	165	158	214
Materials and Contracts	86	89	112
Depreciation	117	117	156
Interest	1	1	1
Other Costs	128	127	151
Total Operating Exp	1,036	1,007	1,334
Capital Expenditure			
Capital Asset Acquisitions	122	140	186
Capital Works Programs	1	11	17
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	123	150	203
Income (Op & Cap)			
User Fees	(130)	(141)	(181)
Fees and Charges	(20)	(21)	(29)
Grant Transfers	(73)	(72)	(110)
Contributions	(123)	(95)	(140)
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
Total Income (Op & Cap)	(347)	(328)	(461)
Transfers from Reserves	(221)	(266)	(382)
Transfers to Reserves	123	105	140
Net Cost* / (Income)	715	669	834

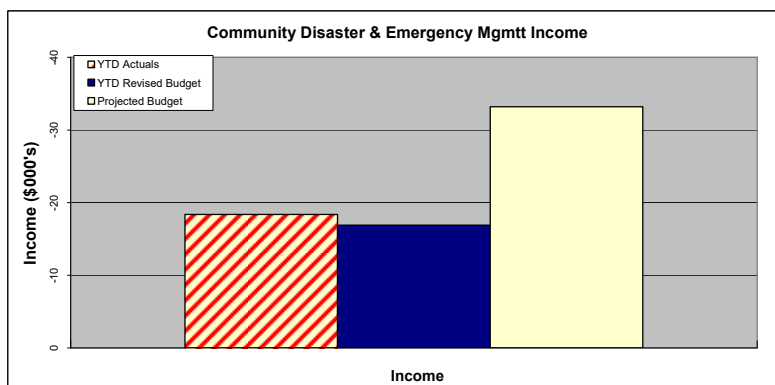
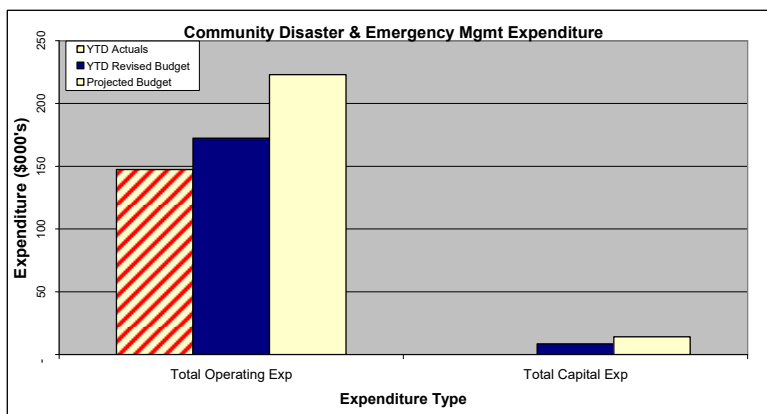
* Net Cost Funded By Rates



COMMUNITY DISASTER & EMERGENCY MANAGEMENT

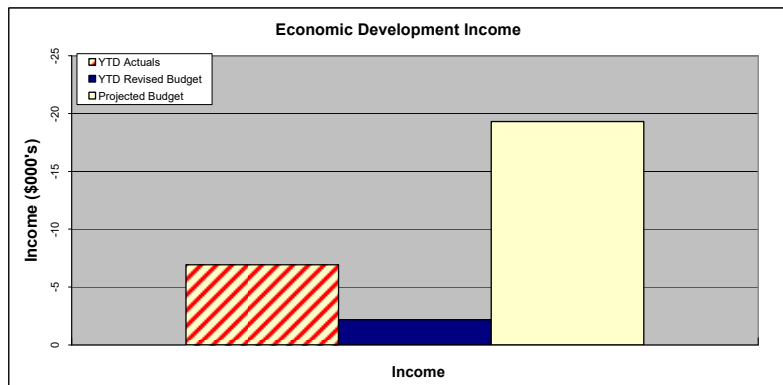
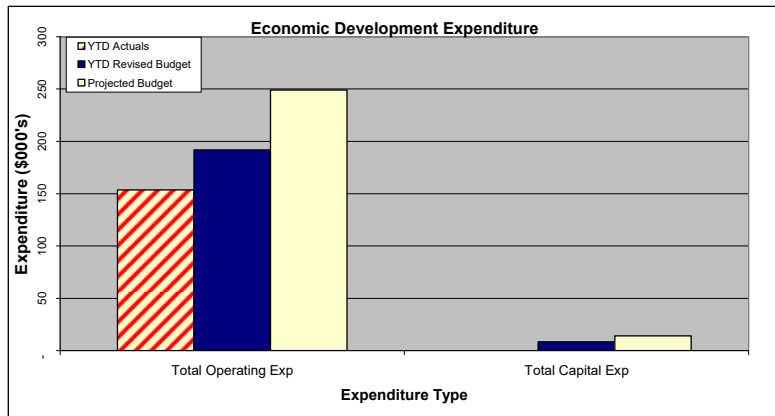
STRATEGY Community Disaster & Emergency Management			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	54	53	71
Other Employee Costs	17	20	27
Materials and Contracts	(4)	19	20
Depreciation	0	0	0
Interest	0	0	0
Other Costs	80	80	106
Total Operating Exp	147	172	223
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	0	9	14
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	0	9	14
Income (Op & Cap)			
User Fees	0	0	0
Fees and Charges	0	0	0
Grant Transfers	(15)	(17)	(31)
Contributions	(2)	0	(2)
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
Total Income (Op & Cap)	(18)	(17)	(33)
Transfers from Reserves	(60)	(9)	(9)
Transfers to Reserves	2	0	2
Net Cost* / (Income)	70	155	197

* Net Cost Funded By Rates



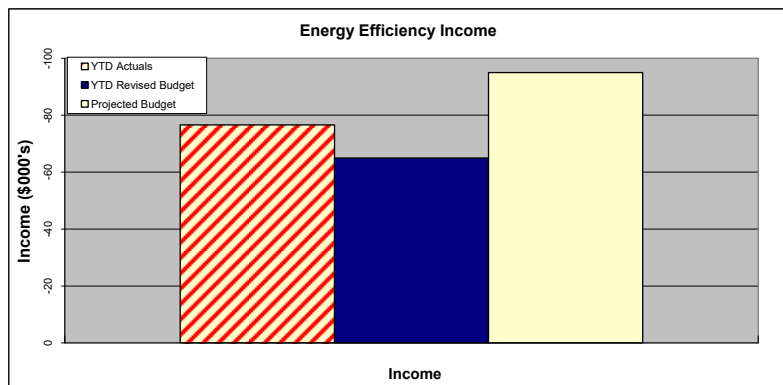
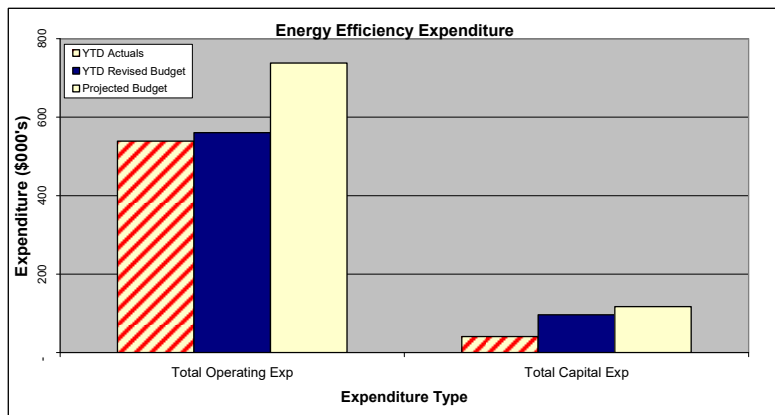
ECONOMIC DEVELOPMENT

STRATEGY Economic Development			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	83	88	118
Other Employee Costs	27	28	37
Materials and Contracts	3	5	6
Depreciation	0	0	0
Interest	0	0	0
Other Costs	40	71	88
Total Operating Exp	154	192	249
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	0	9	14
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	0	9	14
Income (Op & Cap)			
User Fees	0	0	0
Fees and Charges	(5)	(2)	(3)
Grant Transfers	(0)	0	(15)
Contributions	(2)	0	(2)
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
Total Income (Op & Cap)	(7)	(2)	(19)
Transfers from Reserves	(0)	(9)	(9)
Transfers to Reserves	2	0	2
Net Cost* / (Income)	148	189	237
* Net Cost Funded By Rates			



ENERGY EFFICIENCY

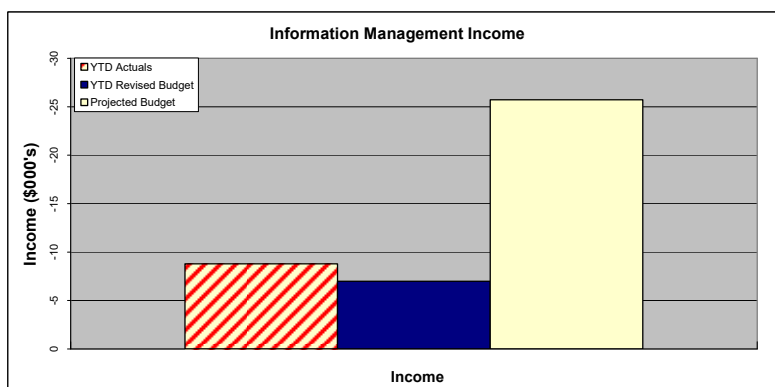
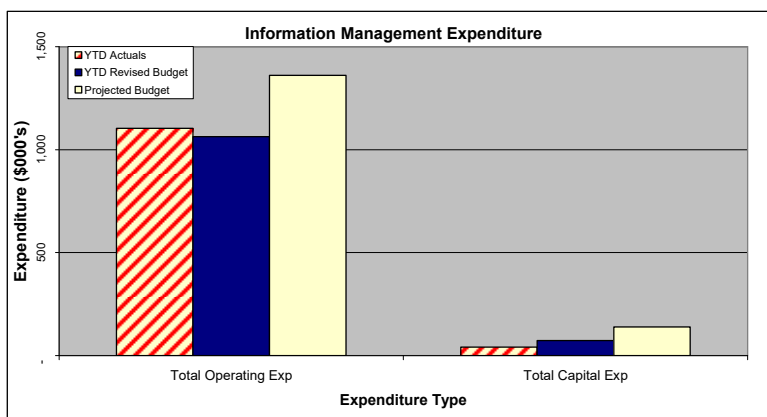
STRATEGY Energy Efficiency			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	126	149	184
Other Employee Costs	45	53	65
Materials and Contracts	59	62	83
Depreciation	121	121	161
Interest	0	0	0
Other Costs	188	175	245
Total Operating Exp	539	561	738
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	41	96	117
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	41	96	117
Income (Op & Cap)			
User Fees	(13)	(11)	(15)
Fees and Charges	(1)	(1)	(2)
Grant Transfers	(0)	(3)	(19)
Contributions	(60)	(48)	(58)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(2)	(1)	(2)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(77)	(65)	(95)
Transfers from Reserves	(31)	(68)	(237)
Transfers to Reserves	58	48	90
Net Cost* / (Income)	530	572	612
* Net Cost Funded By Rates			



INFORMATION MANAGEMENT

STRATEGY Information Management			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	458	454	607
Other Employee Costs	141	139	185
Materials and Contracts	289	264	297
Depreciation	118	118	158
Interest	0	0	0
Other Costs	98	87	115
Total Operating Exp	1,104	1,063	1,361
Capital Expenditure			
Capital Asset Acquisitions	41	65	125
Capital Works Programs	0	9	14
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	41	73	140
Income (Op & Cap)			
User Fees	(7)	(7)	(9)
Fees and Charges	(0)	(0)	(1)
Grant Transfers	(0)	0	(15)
Contributions	(2)	0	(2)
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
Total Income (Op & Cap)	(9)	(7)	(26)
Transfers from Reserves	(159)	(192)	(292)
Transfers to Reserves	2	0	2
Net Cost* / (Income)	980	938	1,185

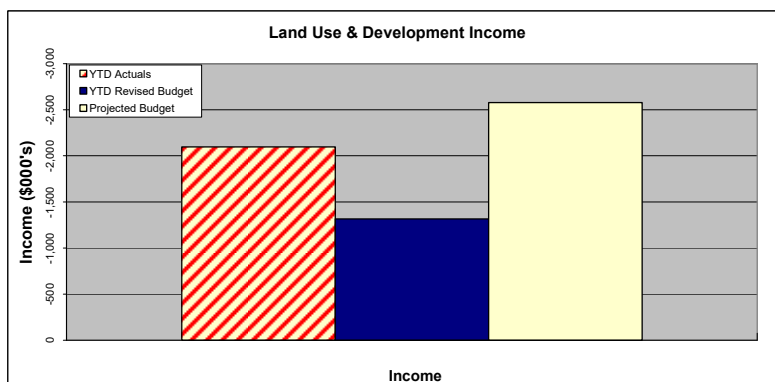
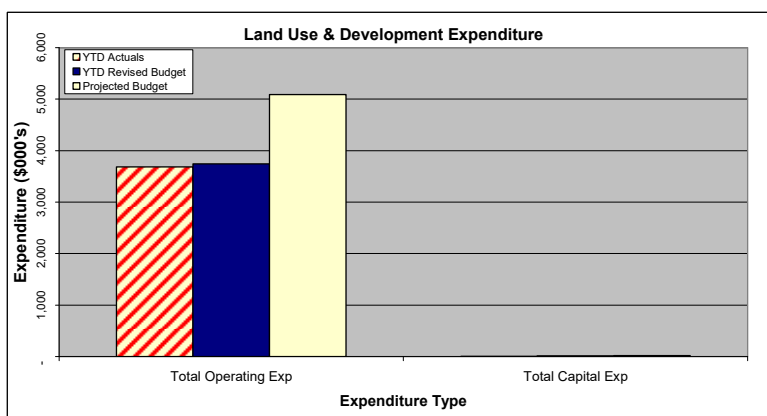
* Net Cost Funded By Rates



LAND USE & DEVELOPMENT

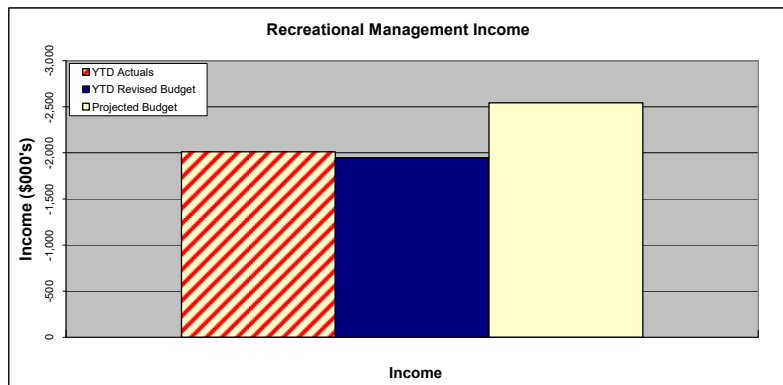
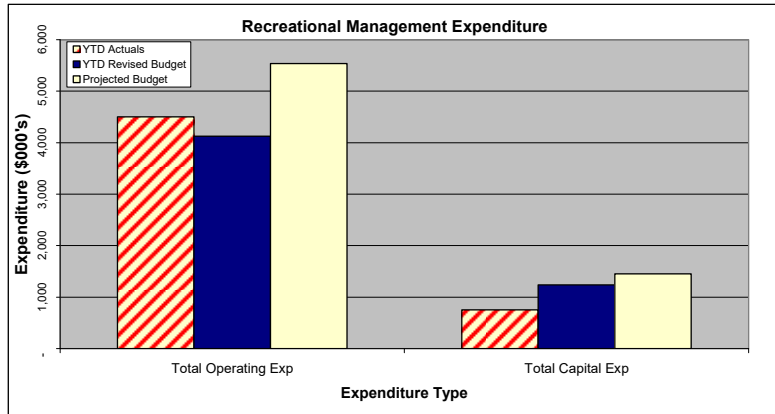
STRATEGY Land Use & Development			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	1,906	2,025	2,699
Other Employee Costs	573	601	802
Materials and Contracts	70	78	100
Depreciation	29	29	39
Interest	0	0	0
Other Costs	1,108	1,008	1,450
Total Operating Exp	3,687	3,742	5,089
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	3	12	18
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	3	12	18
Income (Op & Cap)			
User Fees	(159)	(124)	(165)
Fees and Charges	(1,030)	(1,069)	(1,418)
Grant Transfers	(2)	(24)	(59)
Contributions	(832)	(41)	(854)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(74)	(57)	(82)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(2,097)	(1,316)	(2,579)
Transfers from Reserves	(2)	(9)	(11)
Transfers to Reserves	832	47	861
Net Cost* / (Income)	2,422	2,475	3,379

* Net Cost Funded By Rates



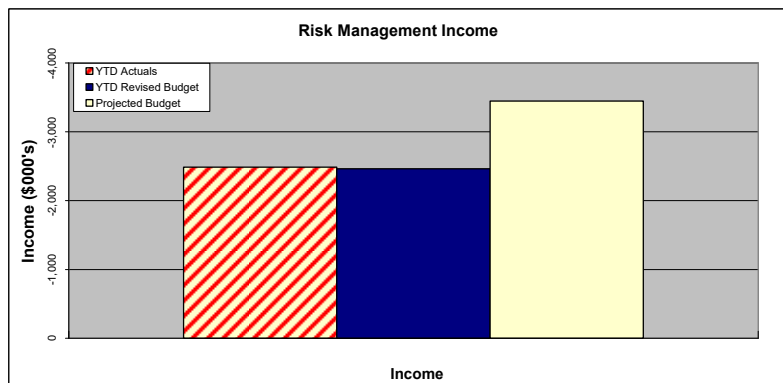
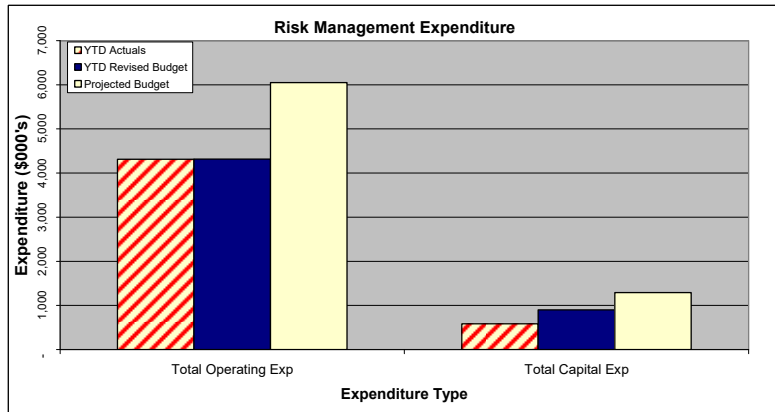
RECREATIONAL MANAGEMENT

STRATEGY Recreational Management			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	1,566	1,605	2,075
Other Employee Costs	598	616	793
Materials and Contracts	1,202	854	1,273
Depreciation	686	686	915
Interest	0	0	0
Other Costs	448	364	479
Total Operating Exp	4,501	4,125	5,535
Capital Expenditure			
Capital Asset Acquisitions	98	125	162
Capital Works Programs	653	1,115	1,290
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	751	1,240	1,452
Income (Op & Cap)			
User Fees	(1,037)	(979)	(1,269)
Fees and Charges	(322)	(333)	(446)
Grant Transfers	(256)	(324)	(374)
Contributions	(360)	(297)	(416)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(37)	(14)	(38)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(2,012)	(1,946)	(2,542)
Transfers from Reserves	(1,167)	(1,465)	(1,827)
Transfers to Reserves	439	412	489
Net Cost* / (Income)	2,512	2,366	3,108
* Net Cost Funded By Rates			



RISK MANAGEMENT

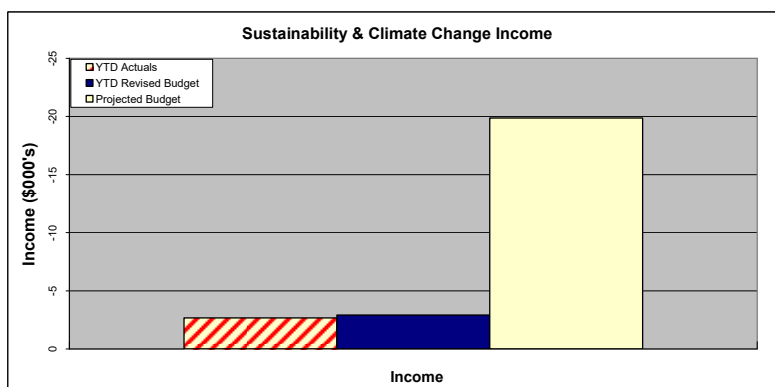
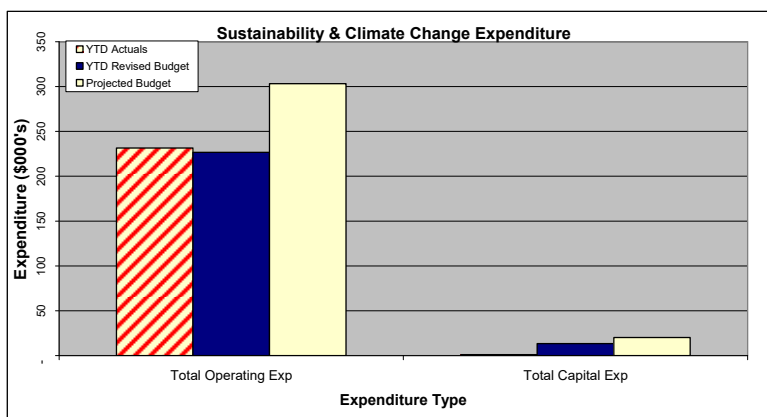
STRATEGY Risk Management			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	1,321	1,435	1,873
Other Employee Costs	492	526	680
Materials and Contracts	811	823	1,147
Depreciation	339	339	452
Interest	0	0	0
Other Costs	1,347	1,193	1,896
Total Operating Exp	4,310	4,316	6,047
Capital Expenditure			
Capital Asset Acquisitions	3	2	3
Capital Works Programs	584	898	1,290
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	587	901	1,293
Income (Op & Cap)			
User Fees	(273)	(275)	(331)
Fees and Charges	(966)	(1,028)	(1,376)
Grant Transfers	(335)	(450)	(741)
Contributions	(663)	(506)	(747)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(249)	(205)	(253)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(2,487)	(2,463)	(3,448)
Transfers from Reserves	(354)	(622)	(1,138)
Transfers to Reserves	594	489	770
Net Cost* / (Income)	2,649	2,621	3,523
* Net Cost Funded By Rates			



SUSTAINABILITY & CLIMATE CHANGE COORDINATION

STRATEGY Sustainability & Climate Change Coordination			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	163	158	211
Other Employee Costs	51	48	64
Materials and Contracts	5	3	4
Depreciation	0	0	0
Interest	0	0	0
Other Costs	13	18	24
Total Operating Exp	231	227	303
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	1	13	20
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	1	13	20
Income (Op & Cap)			
User Fees	0	0	0
Fees and Charges	(1)	(1)	(2)
Grant Transfers	(0)	(2)	(17)
Contributions	(2)	0	(2)
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
Total Income (Op & Cap)	(3)	(3)	(20)
Transfers from Reserves	(3)	(9)	(12)
Transfers to Reserves	2	0	2
Net Cost* / (Income)	229	228	294

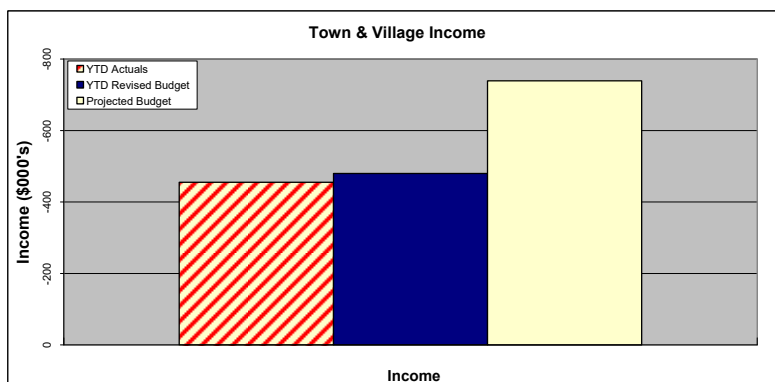
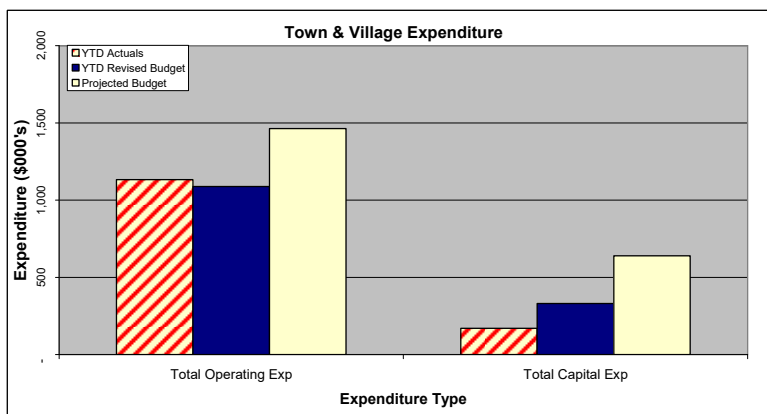
* Net Cost Funded By Rates



TOWN & VILLAGE

STRATEGY Town & Village			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	566	589	787
Other Employee Costs	226	236	315
Materials and Contracts	136	82	104
Depreciation	44	44	59
Interest	0	0	0
Other Costs	161	137	198
Total Operating Exp	1,133	1,089	1,463
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	171	331	640
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	171	331	640
Income (Op & Cap)			
User Fees	(136)	(102)	(147)
Fees and Charges	(31)	(26)	(38)
Grant Transfers	(80)	(143)	(295)
Contributions	(201)	(206)	(251)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(8)	(3)	(8)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(455)	(480)	(739)
Transfers from Reserves	(182)	(222)	(382)
Transfers to Reserves	299	270	375
Net Cost* / (Income)	966	988	1,357

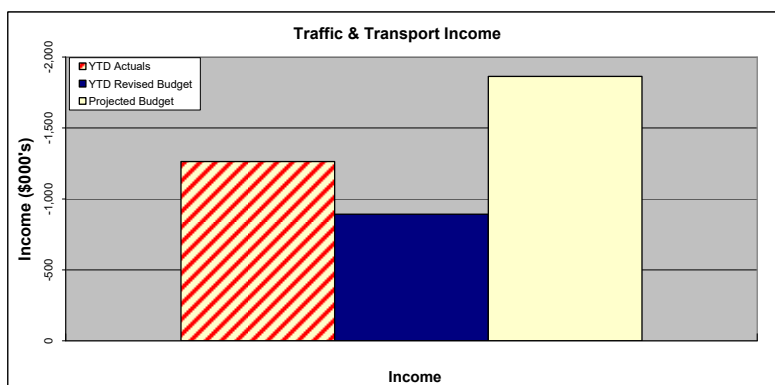
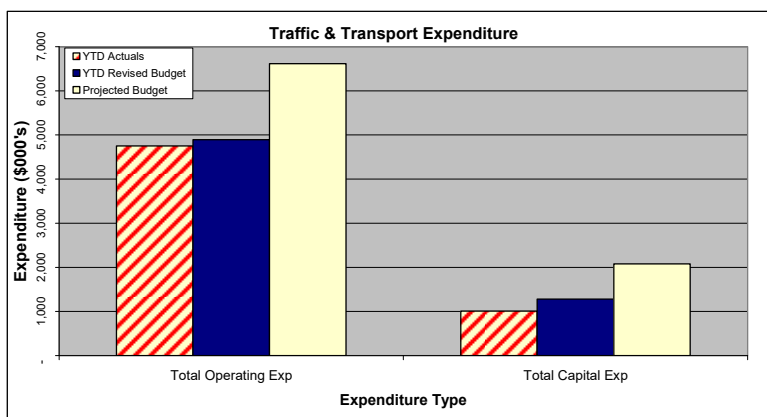
* Net Cost Funded By Rates



TRAFFIC & TRANSPORT

STRATEGY Transport & Traffic			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	763	910	1,214
Other Employee Costs	312	373	498
Materials and Contracts	269	267	384
Depreciation	2,945	2,944	3,927
Interest	0	0	0
Other Costs	462	399	593
Total Operating Exp	4,753	4,892	6,615
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	1,007	1,281	2,081
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	1,007	1,281	2,081
Income (Op & Cap)			
User Fees	(82)	(73)	(86)
Fees and Charges	(154)	(132)	(188)
Grant Transfers	(308)	(364)	(773)
Contributions	(711)	(320)	(810)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(8)	(2)	(9)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(1,263)	(892)	(1,865)
Transfers from Reserves	(4,429)	(4,780)	(6,480)
Transfers to Reserves	531	179	675
Net Cost* / (Income)	600	680	1,027

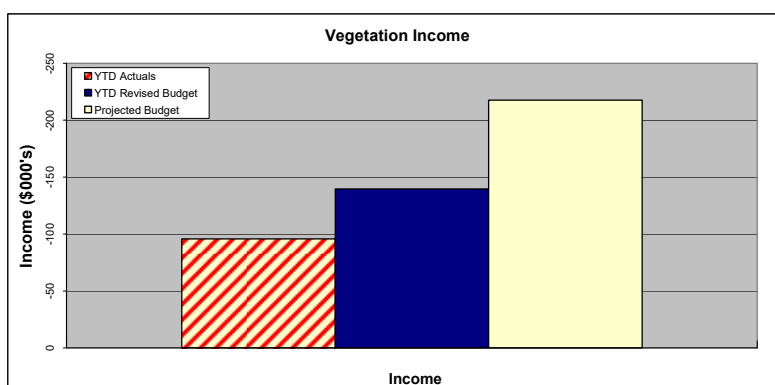
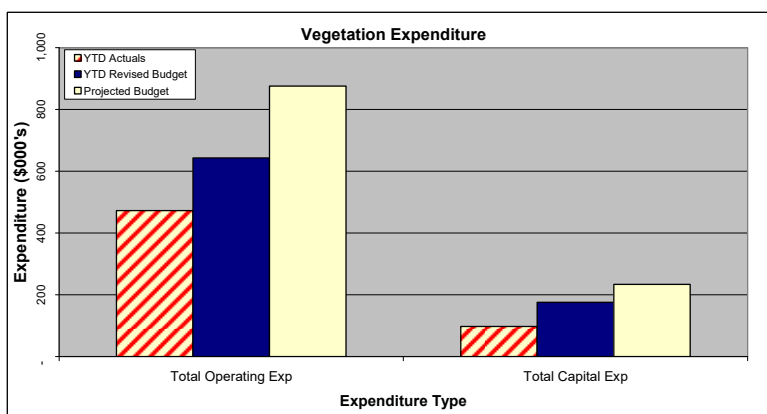
* Net Cost Funded By Rates



VEGETATION

STRATEGY Vegetation			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	151	192	256
Other Employee Costs	60	73	98
Materials and Contracts	240	358	495
Depreciation	0	0	0
Interest	0	0	0
Other Costs	21	20	27
Total Operating Exp	473	643	876
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	98	176	234
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	98	176	234
Income (Op & Cap)			
User Fees	(0)	0	0
Fees and Charges	(6)	(6)	(8)
Grant Transfers	(79)	(126)	(200)
Contributions	(11)	(8)	(10)
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
Total Income (Op & Cap)	(96)	(140)	(218)
Transfers from Reserves	(136)	(235)	(281)
Transfers to Reserves	3	2	4
Net Cost* / (Income)	342	445	614

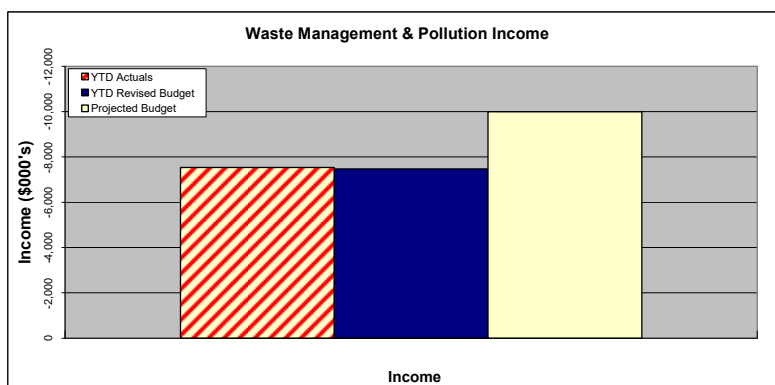
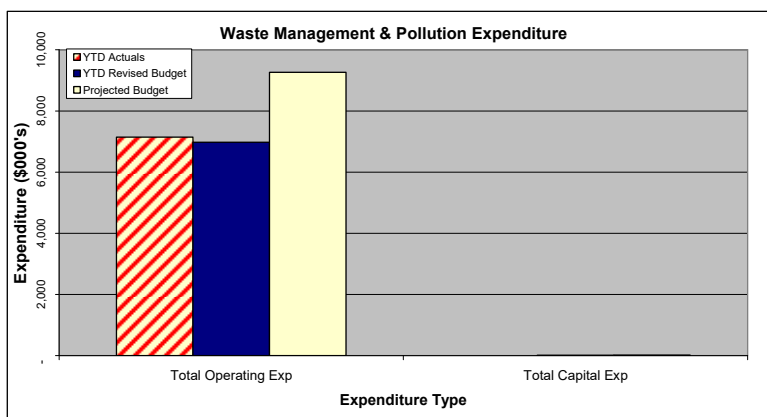
* Net Cost Funded By Rates



WASTE MANAGEMENT & POLLUTION CONTROL

STRATEGY Waste Management & Pollution Control			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	442	382	507
Other Employee Costs	137	124	164
Materials and Contracts	3,676	3,766	5,023
Depreciation	3	3	4
Interest	0	0	0
Other Costs	2,886	2,702	3,561
Total Operating Exp	7,144	6,976	9,259
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	0	9	14
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	0	9	14
Income (Op & Cap)			
User Fees	(0)	(0)	(0)
Fees and Charges	(108)	(92)	(123)
Grant Transfers	(0)	0	(15)
Contributions	(2)	0	(2)
Rates Income	0	0	0
Domestic Waste Charge	(7,421)	(7,384)	(9,849)
Return on Investments & Other I	0	0	0
Other Income	(3)	0	(2)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(7,534)	(7,476)	(9,991)
Transfers from Reserves	(0)	(9)	(9)
Transfers to Reserves	8	0	506
Net Cost* / (Income)	(382)	(500)	(221)

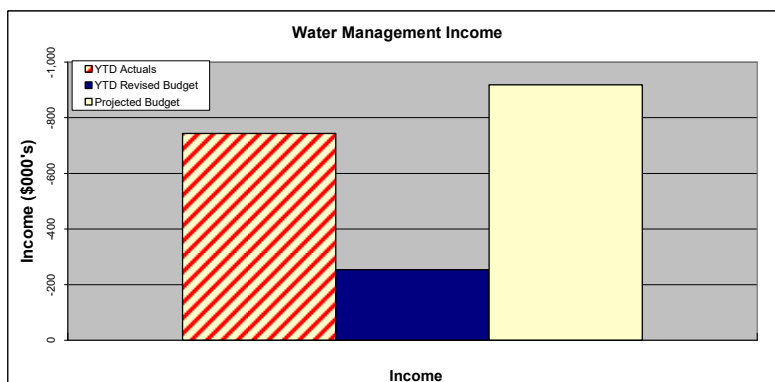
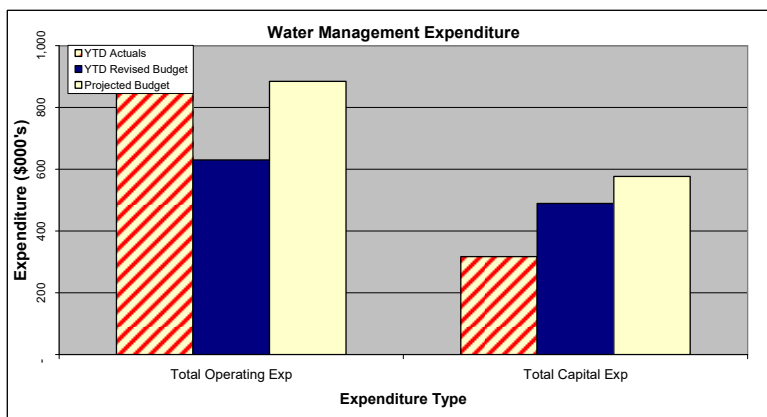
* Net Cost Funded By Rates



WATER MANAGEMENT

STRATEGY Water Management			
Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	391	266	351
Other Employee Costs	139	89	117
Materials and Contracts	78	51	90
Depreciation	27	27	36
Interest	0	0	0
Other Costs	219	197	291
Total Operating Exp	853	630	884
Capital Expenditure			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	317	489	577
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
Total Capital Exp	317	489	577
Income (Op & Cap)			
User Fees	(12)	(35)	(46)
Fees and Charges	(149)	(145)	(193)
Grant Transfers	(12)	(30)	(86)
Contributions	(565)	(44)	(588)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(5)	0	(5)
Capital Assets Disposals	0	0	0
Total Income (Op & Cap)	(743)	(254)	(918)
Transfers from Reserves	(291)	(489)	(571)
Transfers to Reserves	2	44	588
Net Cost* / (Income)	137	421	560

* Net Cost Funded By Rates



4.0 EXECUTIVE SUMMARY

4.1 In providing the Council with the financial results for the period ending 31 March 2011 the following information should be noted:

- The Projected Consolidated financial result for the year ending 30 June 2011 is an increase on Council funds of \$62,000. Compared to the previously adopted budget of \$79,000 this amounts to a decrease of \$17,000.
- The Projected Operating result before capital for the year ending 30 June 2011 is a surplus of \$174,000. Compared to the previously adopted budget of \$160,000 surplus this amounts to a increase of \$14,000.
- The Major Projects Program budget stands at \$8.145 million for 2010/11. Compared to the previously adopted budget figure of \$8.526 million this amounts to a decrease of \$381,000.
- The Projected cash and investment position at 30 June 2011 is \$22.300 million. Compared to the previously adopted budget figure of \$20.629 million this amounts to a increase of \$1.671 million.

RECOMMENDATION

1. That the financial results for the period ending 31 March 2011 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

C10.2 Investment Balances for the Month of April 2011

Meeting: Governance Committee

Date: 16 May 2011

STRATEGY: Business Management

ACTION: To Provide Effective Investment of Council's Funds

PURPOSE OF REPORT

To advise on the status of Council's Investment Balances for the Month of April 2011

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 RETURNS

Investment return for the month of April 2011:

Term deposits interest income:	\$	128,342
Tradable CDO/FRN interest income:	\$	0
Tradable CDO/FRN capital movement:	\$	<u>7,836</u>
Net investment income for the month of April 2011	\$	136,178

YEAR TO DATE RETURN

Investment return year to date April 2011.

Term deposits interest income:	\$	1,192,900
Tradable CDO/FRN interest income:	\$	107,456
Tradable CDO/FRN capital movement:	\$	<u>(17,478)</u>
Net investment return year to date:	\$	1,282,878
Projected investment return budget for financial year.	\$	1,200,000

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

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

Year to	Net Return	Return on average funds invested
June 2007	\$1,221,246	6.6%
June 2008	\$ 594,815	2.3%
June 2009	\$ 534,575	2.4%
June 2010	\$1,364,315	6.1%
April 2011	\$1,282,878	5.9%
Projected Budget	\$1,200,000	5.5%

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

RESPONSIBLE ACCOUNTING OFFICER CERTIFICATION

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 with Council's Investment Policy (No 143).

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

3.1.1 The Report will have no impact on this strategy

3.2 Valuing & Caring for our Natural Environment (Environmental)

3.2.1 The Report will have no impact on this strategy

3.3 Enhancing our Working & Learning (Economic)

3.3.1 The Report will have no impact on this strategy

3.4 Leading an Effective & Collaborative Council (Governance)

3.4.1 The Report will have no impact on this strategy

3.5 Integrating our Built Environment (Infrastructure)

3.5.1 The Report will have no impact on this strategy

4.0 EXECUTIVE SUMMARY

4.1 The net investment return as at 30 April 2011 is a gain of \$ 1,282,878.

RECOMMENDATION

That the information provided in the report be noted, including the year to date (April) net investment return of \$ 1,282,878.

Report prepared by
David Miller, Project Accountant

Christy Ratnakumar
ACTING CHIEF FINANCIAL OFFICER



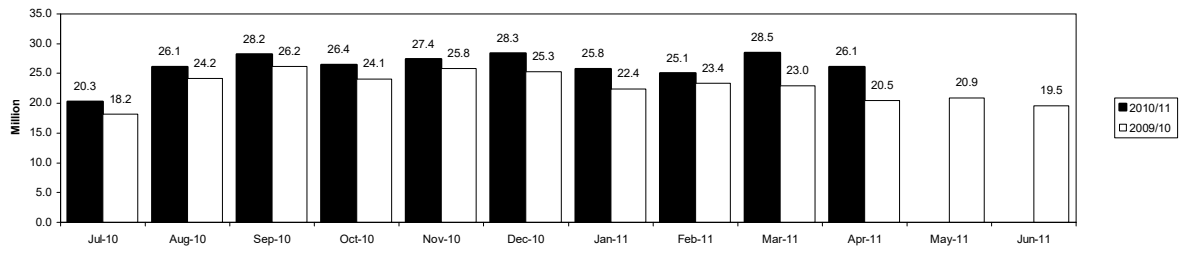
PITTWATER COUNCIL

INVESTMENT BALANCES

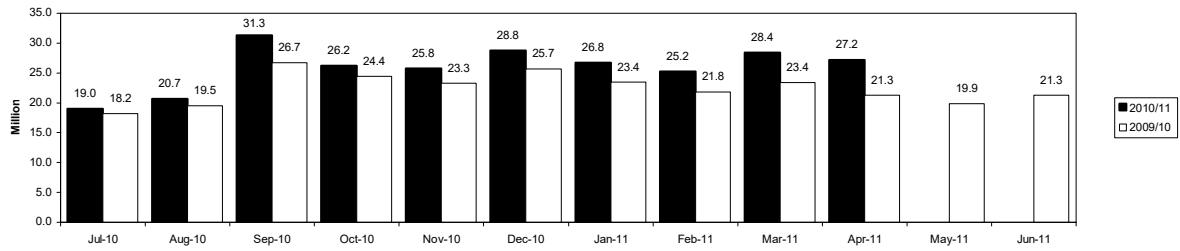
As at 30th April 2011

TYPE	INSTITUTION	Rating	AMOUNT \$	DATE INVESTED	MATURITY DATE	TERM (DAYS)	INTEREST RATE
At Call	CBA	AA	25,000.00	At Call	At Call	1	4.70%
At Call Total			25,000.00				
Term Dep	IMB Society	BBB	1,000,000.00	22-Nov-10	23-May-11	182	6.20%
Term Dep	IMB Society	BBB	1,000,000.00	10-Jan-11	11-Jul-11	182	6.20%
Term Dep	IMB Society	BBB	1,000,000.00	15-Feb-11	16-Aug-11	182	6.10%
Term Dep	IMB Society	BBB	1,000,000.00	2-Mar-11	29-Aug-11	180	6.10%
Term Dep	IMB Society	BBB	750,000.00	28-Jan-11	30-Jan-12	367	6.30%
Investee Total			4,750,000.00				
Term Dep	Metway	A+	1,000,000.00	3-Nov-10	2-May-11	180	6.02%
Term Dep	Metway	A+	1,000,000.00	1-Dec-10	30-May-11	180	6.12%
Term Dep	Metway	A+	1,000,000.00	2-Dec-10	31-May-11	180	6.12%
Term Dep	Metway	A+	1,000,000.00	11-Apr-11	11-Jul-11	91	5.85%
Term Dep	Metway	A+	1,000,000.00	3-Feb-11	3-Aug-11	181	6.03%
Investee Total			5,000,000.00				
Term Dep	Bankwest	AA	1,000,000.00	21-Feb-11	21-Jun-11	120	5.85%
Term Dep	Bankwest	AA	1,000,000.00	10-Feb-11	9-Aug-11	180	5.95%
Term Dep	Bankwest	AA	1,000,000.00	28-Feb-11	28-Feb-12	365	6.05%
Term Dep	Bankwest	AA	1,000,000.00	16-Mar-11	15-Mar-12	365	5.95%
Investee Total			4,000,000.00				
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	24-Aug-10	23-May-11	272	6.10%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	16-Nov-10	15-Aug-11	272	6.10%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	2-Dec-10	29-Aug-11	270	6.15%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	4-Apr-11	4-Oct-11	183	6.00%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	1-Dec-10	1-Dec-11	365	6.25%
Investee Total			5,000,000.00				
Term Dep	ING Bank	A+	1,000,000.00	30-Nov-10	30-May-11	181	6.15%
Term Dep	ING Bank	A+	1,000,000.00	14-Sep-10	14-Sep-11	365	6.08%
Term Dep	ING Bank	A+	1,000,000.00	3-Feb-11	3-Feb-12	365	6.17%
Term Dep	ING Bank	A+	1,000,000.00	1-Mar-11	1-Mar-12	366	6.45%
Investee Total			4,000,000.00				
Term Dep	CBA	AA	750,000.00	1-Apr-11	2-May-11	31	5.30%
Term Dep	CBA	AA	1,000,000.00	4-Apr-11	4-May-11	30	5.30%
Investee Total			1,750,000.00				
Longreach Capital Markets							
Portfolio Manager							
Structured Note	Citigroup (see investment information)	A+	500,000.00	28-Jun-07	28-Jun-14		0.00%
Investee Total			500,000.00				
Floating Rate Note	HSBC	AA	501,100.00	06-Feb-07	22-Sep-11		bbsw + 0.28%
	<i>* Arranging Institution</i>						
Floating Rate CDO	* Lehman Bros	under review	130,000.00	07-Apr-08	20-Mar-13		suspended
Floating Rate CDO	* J P Morgan	CCC-	2,734.00	06-Jul-06	20-Jun-13		bbsw + 1.20%
Floating Rate CDO	* J P Morgan	CCC	163,200.00	13-Oct-05	20-Mar-14		bbsw + 1.00%
Floating Rate CDO	* Merrill Lynch	CCC-	17,172.00	25-Feb-07	23-Jun-14		bbsw + 1.30%
Floating Rate CDO	* Lehman Bros	under review	180,000.00	20-Mar-07	20-Sep-14		suspended
Floating Rate CDO	* Morgan Stanley	CCC-	52,335.00	15-Aug-06	20-Jun-15		bbsw + 2.00%
Investee Total			1,046,541.00				
							April bbsw close
							4.92%
TOTAL INVESTMENTS			\$26,071,541.00				

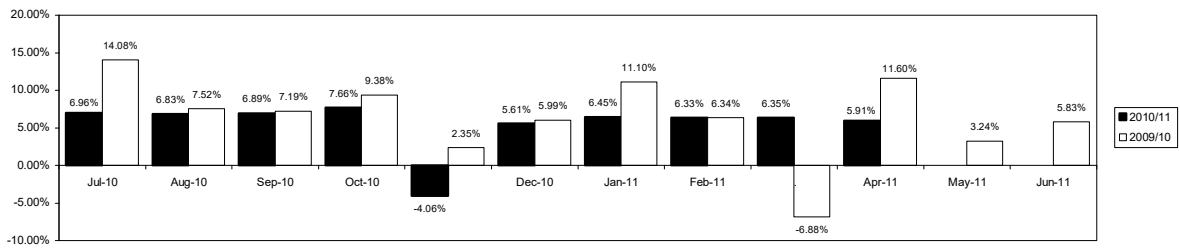
Investments On Hand - Month End



Average Investments Held

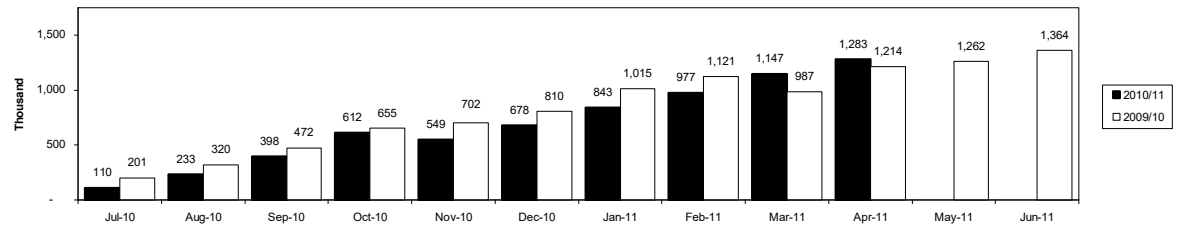


Average Rate of Return

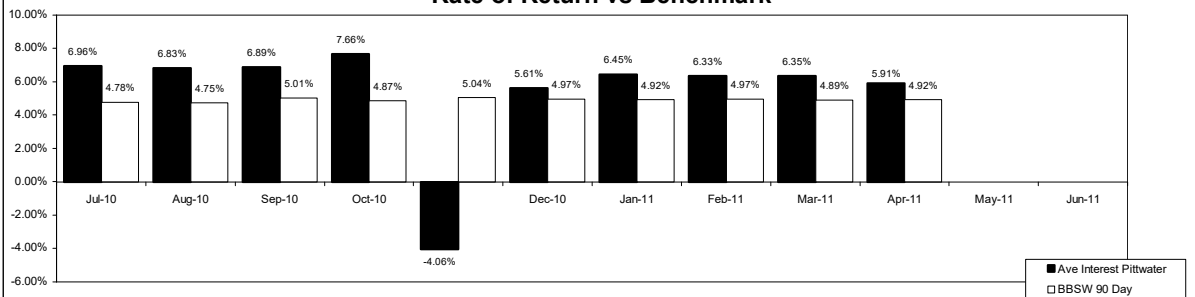


Total Return Y.T.D.

Budget 1,080



Rate of Return vs Benchmark



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.

A **Bank Bill** is a short term investment issued by a bank representing its promise to pay a specific sum to the bearer on settlement. The amount payable to Council at maturity is the face value which represents the purchase price and interest earned.

A **Floating Rate Note** is a longer term investment issued by a financial institution with a variable interest rate. The adjustments to the interest rate are usually made every three months and are tied to a certain money-market index such as the BBSW.

A **Floating Rate CDO** or Collateralised Debt Obligation is an investment backed by a diversified pool of one or more classes of debt. These investments are for longer terms and offer a higher rate of interest. Credit Ratings are assigned to these investments as detailed in the investment balances listing.

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.

Note: Council's Longreach structure product is shown at face value, as required by international accounting standards as it was purchased on a hold to maturity basis, unlike Council's CDOs within the ex - Lehman Bros portfolio that are considered tradable.

Current market value of this structure product is: - Longreach Structured Note \$442,155

C10.3	Legal Expenditure as at 30 April 2011
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Date: 16 May 2011

STRATEGY: Business Management

ACTION: To produce monthly, quarterly and annual budgets and statements

PURPOSE OF REPORT

To advise on the status of Council's Legal Expenditure for the period ending 30 April 2011.

1.0 BACKGROUND

- 1.1 In providing Council with an accurate picture of Pittwater's Legal Expenditure, current data and a graphical representation of Council's Legal Expenditure are presented (**see Attachment 1**).

2.0 ISSUES

- | | | |
|-----|--|--------------|
| 2.1 | Gross Annual Legal Budget for 2010/11: | \$ 1,120,000 |
|-----|--|--------------|

Gross Legal Expenditure Breakdown:

- Total Solicitor Fees at 30/4/11: \$ 577,544
- Total Other Associated Expenditure at 30/4/11: \$ 327,283

Total Gross Legal Expenditure at 30/4/11: \$ 904,827

Year to Date Budget for Legal Expenses at 30/4/11: \$ 932,960

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

- ### 3.1.1 The Report will have no impact on this strategy

3.2 Valuing & Caring for our Natural Environment (Environmental)

- ### 3.2.1 The Report will have no impact on this strategy

3.3 Enhancing our Working & Learning (Economic)

- ### 3.3.1 The Report will have no impact on this strategy

3.4 Leading an Effective & Collaborative Council (Governance)

- #### 3.4.1 The Report will have no impact on this strategy

3.5 Integrating our Built Environment (Infrastructure)

- ### 3.5.1 The Report will have no impact on this strategy

4.0 EXECUTIVE SUMMARY

- 4.1 The Gross Legal Expenditure to 30 April 2011 is \$ 904,827 which is lower than the Year to Date Budget for 2010/11.

RECOMMENDATION

That the information provided in the report be noted.

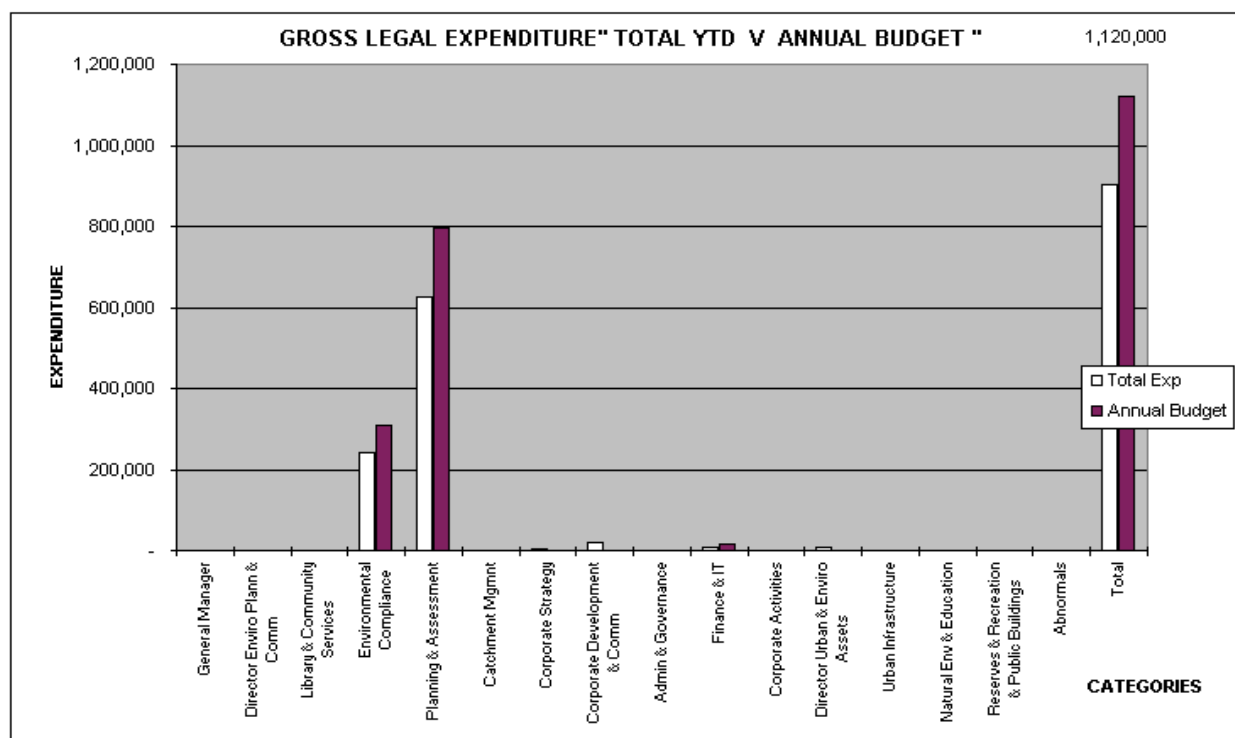
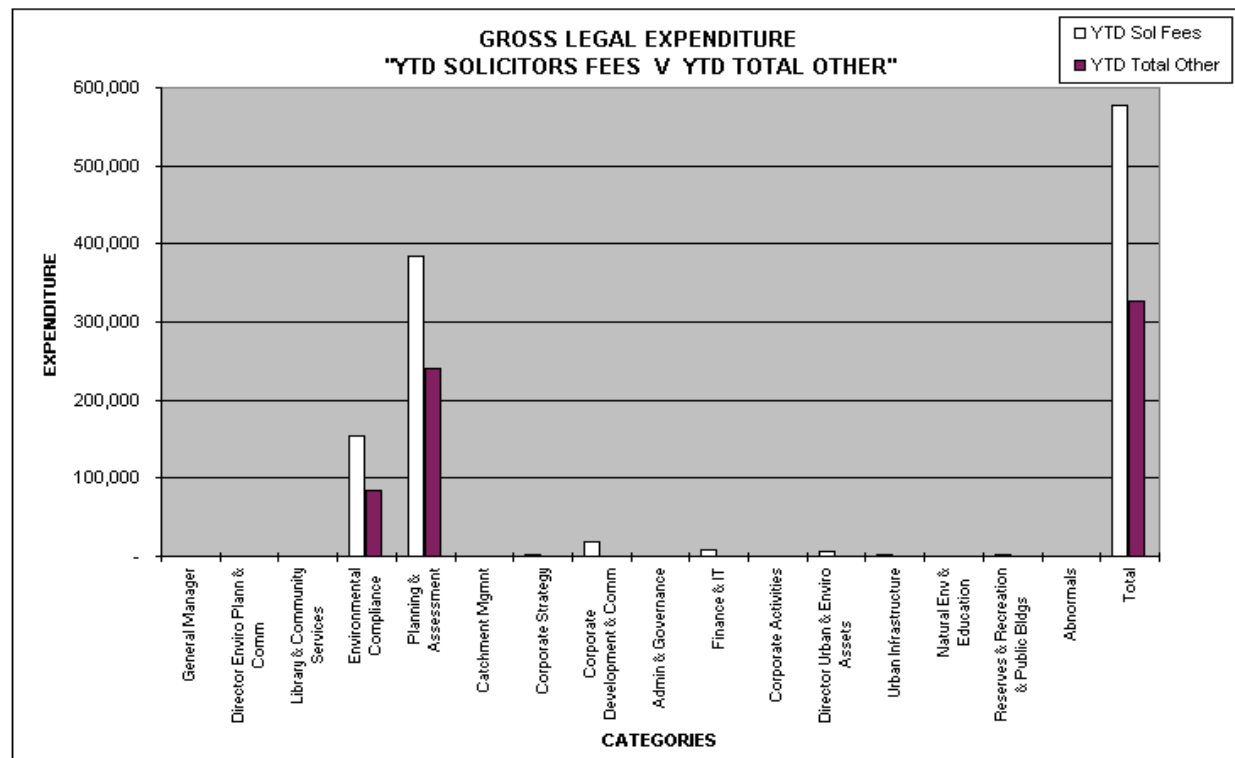
Report prepared by
Renae Wilde, Senior Project Accountant

Mark Jones
CHIEF FINANCIAL OFFICER

LEGAL EXPENDITURE TOTALS AND GRAPHICAL REPRESENTATION

as at 30th April 2011

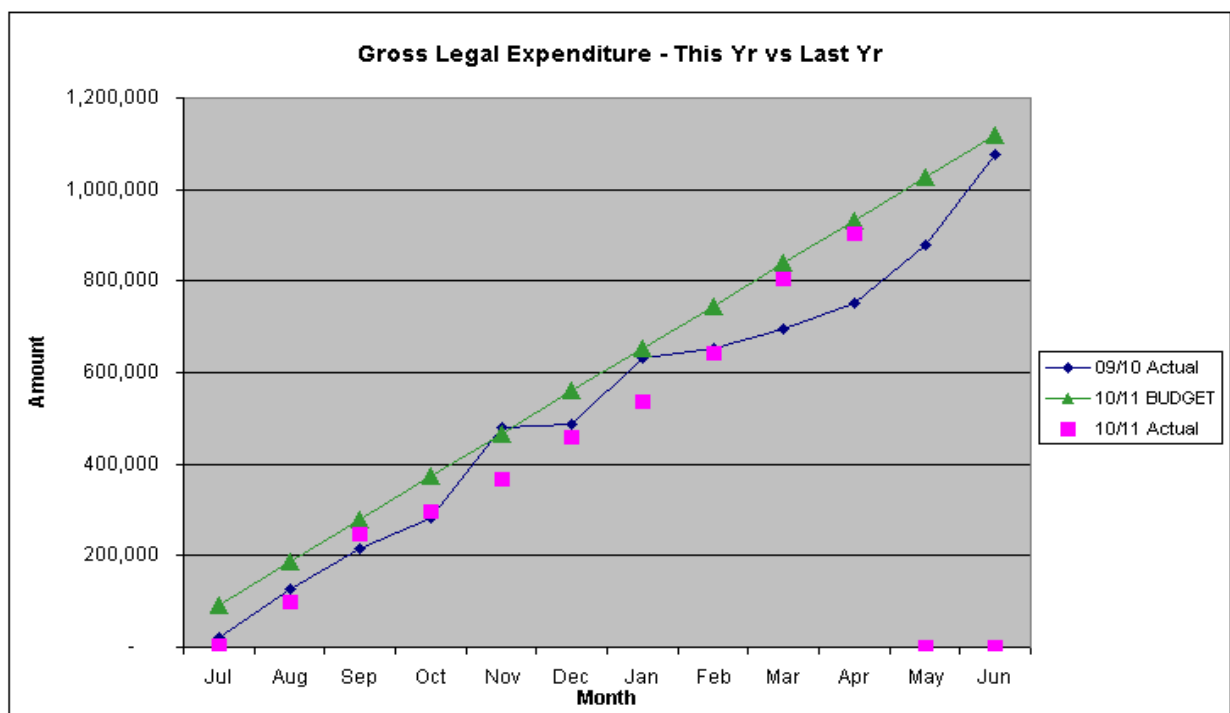
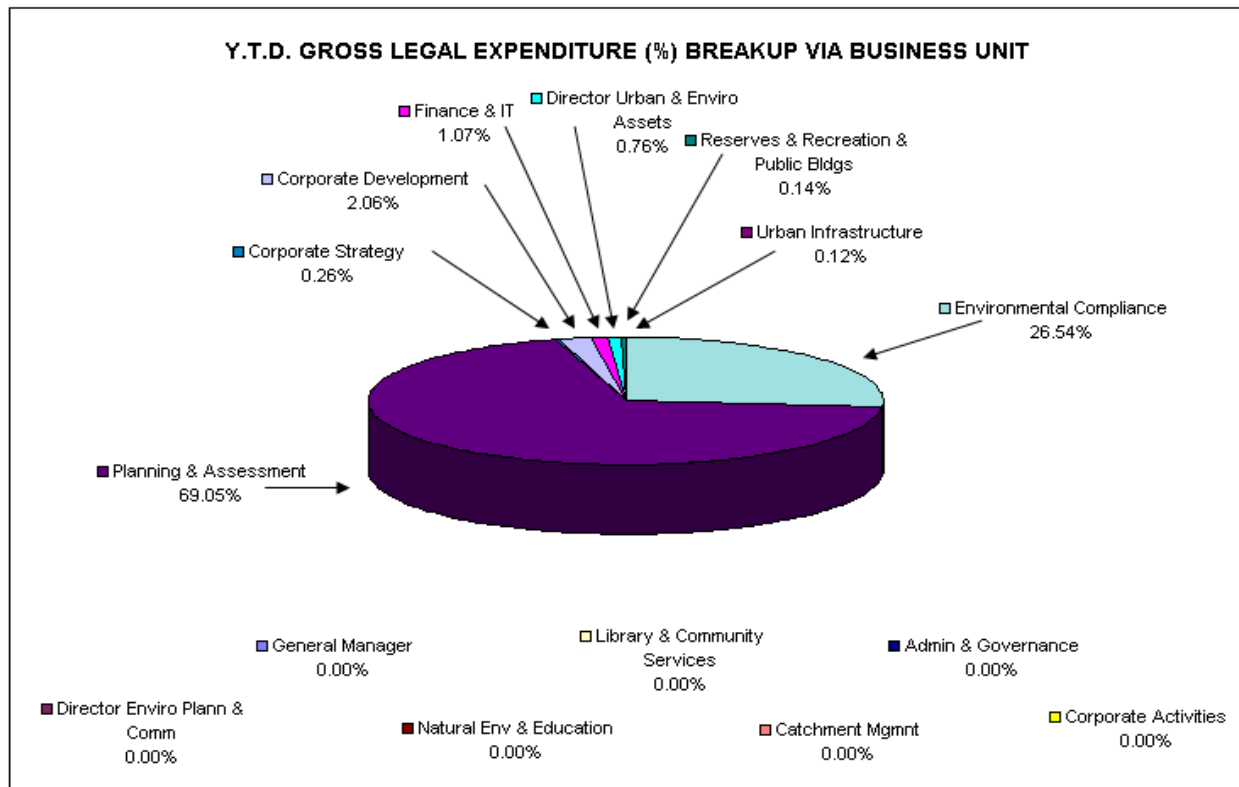
Solicitors Other Expenditure	Solicitors Fees Expenditure	Third Party Expenditure	Total Expenditure	Current Year Budget	Current Year Inc/Recov/Reversal
61,220	577,544	266,064	904,827	1,120,000	183,205



LEGAL EXPENDITURE **TOTALS AND GRAPHICAL REPRESENTATION**

as at 30th April 2011

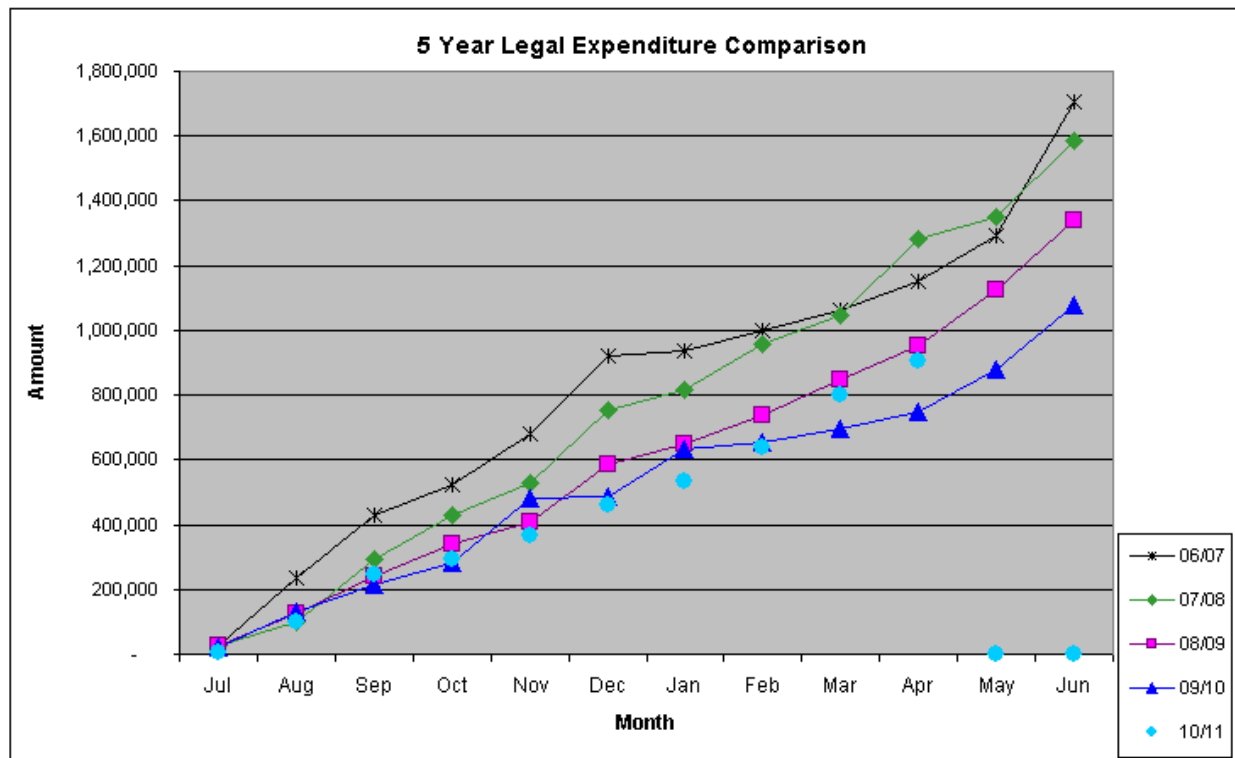
Solicitors Other Expenditure	Solicitors Fees Expenditure	Third Party Expenditure	Total Expenditure	Current Year Budget	Current Year Inc/Recov/Reversal
61,220	577,544	266,064	904,827	1,120,000	183,205



LEGAL EXPENDITURE **TOTALS AND GRAPHICAL REPRESENTATION**

as at 30th April 2011

Solicitors Other Expenditure	Solicitors Fees Expenditure	Third Party Expenditure	Total Expenditure	Current Year Budget	Current Year Inc/Recov/Reversal
61,220	577,544	266,064	904,827	1,120,000	183,205



Top Ten Legal Matters by 2010/11 Expenditure

Property	Description	2010/11 Expenditure	Prior years Expenditure	Expenditure Life to Date All Years
23B MacPherson Street Warriewood	Refusal	\$ 139,551	\$ 46,152	\$ 185,703
1858 Pittwater Road Church Point	Modification to Court Consent	\$ 101,505	\$ -	\$ 101,505
1A Currawong Beach Currawong Beach	Currawong Development	\$ 89,062	\$ 6,552	\$ 95,614
232 / 234 Barrenjoey Road Newport	Deemed Refusal	\$ 57,737	\$ -	\$ 57,737
14 - 18 Boondah Road Warriewood	Refusal	\$ 57,018	\$ 29,328	\$ 86,346
263 Whale Beach Road Whale Beach	Non-Compliant Pool Fence	\$ 54,543	\$ 7,060	\$ 61,603
6 - 7 Careel Head Road Avalon	Building Site Works	\$ 54,404	\$ -	\$ 54,404
14A Prince Alfred Parade Newport	Deemed Refusal	\$ 48,027	\$ -	\$ 48,027
9 - 11 Beaconsfield Street Newport	Deemed Refusal	\$ 38,909	\$ -	\$ 38,909
52 Annam Road Bayview	Unauthorised Works	\$ 21,075	\$ -	\$ 21,075
		\$ 661,830	\$ 89,092	\$ 750,922

C10.4 Monthly Contractors and Staff Report - March 2011

Meeting: Governance Committee

Date: 16 May 2011

Strategy: Business Management

Action: Produce monthly, quarterly and annual budgets and statements

PURPOSE OF REPORT

To report on new staff appointments and contract engagements for the month of March 2011.

1.0 BACKGROUND

On 7 September 2009 Council resolved:

*“In light of the current economic crisis and financial constraints of Council,
Council resume the monthly reporting of all staff and contractor appointments.”*

Accordingly, a monthly report in respect of all new appointments of staff and engagement of new contractors is submitted to Council.

In order to gain a more precise and meaningful understanding of contractor engagements on a month by month basis, all Monthly Contractors and Staff Reports will list new staff appointments and terminations and contractor engagements for each month that exceed \$2,000 and or are ongoing for greater than one month.

2.0 ISSUES

The information at **Attachment 1** of this Report has been provided by the Business Unit Managers and is broken into the following sub-sections:

- Appointment of Council staff
- Termination of Council Staff
- Contracts (greater than \$2,000 and or are ongoing for greater than one month)

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

3.1.1 The Report will have no impact on this strategy

3.2 Valuing & Caring for our Natural Environment (Environmental)

3.2.1 The Report will have no impact on this strategy

3.3 Enhancing our Working & Learning (Economic)

3.3.1 The Report will have no impact on this strategy

3.4 **Leading an effective & Collaborative Council (Governance)**

3.4.1 The Report will have no impact on this strategy

3.5 **Integrating our Built environment (Infrastructure)**

3.5.1 The Report will have no impact on this strategy

4.0 EXECUTIVE SUMMARY

The movements of Council staff for the month of March 2011 are as follows:

- 4 appointments that refill existing vacancies
- 2 terminations

A summary of new contractor engagements are outlined in **Attachment 1** of this Report.

RECOMMENDATION

1. That the information provided on the engagement of new contracts for the month of March 2011 as provided by the Business Unit Managers at **Attachment 1** be noted.
2. That the terminations and appointments of staff during March 2011 be noted.

Report prepared by

Mark Jones
CHIEF FINANCIAL OFFICER

Appointments of Council Staff in March 2011

Business Unit	Position	Status (PFT,TFT,PPT,TPT, Secondment)	Start Date	Finish Date	Reason for Appointment
RR&BS	Bushland Management Officer	PFT	7/03/2011	N/A	Recruitment Vacancy
P&A	Strategic Planning Support Officer	PFT	18/03/2011	N/A	Recruitment Vacancy
RR&BS	Reserves Cleansing Labourer	PFT	21/03/2011	N/A	Recruitment Vacancy
P&A	Planner – Development	PFT	28/03/2011	N/A	Recruitment Vacancy

Terminations of Council Staff in March 2011

Business Unit	Position	Status (PFT,TFT,PPT,TPT Secondment)	Start Date	Finish Date
EC	Trainee Ranger	PFT	7/06/2010	11/03/2011
CL&ED	Team Leader – WWCC	PFT	8/09/2010	23/03/2011

Contract Engagements

Division/Unit	Name of Approved Consultant/Contract or/ Agency	Position Type of Work	Terms of Engagement	Cost to Council	Term
Reserves, Recreation & Building Services	Uretek Pty Ltd	Treatment to concrete footings & stairs Ted Blackwood Hall	Contract Agreement	\$4,779	1 Month
Reserves, Recreation & Building Services	Ant-Eater Pest Control Services	Pest treatment – Various locations	Contract Agreement	\$4,763	1 Month
Reserves, Recreation & Building Services	Wormald	Portable fire equipment testing – Various locations	Contract Agreement	\$5,792	6 Months
Reserves, Recreation & Building Services	Northern Fencing	Temporary fencing to Newport beach playground	Contract Agreement	\$9,956	1 Month

Division/Unit	Name of Approved Consultant/Contract or/ Agency	Position Type of Work	Terms of Engagement	Cost to Council	Term
Reserves, Recreation & Building Services	Innuku Electrical Services	Electrical Works – Various locations	Contract Agreement	\$2,253	1 Month
Reserves, Recreation & Building Services	Beaver Airconditioning	Maintenance to Mona Vale Admin and Library airconditioners	Contract Agreement	\$2,499	1 Month
Reserves, Recreation & Building Services	Coular Mate Pty	Painting Mona Vale SLSC/Pittwater Rugby Park	Contract Agreement	\$19,200	1 Month
Reserves, Recreation & Building Services	Marsupial Landscapes	Narrabeen Creek maintenance for April	Contract Agreement	\$5,615	1 Month
Reserves, Recreation & Building Services	Spring Horticulture	Mona Vale Cemetery – planting & soilworks	Contract Agreement Panel of hires	\$3,500	1 Month
Reserves, Recreation & Building Services	Playrope P/L	Governor Phillip Park – install & supply play equipment	Contract Agreement	\$16,626	1 Month
Reserves, Recreation & Building Services	LPD Electrical	Church Point Carpark - install pedestrian lights	Contract Agreement	\$5,000	1 Month
Reserves, Recreation & Building Services	Toolijoa Landscapes	March maintenance of Fern Creek	Contract Agreement	\$3,485	1 Month
Reserves, Recreation & Building Services	Sydney Bush Regeneration Company	Bush regeneration maintenance works Ingleside Escarpment	Contract Agreement	\$20,000	4 Months
Reserves, Recreation & Building Services	Australian Environmental Services	Aquatic Weed control Nareen Wetlands	Contract Agreement	\$3,038	1 Month
Reserves, Recreation & Building Services	Sydney Bush Regeneration Company	Mullet Creek	Contract Agreement	\$3,324	1 Month

Division/Unit	Name of Approved Consultant/Contract or/ Agency	Position Type of Work	Terms of Engagement	Cost to Council	Term
Reserves, Recreation & Building Services	Big Picture Bush Regeneration Company	Angophora Reserve Hazard Reduction contract	Contract Agreement	\$8,000	4 Months
Reserves, Recreation & Building Services	Australian Environmental Services	Noxious and Aquatic Weed Control Nareen Wetlands	Contract Agreement	\$10,000	4 Months
Reserves, Recreation & Building Services	Australian Bushland Restoration	Nareen Creek Urban Sustainability Project	Contract Agreement	\$2,812	1 Month
Reserves, Recreation & Building Services	Tooljooa Bush Regeneration	Deep Creek Fire Mitigation Funding Works	Contract Agreement	\$9,500	4 Months
Reserves, Recreation & Building Services	Sydney Bush Regeneration Company	Bilarong – Deep Creek foreshore bush regen contract	Contract Agreement	\$5,000	4 Months
Reserves, Recreation & Building Services	Toolijooa Bush Regeneration	Deep Creek Urban Sustainability maintenance	Contract Agreement	\$7,000	4 Months
Reserves, Recreation & Building Services	Australian Bushland Restoration	Elanora Road; Kundibah Reserve and Eungai Sites Urban Sustainability maintenance	Contract Agreement	\$12,000	4 Months
Reserves, Recreation & Building Services	Australian Bushland Restoration	Nareen and Narroy Park maintenance bush regeneration	Contract Agreement	\$12,089	4 Months
Reserves, Recreation & Building Services	Plateau Tree Services	Tree Work	Contract Agreement	\$9,306	1 Month
Reserves, Recreation & Building Services	AUTS	Tree Work	Contract Agreement	\$13,327	1 Month
Reserves, Recreation & Building Services	ATS	Tree Work	Contract Agreement	\$10,131	1 Month

Division/Unit	Name of Approved Consultant/Contract or/ Agency	Position Type of Work	Terms of Engagement	Cost to Council	Term
Reserves, Recreation & Building Services	Advanced Arbor	Tree Work	Contract Agreement	\$3,303	1 Month
Reserves, Recreation & Building Services	Dragonfly Environmental	Bush regeneration & Noxious aquatic weed control	Contract Agreement	\$6,000	2 months
Reserves, Recreation & Building Services	Spring Horticultural Services	Landscape maintenance Winnererremy Bay	Contract Agreement	\$4,355	1 Month
Urban Infrastructure	Barrie Bree	Kerb & guttering and concrete restoration – damage caused by Sydney Water at 78 Herbert Avenue, Newport	Contact Agreement	\$2,345	1 Month
Urban Infrastructure	Kembla Watertech Pty Ltd	CCTV inspection and report for Belinda Crescent & Birubi Place, Newport	Contract Agreement	\$3,432	1 Month
Urban Infrastructure	Veolia Water Network Services	Pipeline rehabilitation in Wandeen Road, Clareville	Contract Agreement	\$19,800	1 Month
Urban Infrastructure	Veolia Water Network Services	Pipeline rehabilitation in Cooida Place & Lower Plateau Road, Bilgola Plateau	Contract Agreement	\$17,842	1 Month
Urban Infrastructure	Veolia Water Network Services	Pipeline rehabilitation with Combination Unit and 2 Operators - in at various locations in Avalon	Contract Agreement	\$12,276	1 Month

Division/Unit	Name of Approved Consultant/Contract or/ Agency	Position Type of Work	Terms of Engagement	Cost to Council	Term
Urban Infrastructure	Active Tree Services	Tree maintenance in Crescent Road & Beaconsfield Street, Newport.	Contract Agreement	\$3,690	1 Month
Urban Infrastructure	A&J Paving	Asphaltic concrete road restorations (heavy patching) in Irrawong Road, North Narrabeen	Contract Agreement	\$21,483	1 Month
Urban Infrastructure	Downer EDI	Pavement re-sheet Old Barrenjoey Road, Avalon – mill/ fill “Roads to Recovery”.	Contract Agreement	\$133,641	1 Month
Urban Infrastructure	Palm Beach Barges	Barge hire for 3 days to transport vehicles and material to and from Mackerel Beach	Contract Agreement	\$5,687	1 Month
Urban Infrastructure	KK Civil Engineering	Footpath and kerb & gutters in Grenfell Avenue, North Narrabeen.	Contract Agreement	\$20,005	1 Month
Urban Infrastructure	J & B Murphy Pty Ltd	Hire of 5-tonne Excavator for various locations	Contract Agreement	\$6,543	1 Month
Urban Infrastructure	Bell Environmental Services	Monthly GPT cleaning for September 2010 and February 2011- including disposal. Additional clean on 21/2/11, at various Pittwater LGA locations	Contract Agreement	\$6,039	1 Month

Division/Unit	Name of Approved Consultant/Contract or/ Agency	Position Type of Work	Terms of Engagement	Cost to Council	Term
Urban Infrastructure	Bell Environmental Services	Clean GPT's as per schedule, clean trash racks and litter boom and disposal - as per monthly schedule, at various Pittwater LGA locations	Contract Agreement	\$13,454	1 Month
Urban Infrastructure	Leonard Holt Robb	Advertising for Traffic Engineer's position	Contract Agreement	\$2,576	1 Month
Urban Infrastructure	Ray Dowsett Traffic Transport Planning Pty Ltd.	Traffic investigation reports for: Ocean Road & Barrenjoey Road, Palm Beach	Contract Agreement	\$5,170	1 Month
Urban Infrastructure	Sydney Traffic Services	Line marking and sign posting services in Taiyul Road, Waratah Street, Irrawong Road and Grenfell Avenue.	Contract Agreement	\$2,712	1 Month
Urban Infrastructure	Sewer Services	CCTV inspection and reporting for Mullet Creek catchment	Contract Agreement	\$31,508	1 Month
Urban Infrastructure	S.M.E.C. Pavement Management System	SMEC consulting – data integration PMS	Contract Agreement	\$4,132	1 Month
Corporate Development	Tempnet	Casual Parking Officers – EC	Contract Agreement	\$26,423	1 Month
Corporate Development	Tempnet	Assistant Development Officers – P&A	Contract Agreement	\$21,468	1 Month
Corporate Development	Tempnet	CEC Educators – NE&E	Contract Agreement	\$26,548	1 Month

Division/Unit	Name of Approved Consultant/Contract or/ Agency	Position Type of Work	Terms of Engagement	Cost to Council	Term
Corporate Development	Tempnet	Noxious Weeds Officer – RR&BS	Contract Agreement	\$2,604	1 Month
Corporate Development	Tempnet	Floodplain Management Officer – CM&CC	Contract Agreement	\$7,259	1 Month
Corporate Development	Tempnet	Executive Assistant to Director – P&A	Contract Agreement	\$5,907	1 Month
Corporate Development	FP Leonard Advertising	Recruitment advertising	Contract Agreement	\$3,599	1 Month
Corporate Development	Performis	Traineeships – Certificate IV Customer Service	Contract Agreement	\$7,000	1 Year
Corporate Development	NSW Department of Education & Training	Traineeships - Certificate IV Record Keeping	Contract Agreement	\$3,200	1 Year
Corporate Development	Common Sense Management Consultancy	Construction Induction & Apply Traffic Control Plans Training	Contract Agreement	\$2,160	1 Month

C10.5	March 2011 Quarterly Management Report
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Meeting:	Governance Committee	Date	16 May 2011
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STRATEGY: **Business Management**

ACTION: Develop a structure/framework for integrated Corporate Planning

PURPOSE OF REPORT

To report on the 2010/2011 3rd Quarter (January - March) of the 2010-2014 Delivery Program & Budget.

1.0 BACKGROUND

- 1.1 Council is required to report each quarter on the progress of the 2010-2014 Delivery Program & Budget. This is the first quarterly report for the 2010/2011 financial year. Budget results per Key Direction and associated Strategies are all detailed in the **Financial Report for the Period Ending 31 March 2011 of the 2010/2011 Financial Year** that is presented elsewhere in this Agenda. The Quarterly Report has been circulated separately and will be formally tabled at the meeting.

2.0 ISSUES

2.1 Reporting on the 2010-2014 Delivery Program

This Quarterly Management Report provides an update as to the progress of the 391 actions that are contained in the 2010-2014 Delivery Program. For consistency the same format has been used for this report as in the Delivery Program.

The report is broken down by Council's 5 Key Directions and then by strategies and ultimately the operational actions. The report provides an update to each operational action as well as additional comments relating to the progress of the action.

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

The activities below all have a positive affect on community connectedness and continue to provide a variety of services across the community.

- Community Awards conducted as part of the Australia Day celebrations.
- Delivery of 2011 ArtZpace exhibition supported a group of 11 artists and was attended by 300 people, with approximately 2000 attending over the course of the show.
- 2 Citizenship ceremonies conducted and 99 citizens naturalised.
- A new long day care centre opened in Elanora Heights.
- Demand for After School Care has increased significantly this year with an average of 60 children attending per day. Vacation Care demand during the December – January period was high with 243 different children attending the service.

- Car parking scheme introduced at Church Point Reserve has been completed. Scheme for Woorak Reserve Stage One to commence in May. Playground at Governor Phillip Park has also been completed.
- New dinghy facilities set up at Sandy Beach with new facilities being developed for Church Point and Careel Bay.

3.2 Valuing & Caring for our Natural Environment (Environmental)

The activities below all reflect the philosophy of protecting and enhancing the human and natural environment for current and future generations.

- The Draft Local Planning Strategy is on Exhibition.
- Pittwater supported the Sydney Coastal Councils Group 'Summerarma' activities program.
- The Pittwater Estuary Management Plan has been submitted to the Minister for Certification.
- A range of biodiversity initiatives have been prepared and developed over the quarter to support the work of Council, such as the Draft Pittwater LGA Wildlife Corridor Strategy and incorporating controls into the Development Control Plan.
- The Palm Beach Stormwater Harvesting Feasibility study is in preparation in collaboration with Sydney Water as part of the 'Every Drop Counts' water saving initiative.
- A coastal walkway at North Newport has been installed and building the North Narrabeen Lagoon walkway will begin in the coming weeks.

3.3 Enhancing our Working & Learning (Economic)

Council continues to provide life-long learning opportunities for all sectors of the community. Council commits to local economic development initiatives that do not have a negative impact on the local natural environment.

- 45,871 visits to Mona Vale Library with 74,739 loans and 19,482 loans at Avalon Community Library.
- Mona Vale hotspot is up and running with expansion of coverage being investigated, including at Avalon.
- Delivery of the catchment, environmental and sustainability education program to schools has involved: 2,602 Primary School students; 4,309 High School Students; 442 in CEC Roadshows; 227 students at Universities & TAFE's and 340 Pre-School students attending education programs.

3.4 Leading an Effective & Collaborative Council (Governance)

The activities below all contribute towards Council's ongoing commitment to transparency and accountability when dealing with the community.

- Total customer enquiries logged via Merit for the quarter was 3972, an increase of around 12% (437) over the last quarter.
- Council's 2011-21 Long Term Financial Plan is now complete. Annual updates will occur moving forward.
- Executive Coaching Program implemented for Senior Management Team and Leadership Development Program conducted for Principal & Senior Officers.
- The environmental education program delivered a range of events including coastal activities in January, World Wetlands Day events in February and Clean Up Australia events in March.
- Flood risk information, guidance and partnership building is progressing with the preparation of the draft Flood Aware Building Guidelines, development of the framework for Northern Beaches Flood Information Network in conjunction with neighbouring Councils and preparation of the draft Floodsafe Brochures in partnership with the State Emergency Service.

- Program of 20 firewise events held over the bushfire season along with the Rural Fire Service. A Bushfire Prevention brochure was prepared and went out with Council rates.

3.5 Integrating our Built Environment (Infrastructure)

All the highlights below are aimed at enhancing the provision and use of public space as well as ensuring that Council adhere to environmental principles.

- Currawong purchased for State Park.
- 35 Building Certificates determined (medium processing time of 11 working days) and 791 Planning Certificates issued. 153 Development Applications Determined (median processing time of 57 working days) and 51 Section 96 Modification Applications Determined.
- Newport Community Centre Solar Project completed.
- Asset Management Strategy has been completed and integrated into Council's Long Term Financial Strategy and 2011-15 Delivery Program and Budget.

4.0 EXECUTIVE SUMMARY

In providing Council with this information for the three month period ending 31 March 2011 the following information should be noted as a summary; there are 391 active operational actions for the period 2010/11.

ACTION Status	Quarter 1	Quarter 2	Quarter 3
Completed Actions	15	23	31
Progressing as Planned	126	139	119
Ongoing Programs	200	188	217
Scheduled for future Qtr's	50	41	24

RECOMMENDATION

That the Quarterly Management report (as tabled) for the period ending 31 March 2011 - Quarter 3 be noted.

Report prepared by
Paul Reid, Team Leader Corporate Strategy

Mark Ferguson
GENERAL MANAGER

C10.6 Audit Services Tender

Meeting: Governance Committee

Date: 16 May 2011

STRATEGY: **Business Management**

ACTION: Produce monthly, quarterly, and annual budgets and statements

PURPOSE OF REPORT

To consider the responses to Council's tender for the provision of Audit services for the six year period, 1 July 2011 to 30 June 2017.

1.0 BACKGROUND

1.1 On 30 June 2011 Council's Audit Service contract expires.

As per Section 422 and 424 of the Local Government Act, 1993 Council must appoint an Auditor for a term of six years.

Accordingly, Council called for tenders for the provision of Audit Services for a six year contract – 1 July 2011 to 30 June 2017.

Tenders were advertised and closed at 2.00 p.m. on Wednesday 4th April 2011

2.0 ISSUES

2.1 Services Required

Pittwater Council is seeking a tender from suitably qualified persons or firms to carry out the following services for Council -

- Audit of the General Purpose Financial Reports for each year.
- Audit of the Special Purpose Financial Reports for each year.
- Audit of expenditure of government grants requiring a separate audit report.
- Audit of pensioner rebate applications.
- Audit of Workers Compensation Insurance Declaration.
- Audit of Domestic Waste Management Reasonable Cost.
- Audit of General Income Return required by the Department of Local Government.
- Examination of the Financial Statements to be incorporated in the Annual Report.
- Audit of the Accounts and Records of Committees and their consolidation into each Council's general purpose financial report, if required.
- Audit of Goods and Services Tax Compliance.
- Any other service that may be required to complete Council's statutory obligations concerning the audit function.

2.2 Tenders Received

Five (5) tenders were received as follows:

- Hill Rogers Spencer Steer
- PriceWaterhouseCoopers
- Alliot Hanrick Hall
- UHY Haines Norton
- Pitcher Partners

2.3 Tender Assessment

In the assessment of tenders, each provider was scored and ranked using the following weighted service criteria:

	Criteria	Weighting
1	Capacity & Technical Expertise	30%
2	Quality and depth of audit performance and experience	25%
3	Proposed audit plan	10%
4	Referees	10%
5	Price	25%

On assessment by the Audit Panel it was determined that Hills Roger Spencer Steer offered Council the most efficient Audit Services based upon Council's needs. Subsequently Hills Roger Spencer Steer was ranked number one (1) out of the five (5) tenders received.

2.4 Audit Committee

The assessment by Council's Audit Panel was referred to the Audit and Risk Committee on 4 May 2011.

The Committee's comments are as follows:

"The Audit Committee has overviewed the tender selection process for Council's external auditor and is satisfied that the Council has undertaken an exhaustive assessment.

(Mr Adams / Cr Hegarty) "

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

3.1.1 The Report will have no impact on this strategy

3.2 Valuing & Caring for our Natural Environment (Environmental)

3.2.1 The Report will have no impact on this strategy

3.3 Enhancing our Working & Learning (Economic)

3.3.1 The Report will have no impact on this strategy

3.4 Leading an Effective & Collaborative Council (Governance)

3.4.1 As per Section 422 and 424 of the Local Government Act, 1993 Council must appoint an Auditor for a term of six years.

3.5 Integrating our Built Environment (Infrastructure)

3.5.1 The Report will have no impact on this strategy

4.0 EXECUTIVE SUMMARY

On 30 June 2011 Council's Audit Service contract expires. As per Section 422 and 424 of the Local Government Act, 1993 Council must appoint an Auditor for a term of six years. Accordingly, Council called for tenders for the provision of Audit Services. Tenders were advertised and closed at 2.00 p.m. on Wednesday 4 April 2011.

An Audit Panel was formed to consider the responses to Council's tender for the provision of Audit services for the six year period, 1 July 2011 to 30 June 2017.

On assessment by the Audit Panel it was determined that Hills Roger Spencer Steer offered Council the most efficient Audit Services based upon Council's needs. Council's Audit and Risk Committee overviewed the tender selection process and is satisfied that the Council has undertaken an exhaustive assessment.

It is recommended that the tender of Hills Rogers Spencer Steer Chartered Accountants be accepted.

RECOMMENDATION

1. That the tender of Hills Rogers Spencer Steer Chartered Accountants be accepted.
2. That the General Manager or Delegated Officer be authorised to approve all contract payments associated with this contract and affix the Seal of Council to any relevant documents if required.
3. That the unsuccessful Tenderers be thanked for their submissions.

Report prepared by

Christy Ratnakumar
ACTING CHIEF FINANCIAL OFFICER

C10.7	Road Closure and Sale - 28 Carefree Rd North Narrabeen
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Meeting: Governance Committee

Date: 16 May 2011

STRATEGY: Business Management

ACTION: Manage Council's Commercial Activities

PURPOSE OF REPORT

To seek Councils approval for the closure and sale of a portion of road reserve adjoining property located at 28 Carefree Road, North Narrabeen.

1.0 BACKGROUND

- 1.1 The owner of the property above has applied for road closure and purchase of a portion of road reserve fronting their property in accordance with the provisions of Councils Policy No 53 'Private use of Road Reserves'. The size of the area, reason for purchase and comments from Urban Infrastructure and Service Providers are included in **Attachment 1** to this report. A location map is at **Attachments 2**, of the report.
- 1.2 On 8 April 2011 Councillors were notified of the proposed road closure application and offered the opportunity to inspect the respective sites in the company of a Council Officer.

2.0 ISSUES

2.1 Private Use of Road Reserve Policy

Part 2 of Council's Policy on Private Use of Road Reserve was developed to provide a permanent tenure solution to existing or proposed permanent structures on road reserve.

In accordance with this policy the following are relevant issues for consideration by the applicants:

- Any land to be sold will be valued by a Registered Valuer who shall take into consideration 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 purchaser.
- All such land disposals may include restrictions on the use of the additional land for subdivisional, dual-occupancy or building purposes.

2.2 Road Assessment

Councils Urban Infrastructure Unit has assessed that the subject areas of public road reserve will not be required for future public use and has no objections to the road closures and sales subject to comments provided at **Attachment 1**.

2.3 Service Providers

Service providers including Energy Australia, Sydney Water, Telstra and the relevant Gas Company have been consulted and their comments are shown in **Attachment 1** also. Should the subject parcel of land be affected by services the service providers may require easements to protect those services prior to formal road closure.

2.4 Value of road reserve.

The value of the subject land has been assessed by a qualified valuer to be twenty thousand dollars (\$20,000.00). A copy of the valuation is at **Attachment 3**.

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 work on public roads”*. Such road works may include pavement strengthening, retaining structures or streetscape improvements.

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

3.1.1 There is no social impact

3.2 Valuing & Caring for our Natural Environment (Environmental)

3.2.1 There is no environmental impact

3.3 Enhancing our Working & Learning (Economic)

3.3.1 The eventual sale of this section of road reserve will provide funds for continued maintenance and improvement of Pittwater's road infrastructure.

3.4 Leading an Effective & Collaborative Council (Governance)

3.4.1 There is no governance impact.

3.5 Integrating our Built Environment (Infrastructure)

3.5.1 These proposed sale will have a positive impact on the road infrastructure in Pittwater.

4.0 EXECUTIVE SUMMARY

4.1 The proposed road closure and sale comply with Council Policy No 53, Private Use of Road Reserve and will provide financial resources to assist with ongoing road works.

RECOMMENDATION

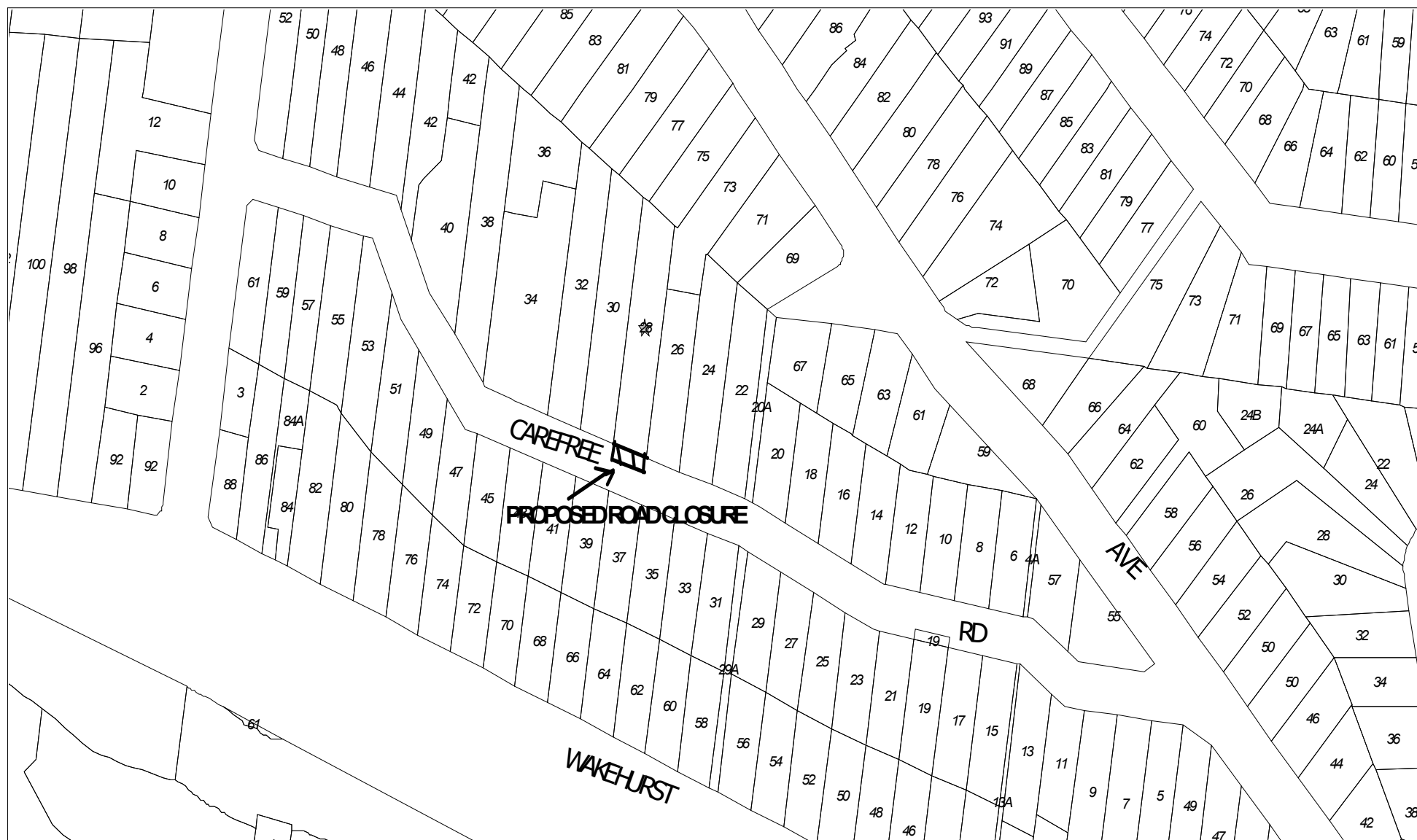
1. That Council authorise the lodgement of Applications for Road Closure with the relevant State Government Authority for portions of road reserve adjoining the property located at 28 Carefree Road, North Narrabeen.
2. That if the application for road closure is successful the land be sold to the applicant for the sum of \$20,000.00 and the General Manager be authorised to execute all relevant legal documentation.
3. That the sale of road reserve be subject to Building Certificate approval within twelve (12) months of Exchange of Contracts.

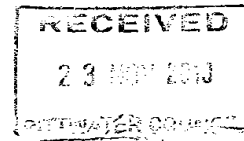
Report prepared by
George Veness, Senior Property Officer

Paul Reid
TEAM LEADER, CORPORATE STRATEGY AND COMMERCIAL

ATTACHMENT 1

Property	Area	Reason	Urban Infrastructure Comments	Neighbour Comments	Service Provider Comments
28 Carefree Rd North Narrabeen	29 m2	To rectify existing garage encroachment	Nil	Nil	Energy Australia requires an easement





Valuation Report

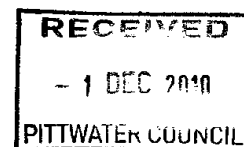
PREPARED

BY

John Fawcett & Associates

REAL ESTATE VALUERS
AND CONSULTANTS

P.O. BOX 711 MANLY, N.S.W. 1655
SUITE 29A, LEVEL 4, 22 DARLEY ROAD MANLY
TELEPHONE 9977 3111
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REAL ESTATE VALUERS AND CONSULTANTS

PRINCIPALS:
J.H. FAWCETT, F.A.P.I.
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P.O. BOX 711, MANLY, N.S.W. 1655

SUITE 29A, LEVEL 4,
22 DARLEY ROAD, MANLY

PHONE: 9977 3111
FAX: 9977 8388
EMAIL: jhfawcett@iprimus.com.au

VALUATION SUMMARY

PROPERTY:

Road Reserve adjacent to,
28 Carefree Road,
North Narrabeen NSW 2101

INSTRUCTIONS:

Instructions for this Valuation and
Report were given by:

Pittwater Council
Attention: Mr George Veness

PURPOSE OF VALUATION:

The purpose of this Valuation and
Report is to assess the value of a strip of
land with an area of 29 sqm adjoining
the frontage of 28 Carefree Road, North
Narrabeen.

BRIEF DESCRIPTION:

Small strip of land almost two metres
deep with an area of 29 square metres on
which is constructed part of a lock up
carport together with stairway access and
concrete driveway.

DATE OF VALUATION:

17th November, 2010

VALUATION:

Twenty thousand dollars plus associated
costs.

\$20,000 plus associated costs

J. H. FAWCETT PTY LTD A.B.N. 88 002 149 484
Trading as
JOHN FAWCETT & ASSOCIATES

John Fawcett & Associates

REAL ESTATE VALUERS AND CONSULTANTS

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2. Copy of Survey
3. Copy of Restrictions on Use/Covenant
4. Location Plan

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REAL ESTATE VALUERS AND CONSULTANTS

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J.M. FAWCETT, B.A.I.E.C.O.N.

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SUITE 29A, LEVEL 4,
22 DARLEY ROAD, MANLY

PHONE: 9977 3111

FAX: 9977 8388

EMAIL: jhfawcett@iprimus.com.au

VALUATION AND REPORT

1.0 THE PROPERTY: Road Reserve adjacent to,
28 Carefree Road
NORTH NARRABEEN NSW 2108

2.0 INSTRUCTIONS: Given by:-

Pittwater Council
PO Box 882
MONA VALE NSW 1660

Attention: Mr George Veness
Senior Property Officer

3.0 PURPOSE OF VALUATION:

3.1 Purpose We are instructed that the purpose of this Valuation and Report is to assess the value of a Road Reserve on a "before and after" basis.

4.0 TITLE PARTICULARS:

4.1 Title Details Number 28 Carefree Road is known as Lot 36 in Deposited Plan 11547.

**5.0 LOCATION &
ENVIRONMENT:**

5.1 North Narrabeen is a northern Beach suburb of Sydney located approximately 26km from the Sydney GPO by road.

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JOHN FAWCETT & ASSOCIATES

5.2 The subject strip of land is on the northern side of Carefree Road between Mirrool Street and Woorarra Avenue.

5.3 The surrounding area is characterised by single unit dwelling houses.

6.0 CAREFREE ROAD:

Carefree Road is relatively narrow and bitumen sealed with no kerbing or guttering.

**7.0 DESCRIPTION OF ROAD RESERVE
& IMPROVEMENTS:**

The road reserve consists of a strip of land almost two metres deep extending the width of the frontage to No. 28 Carefree Road. The total area, as shown on the survey prepared by MBS Green & Associates Pty Ltd., is 29 square metres.

The improvements constructed on this strip of land are a concrete driveway on the eastern side, part of a lock up carport, timber stairs and a landing.

The property known as 28 Carefree Road, is an attractive home set on a steep large elevated block of 1,157 sqm with good views of Narrabeen Lakes. We note that this property was sold in June, 2009 for \$950,000. Other sales in Carefree Road over the last two years range from \$700,000 to \$1,002,000.

8.0 VALUATION METHODOLOGY:

The generally accepted valuation approach is the "before and after" method which involves calculating the value of 28 Carefree Road, as it now stands, that is, a home on 1,157 sqm of land and calculating the value after, which is the home on 1,186 sqm. If there were no improvements on the strip of land there would be no increase in value, since the land

Road reserve/28 Carefree Road, North Narrabeen

is a large area and the 29 sqm represents an increase of only 2.5%. In the marketplace, there would be no difference in value between the home on 1,157 sqm and the same home on 1,186 sqm. This is particularly so given the restrictions on the use of the land and covenant in Annexure "A" a copy of which is attached to this report. Additionally it is understood that Energy Australia will require an easement over the land for their existing service cable.

Of more relevance, is the nature of improvements on the strip of land which are an encroachment and as such, could be the subject of a request to remove same. Obviously the property would then have no car accommodation and the stairs etc, would have to be rebuilt.

These improvements could be constructed further back on the land, however due to the extremely steep nature of this part of the land and given that it is in a land slip area, the cost to do so could prove prohibitive.

The question to be addressed is the value of a lock up carport and access stairs. There is no doubt that the provision of these improvements add value, however the quantum cannot be measured by any definitive evidence in the market. There have been isolated sales on the peninsula of garages and car spaces in home unit and commercial buildings in the order of \$30,000 to \$50,000. In a "value added" concept I can only suggest a reasoned amount and this is in the sum of \$20,000 being mindful of the additional costs for road closure reserve applications.

9.0 GENERAL:

9.1 Disclaimers

The Valuer has no present or contemplated future interest in this property, which is not specifically disclosed in this Report.

There is no relationship between the Valuer and client.

The Valuer has exercised his own professional judgement on key assumptions within this Valuation.

The Valuer's client has not exerted any pressure on the Valuer in the selection of methodology or assumptions.

This Report is to be regarded as confidential to the party to whom it is addressed and is intended for the use of those parties only.

Consequently and in accordance with the current practice, no responsibility is accepted to any third party in respect of the whole or any part of its contents. Before the Report or any part of it is reproduced or referred to in any document, circular or statement, our written approval as to the form or context of such publication must be obtained.

This valuation is current as the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value.

Without limiting the generality of the above comment we do not assume any responsibility or accept any liability where this valuation is relied after the expiration of 3 months from the date of valuation.

Road reserve/28 Carefree Road, North Narrabeen

10.0 VALUATION:

I, John Howard Fawcett, being a Fellow of the Australian Property Institute, estimate the value of the above road closure, as at 17^h November 2010 to be -

**TWENTY THOUSAND DOLLARS PLUS
ALL ASSOCIATED COSTS**

\$20,000 plus all associated costs.

JOHN FAWCETT & ASSOCIATES,
Real Estate Valuers,



J.H. Fawcett, F.A.P.I
Certified Practising Valuer
Registered Valuer No: 1705

ANNEXURES – PHOTOGRAPHS



ROAD RESERVE AND IMPROVEMENTS

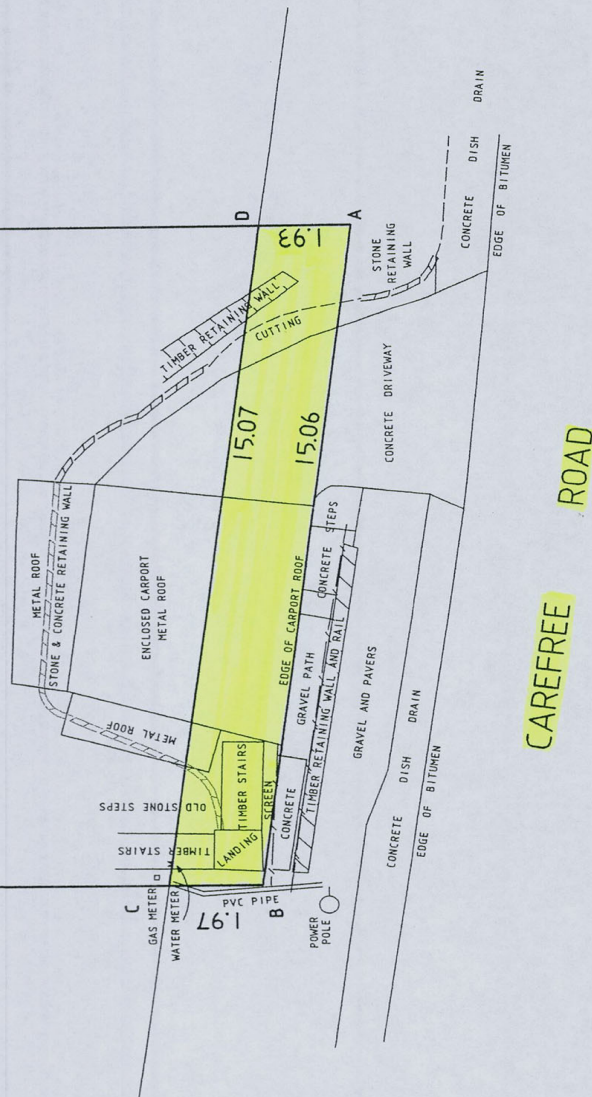


CAREFREE ROAD LOOKING EAST

AND THE INFORMATION IT CONTAINS ARE COPYRIGHT AND PROPERTY OF M B S GREEN & ASSOCIATES PTY LTD. ; PLAN AND INFORMATION CONTAINED THERE IN FOR ANY ; AND THAT INSTRUCTED BY THE CLIENT NAMED IS NOT PERMITTED ; WRITTEN APPROVAL OF M B S GREEN & ASSOCIATES PTY LTD. ; N & ASSOCIATES PTY LTD GRANTS TO THE CLIENT NAMED ; TO USE THE INFORMATION HEREON FOR THE INSTRUCTED

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36
DP 11547
No.28



RY DIMENSIONS AND NORTH POINT FROM DP 11547
GROUND SERVICES HAVE NOT BEEN INVESTIGATED.
DIMENSIONS SUBJECT TO SURVEY AND
AL BY RELEVANT AUTHORITIES

M B S GREEN & ASSOCIATES PTY L
REGISTERED SURVEYORS
34/12 WARATAH STREET, MONA VALE NSW
PH 9999 3811 FAX 9979 5847

Form: 11R
Licence: 01-09-033
Licensee: Aust. Forms P/L

REQUEST

New South Wales
Real Property Act 1900

Leave this space clear. Affix additional
pages to the top left-hand corner.

PRIVACY NOTE: this information is legally required and will become part of the public record

(A) STAMP DUTY	If applicable. Office of State Revenue use only										
(B) LAND	Torrens Title 104/1033637										
(C) REGISTERED DEALING	Number	Torrens Title									
(D) LODGED BY	Delivery Box	Name, Address or DX and Telephone Reference (optional):	CODE								
(E) APPLICANT	PITTWATER COUNCIL										
(F) NATURE OF REQUEST	TO RECORD RESTRICTIONS ON THE USE OF THE LAND AS ABOVE AND A COVENANT										
(G) TEXT OF REQUEST	<p>THE APPLICANT REQUESTS THAT A RECORDING IS MADE IN THE REGISTER CREATING RESTRICTIONS ON THE USE OF THE ABOVE LAND THE TERMS OF WHICH ARE ANNEXED AND MARKED 'A'</p> <p>THE COMMON SEAL OF PITTWATER COUNCIL WAS AFFIXED IN THE PRESENCE OF:</p> <table border="0"><tr><td>_____ Signature of Witness</td><td>_____ Signature of Witness</td></tr><tr><td>_____ Name of Witness</td><td>_____ Name of Witness</td></tr><tr><td>_____ Address of Witness</td><td>_____ Address of Witness</td></tr><tr><td>_____ Position of Witness</td><td>_____ Position of Witness</td></tr></table> <p>DATE dd / mm / yyyy</p>			_____ Signature of Witness	_____ Signature of Witness	_____ Name of Witness	_____ Name of Witness	_____ Address of Witness	_____ Address of Witness	_____ Position of Witness	_____ Position of Witness
_____ Signature of Witness	_____ Signature of Witness										
_____ Name of Witness	_____ Name of Witness										
_____ Address of Witness	_____ Address of Witness										
_____ Position of Witness	_____ Position of Witness										
(H) I certify that the applicant, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this application in my presence.	<p>Certified correct for the purposes of the Real Property Act 1900 by the applicant.</p> <p>Signature of witness: _____</p> <p>Name of witness: _____</p> <p>Address of witness: _____</p> <p>Signature of applicant: _____</p>										

All handwriting must be in block capitals.

Page 1 of _____

TechnologyOne ECM Document Number: 1212125

ANNEXURE "A"

Restrictions on the use of land and Covenant

Upon the sale to a third party by the Applicant, of the land the subject of this Request (hereinafter called the "Closed Road Land"), the registered proprietor of the Closed Road Land from time to time covenants:-

- (a) Not to incorporate the Closed Road Land in any application to Pittwater Council (or the authority from time to time responsible for planning decisions) for subdivision purposes so as to obtain any greater concession than that which would otherwise be available to the registered proprietor for the subdivision of land adjacent to the Closed Road Land; and
- (b) Not to incorporate the Closed Road Land in any application to Pittwater Council (or the authority from time to time responsible for planning decisions) for dual occupancy purposes so as to obtain any greater concession than that which would otherwise be available to the registered proprietor for the dual occupancy subdivision of land adjacent to the Closed Road Land; and
- (c) Not to incorporate the Closed Road Land for set back purposes so as to obtain any greater concession than that which would otherwise be available to the registered proprietor for set back restrictions on the land adjacent to the Closed Road Land; and

The registered proprietor of the Closed Road Land covenants with Pittwater Council to consolidate the Closed Road Land with the adjacent land owned by the registered proprietor into a single parcel of land, within six months of the date of settlement of the purchase of the Closed Road Land.

The term "registered proprietor" means the registered proprietor of the Closed Road Land from time to time including any person claiming under or through the registered proprietor.

The authority empowered to release, vary or modify these restrictions is Pittwater Council or the authority from time to time responsible for planning decisions for the area in which the Closed Road Land and adjacent land is located.

Certified correct for the purposes of the Real Property Act 1900 by the Applicant.

THE COMMON SEAL of PITTWATER COUNCIL was affixed in the presence of:-

Signature of witness

Name of witness

Address and Occupation of Witness

Signature of Witness

Name of witness

Address and Occupation of Witness

Location Plan



C10.8	Policy Review - Environmental Planning & Community Division
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Meeting: Governance Committee

Date: 16 May 2011

STRATEGY: Business Management

ACTION To effectively manage Council's Corporate Governance Responsibilities

PURPOSE OF REPORT

To review the policies currently adopted by Council for which the Environmental Planning & Community Division holds responsibility.

1.0 BACKGROUND

- 1.1 A comprehensive review of policies has been undertaken in response to a Department of Local Government Better Practice review.

Councillors were briefed on an overall review of Council's Policy Register on 28 August 2010. Following that brief each business unit has been required to audit the Council Policies for which they are responsible and report to Council with recommendation as to those policies to be revoked, retained or amended.

2.0 ISSUES

2.1 Current Policies

Those current policies for which the Environmental Planning & Community Divisions have responsibility, together with an outline of the proposed action described in detail later in this report, are as follows:

Policy No.	Policy Name	Proposed Action
No. 2	Recognition of Community Service - Awards	Retain
No. 21	Tourism in Pittwater - Regional Tourism Plan SHOROC	Retain
No. 22	Nuclear	Retain
No. 28	Horses on Private Premises	Retain
No. 29	Food Premises	Retain
No. 31	Dog Population	Retain
No. 32	Cargo Wharf at Church Point – Operation Regulations	Revoke
No. 33	Arrest of Person – Powers of Council Officers	Revoke
No. 34	Builders Licensing Board Agency	Revoke
No. 35	Adequacy of Structural Design	Revoke
No. 36	Noise Nuisance from Building Operations	Revoke
No. 38	Development Applications – Policies at Date of Determination	Revoke
No. 39	Development Applications – Application Checklist	Revoke
No. 40	Site Inspections with Council's Staff – Development Application Matters	Revoke
No. 41	Development Applications – Determination	Revoke
No. 44	Naming of Streets & Pathways	Retain

Policy No.	Policy Name	Proposed Action
No. 45	Direct Financial Assistance - Community Services Organisations	Retain
No. 46	Community Centres	Retain
No. 48	Freedom of Collection and Access for Local Government Libraries	Retain
No. 49	Development Applications – Previously Approved by Elected Council – Amendment of	Retain
No. 71	Inter-allotment Drainage Policy – Subdivisions	Revoke
No. 72	Numbering of Properties	Revoke
No. 83	Kimbriki Resource Recovery Centre – Free Access	Retain
No. 103	Car Parking Areas - Free	Retain
No. 107	Graffiti - SHOROC	Revoke
No. 116	Development Applications – SEPP 5 Development	Revoke
No. 117	Aerosol Art Sites in Pittwater Area	Revoke
No. 125	Building Height Controls in Flood Prone Areas	Revoke
No. 127	Non Compliance Development Applications	Revoke
No. 128	Multiple Occupancy Breaches	Revoke
No. 131	In-Sink Food Waste Disposers – Ban on Installations	Revoke
No. 133	Brothels in Pittwater	Retain
No. 135	Mobile Phone Tower Locational	Revoke
No. 139	Economic Policy 2001	Revoke
No. 140	Development Application – Youth Space	Revoke
No. 141	Development Application Process	Revoke
No. 154	Smoke Free Zones Around Pittwater	Retain
No. 156	Greywater Reuse in sewerred and unsewered domestic premises	Retain
No. 158	Issuing of Infringement Notices	Retain
No. 160	S96 Modification Applications – Consideration Thereof	Revoke
No. 161	Development Control Plans – Landscaping and Streetscape	Revoke
No. 162	Home Based Business Policy	Retain
No. 167	Youth	Retain
No. 168	Children's Services	Retain
No. 172	Street Parking	Retain
No. 175	Liquor Licensing Applications	Retain
No. 177	Road Rule Education Policy	Revoke
No. 179	Compliance Enforcement and Orders Policy	Retain
No. 180	Closed Circuit Television (CCTV)	Retain
New	Direct Financial Assistance - Mayoral Donations Program	New
New	Graffiti and Vandalism	New

2.2 **Standard Format for Policies**

As part of the review process, Council's Policies will be reformatted to align with its Strategic Plan. This reformatting:

- Provides for a clear Policy Objective
- Provides for a clear Policy Statement
- Links each Policy to a Strategy
- Assigns a Responsible Business Unit
- Identifies the Relevant Legislation
- Identifies related Policies

Each of the retained and new Policies has been expressed in the prescribed format suitable for public exhibition prior to adoption and inclusion into Council's Policy Register.

2.3 **Public Exhibition of Council's Finalised Policy Register**

This Report is the first of three reports to Council from each Division over the period May, June and July 2011.

These three reports will address all of Council's Policies on a Strategy Related Basis. Following the final Report in July 2011, all Policies proposed to be included in Council's Policy Register, as well as any new Policies, will be placed on public exhibition.

2.4 **Policies to be Retained with only minor changes and format modification**

It is proposed to retain the following current policies with minor alteration to the content to address current requirements and reformatted to conform to the required standard (See **Attachment 1**):

Policy No.	Strategy	Policy Name	Reason for Retention
No. 2	Building Communities	Recognition of Community Service - Awards	Minor administrative amendments, including revised formatting of Policy.
No. 22	Land Use & Development	Nuclear	Retain existing Policy. (Note: A separate "Renewable Energy Policy" is to be prepared for Councils consideration by Councils Corporate Strategy and Communications Group.)
No. 28	Land Use & Development	Horses on Private Premises	Relates to SEPP (Exempt & Complying) Subdivision 3A - Animal Shelters. The policy includes development standards and construction requirements not contained in the SEPP.
No. 29	Community Engagement, Education & Awareness	Food Premises	Includes development standards and construction requirements not contained in SEPP (Exempt & Complying)
No. 31	Community Engagement, Education & Awareness	Dog Population	Links the requirements of the Companion Animals Act and Local Government Act and supports regulatory action where required.
No. 44	Land Use & Development	Naming of Streets and Pathways	Policy modified to include the names of indigenous Flora and Fauna.
No. 45	Building Communities	Direct Financial Assistance - Community Services Organisations	Minor administrative amendments, including revised formatting of Policy.
No. 46	Building Communities	Community Centres	Minor administrative amendments, including revised formatting of Policy.
No. 48	Community Learning	Freedom of Collection and Access for Local Government Libraries	Minor administrative amendments, including revised formatting of Policy. Review of other Council Library Policies found no substantive need to change this Policy.
No. 49	Land Use & Development	Development Applications – Previously Approved by Elected Council – Amendment of	Reworded to be consistent with DU Charter.

Policy No.	Strategy	Policy Name	Reason for Retention
No. 83	Waste Management & Pollution Control	Kimbriki Resource Recovery Centre – Free Access	Amendments have been made to the definition of organisations that are exempt from paying the weighbridge charges.
No. 103	Town & Village	Car Parking Areas – Free	Allocation of Council land as free carparking.
No. 133	Town & Village	Brothels in Pittwater	Retain existing Policy.
No. 156	Community Engagement, Education & Awareness	Greywater Reuse in sewerred and unsewered domestic premises	This development is not included in the SEPP (Exempt & Complying).
No. 158	Community Engagement, Education & Awareness	Issuing of Infringement Notices	Reflects the operational requirements of Council.
No. 167	Building Communities	Youth	Minor administrative amendments, including revised formatting of Policy.
No. 168	Building Communities	Children's Services	Minor administrative amendments, including revised formatting of Policy.
No. 172	Community Engagement, Education & Awareness	Street Parking	Reflects the operational requirements of Council.
No. 175	Building Communities	Liquor Licensing Applications	Minor administrative amendments, including revised formatting of Policy.
No. 180	Town & Villages	Closed Circuit Television (CCTV)	Minor administrative amendments, including revised formatting of Policy.

2.5 **Policies to be Retained with substantial modification as well as format modification**

It is proposed to substantially modify the following current policies (see **Attachment 2**):

Policy No.	Strategy	Policy Name	Reason For Amendment
No. 21	Economic Development	Tourism in Pittwater	Previously SHOROC based now Pittwater focused.
No. 154	Building Communities	Smoke Free Zones Around Pittwater	<p>A significant review of this Policy was undertaken due to undertakings provided by the Mayor last year in response to a Public Forum address. Staff reviewed the following documents in assessing the current Policy and proposing changes:-</p> <p>(a) Heart Foundation, "Smoke-Free Policy in Outdoor Areas", A 2010 Survey of NSW Councils.</p>

Policy No.	Strategy	Policy Name	Reason For Amendment
			(b) Strategic Directions for Tobacco Control in NSW 2011-2016, Discussion Paper NSW Health. (c) Relevant documents from the Cancer Council, including "Smoke Free Kit for Councils, Updated 2009". (d) Smoke Free Policies at Warringah, Manly and Mosman Councils.
No. 162	Economic Development	Home Based Business Policy	Required substantial modifications to ensure compliance with current legislative framework.

2.6 **New Policies**

When reviewing the current range of Policies, it was identified that to improve transparency the following new Policy should be created as follows (see **Attachment 3**):

Policy No.	Strategy	Policy Name	Reason For Implementation
New	Building Communities	Direct Financial Assistance – Mayoral Donation Program	Existing Policy No. 45 did not adequately address the nature of the Mayoral Donation Program.
New	Building Communities	Graffiti and Vandalism	The existing Policy was an outdated Shoroc Policy that no longer reflected Pittwater's approach to Graffiti and Vandalism.

2.7 **Policies to be Retained and be the subject of a separate Review & Report to Council**

Policy No.	Strategy	Policy Name	Reason For Implementation
No. 179	Community Engagement, Education & Awareness	Compliance Enforcement & Orders Policy	The Compliance Enforcement & Orders Policy which was adopted by Council in May 2010, is expressed in the current format and will be separately reviewed for content and accuracy and reported to Council later this year as scheduled but has not been reproduced here due to the size of the document.

2.8 **Policies to be Revoked**

It is proposed to revoke the following policies for the reasons outlined in the following table (see **Attachment 4**):

Policy No.	Policy name	Reason for Revocation
No. 32	Cargo Wharf at Church Point – Operation Regulations	Church Point Plan of Management addresses issues.
No. 33	Arrest of Person – Powers of Council Officers	Not required to meet the operational practices of Council. Officers are not called upon to undertake arrests in the execution of their duties.

Policy No.	Policy name	Reason for Revocation
No. 34	Builders Licensing Board Agency	This Policy relates to a commercial arrangement with the Builders Licensing Board and is not required.
No. 35	Adequacy of Structural Design	<p>The issue addressed in this Policy is covered by legislative requirements for submission of structural details with Construction Certificate Applications.</p> <p>Additionally, the General Manager's current delegations would allow the appointment of independent consultants to advise Council on a range of issues should it be determined a necessary element of the assessment process, otherwise this information would be provided by the applicant if it was required to facilitate assessment.</p>
No. 36	Noise Nuisance from Building Operations	To be included in Compliance Policy, Consent Conditions and actioned under the Protection of the Environment Operations Act.
No. 38	Development Applications – Policies at Date of Determination	This is a statement consistent with the Environmental Planning & Assessment Act & established legal precedent on this matter and does not require a specific Policy.
No. 39	Development Applications – Application Checklist	<p>Council's "electronic planning system" creates checklists for the benefit of applicants.</p> <p>This checklist is automatically included into the "application form" which is created by that electronic system for any individual development on a specified parcel of land.</p> <p>A specific Policy is not required.</p>
No. 40	Site Inspections with Council's Staff – Development Application Matters	The issues addressed in this policy are already addressed or are to be included in amendments to the Code of Conduct which will be the subject of a further report to Council.
No. 41	Development Applications - Determination	This Policy is a re-expression of existing legislation Councils Development Consents/Determination Documents are formatted to include the relevant statutory advice referred to in the Policy.
No. 71	Inter-allotment Drainage Policy - Subdivisions	Superseded by Pittwater 21 DCP. See Control Nos.: B5.10, B5.11, B5.12 & B5.14
No. 72	Numbering of Properties	<p><u>Part 1</u>: This section of the Policy is redundant as its requirements are implicit under the applicable Legislation.</p> <p><u>Part 2</u>: This section of the Policy is to be incorporated into a new comprehensive policy – Road Management Manual being prepared for Councils consideration by Councils Urban Infrastructure Business Unit.</p>
No. 107	Graffiti - SHOROC	This Policy is outdated and Council has implemented a range of initiatives over recent years to combat graffiti and vandalism.
No. 116	Development Applications – SEPP 5 Development	The issues addressed in this policy are contained in SEPP Housing for Aged & Disabled Persons or the suite of applicable controls in Pittwater 21 DCP and therefore do not require an independent Council Policy.
No. 117	Aerosol Art Sites in Pittwater Area	This Policy is redundant as Council resolved to remove its Aerosol Art Walls.

Policy No.	Policy name	Reason for Revocation
No. 125	Building Height Controls in Flood Prone Areas	Superseded by Pittwater 21 DCP See Height Controls in Section D.
No. 127	Non Compliance Development Applications	The objectives of this policy have been attained through an improved electronic planning system including lodgement advice, information to be submitted advice and improved assessment and processing systems.
No. 128	Multiple Occupancy Breaches	No power of entry for Council to inspect inside residential buildings, under Environmental Planning and Assessment Act.
No. 131	In-Sink Food Waste Disposers – Ban on Installations	Superseded by the Waste Water Disposal Controls in Pittwater 21 DCP Note: Revision of those controls has deleted the “ban” on In-Sink Food Waste Disposers.
No. 135	Mobile Phone Tower Locational	These issues are either overridden by State and Federal legislation, or where a Development Application is required for these facilities, are addressed through the comprehensive locality controls in Section D of Pittwater 21 DCP.
No. 139	Economic Policy 2001	This Policy is now redundant as Council provides up-to-date online Economic Data on its Website.
No. 140	Development Application – Youth Space	Incorporated into Youth Policy or covered by Private Open Space/Common Open Space requirements in Pittwater 21 DCP.
No. 141	Development Application Process	All initiatives outlined in this policy are incorporated into Council’s Standard Procedures for Development Assessment, in particular, prelodgement meetings have now been formalised and a fee is charged in accordance with Council’s Management Plan.
No. 160	S96 Modification Applications – Consideration Thereof	The issues outlined in this Policy have been addressed through Councils electronic planning information, lodgement, assessment and determination system. Modified Development Applications are printed with changes in italics to make the changes in conditions “stand out”. Notification is as per 21DCP.
No. 161	Development Control Plans – Landscaping and Streetscape	Superseded by Pittwater 21 DCP See Section C controls relating to Landscaping and Section D controls relating to Streetscape & Scenic Protection.
No. 177	Road Rule Education Policy	To be incorporated into the Compliance Enforcement and Orders Policy

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

3.1.1 Provides clear information to the community.

3.2 Valuing & Caring for our Natural Environment (Environmental)

- 3.2.1 Provides clear information on Council's policy direction including policies relating to the natural environment.

3.3 Enhancing our Working & Learning (Economic)

- 3.3.1 Provides clear information on Council's policy direction including policies relating to commercial enterprise and education.

3.4 Leading an Effective & Collaborative Council (Governance)

- 3.4.1 Facilitates accountability to the community for policy direction.

3.5 Integrating our Built Environment (Infrastructure)

- 3.5.1 Provides clear information on Council's policy direction including policies relating to the built environment and infrastructure.

4.0 EXECUTIVE SUMMARY

- 4.1 Council policies for which the Environmental Planning & Community Division is responsible have been reviewed and where appropriate recommended to be retained, amended or revoked.

The Policies recommended to be retained or amended, together with new Policies, have been expressed in a standard format suitable for inclusion in Council's Policy Register following exhibition and final adoption. This is a publicly available register and accessible via Council's Webpage.

Council should formally resolve to revoke the redundant policies, and publicly exhibit the reformatted retained and amended and new Policies prior to considering their adoption for inclusion into Council's Policy Register.

CONCLUSION

Current policies which are the responsibility of the Environmental Planning & Community Division have now been reviewed and as appropriate recommended to be retained, revoked or amended.

It should be noted that the Compliance Enforcement and Orders Policy which was adopted by Council in May 2010, is expressed in the current format and will be separately reviewed for content and accuracy and reported to Council later this year as scheduled but has not been reproduced here due to the size of the document.

The retained and amended policies have been drafted into the standard format for inclusion into Council's Policy Register.

Council should formally resolve to revoke the redundant policies and publicly exhibit the reformatted retained and amended and new Policies prior to considering their adoption for inclusion in Council's Policy Register.

RECOMMENDATION

1. That Council adopt the following as Draft Policies for the purpose of Public Exhibition (as shown in **Attachments 1, 2 and 3**):

Policies to be Retained with only minor changes and format modification

Policy No.	Strategy	Policy Name
No. 2	Building Communities	Recognition of Community Service - Awards
No. 22	Land Use & Development	Nuclear
No. 28	Land Use & Development	Horses on Private Property
No. 29	Community Engagement, Education & Awareness	Food Premises
No. 31	Community Engagement, Education & Awareness	Dog Population
No. 44	Land Use & Development	Naming of Streets & Pathways
No. 45	Building Communities	Direct Financial Assistance - Community Services Organisations
No. 46	Building Communities	Community Centres
No. 48	Community Learning	Freedom of Collection and Access for Local Government Libraries
No. 49	Land Use & Development	Development Applications – Previously Approved by Elected Council – Amendment of
No. 83	Waste Management & Pollution Control	Kimbriki Resource Recovery Centre – Free Access
No. 103	Town & Village	Car Parking Areas - Free
No. 133	Town & Village	Brothels in Pittwater
No. 156	Community Engagement, Education & Awareness	Greywater Reuse in sewerred and unsewered domestic premises
No. 158	Community Engagement, Education & Awareness	Issuing of Infringement Notices
No. 167	Building Communities	Youth
No. 168	Building Communities	Children's Services
No. 172	Community Engagement, Education & Awareness	Street Parking
No. 175	Building Communities	Liquor Licensing Applications
No. 180	Town & Village	Closed Circuit Television (CCTV)

Policies to be Retained with substantial modification as well as format modification

Policy No.	Strategy	Policy Name
No. 21	Economic Development	Tourism in Pittwater
No. 154	Building Communities	Smoke Free Zones Around Pittwater
No. 162	Economic Development	Home Based Business Policy

New Policies

Policy No.	Strategy	Policy Name
New	Building Communities	Direct Financial Assistance – Mayoral Donation Program
New	Building Communities	Graffiti and Vandalism

2. That Council revoke the following Policies (as shown in **Attachment 4**):

Policy No.	Policy Name
No. 32	Cargo Wharf at Church Point – Operation Regulations
No. 33	Arrest of Person – Powers of Council Officers
No. 34	Builders Licensing Board Agency
No. 35	Adequacy of Structural Design
No. 36	Noise Nuisance from Building Operations
No. 38	Development Applications – Policies at Date of Determination
No. 39	Development Applications – Application Checklist
No. 40	Site Inspections with Council's Staff – Development Application Matters
No. 41	Development Applications – Determination
No. 71	Inter-allotment Drainage Policy – Subdivisions
No. 72	Numbering of Properties
No. 107	Graffiti - SHOROC
No. 116	Development Applications – SEPP 5 Development
No. 117	Aerosol Art Sites in Pittwater Area
No. 125	Building Height Controls in Flood Prone Areas
No. 127	Non Compliance Development Applications
No. 128	Multiple Occupancy Breaches
No. 131	In-Sink Food Waste Disposers – Ban on Installations
No. 135	Mobile Phone Tower Locational
No. 139	Economic Policy 2001
No. 140	Development Application – Youth Space
No. 141	Development Application Process
No. 160	S96 Modification Applications – Consideration Thereof
No. 161	Development Control Plans – Landscaping and Streetscape

- That the Draft Policies as shown in Attachments 1, 2 and 3, together with those Draft Policies to be identified in separate reports to Council during May, June and July 2011, be placed on public exhibition for a period of 28 days following the final Policy Report to Council.
- At the completion of the Public Exhibition, a further report facilitating adoption of the finalised Policies be made to Council.
- That the Compliance Enforcement & Orders Policy be retained and be the subject of a separate review and Report to Council.

Report prepared by

Lindsay Dyce

ACTING DIRECTOR - ENVIRONMENTAL PLANNING & COMMUNITY

**Policies to be Retained
with only Minor Changes
and
Format Modification**

Council Policy – No 2	Adopted:	OM: 03.03.97
	Amended	CS 27.09.99
Version:		OM (CRED) 03.08.0

TITLE: RECOGNITION OF COMMUNITY SERVICE - AWARDS

STRATEGY: BUILDING COMMUNITIES

BUSINESS UNIT: COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT

RELEVANT LEGISLATION: NONE

RELATED POLICIES: NONE

Objective

To provide support and recognition to individuals who provide outstanding services to the Pittwater community.

Policy Statement

- 1) That Council recognise the outstanding contribution of Pittwater's volunteers through a regular recognition and awards program
- 2) That this program include:
 - An annual civic reception to mark International Volunteer Day, which occurs on December 5 each year.
 - The Pittwater Volunteer Awards (a biennial awards program), as part of National Volunteer Week in May. This awards program includes the Mayor's Courage in Lifesaving awards.
- 3) Both volunteer programs will focus on the contribution of individual volunteers but also highlight the contribution of the organisations for which they work.
- 4) The Volunteer Awards focus on recognising Pittwater residents and also those non-residents who have made a significant contribution to Pittwater and its community.
- 5) A Panel comprising one Councillor from each Ward be formed biennially to judge the nominations received for the Volunteer Awards.
- 6) That the judging Panel be provided with all necessary information to assist them with their deliberations including information relating to any other awards that nominees may have received.

Council Policy – No 22 Version:	Adopted:	OM 07.07.97
	Amended	

TITLE: NUCLEAR
STRATEGY: LAND USE & DEVELOPMENT
BUSINESS UNIT: PLANNING & ASSESSMENT
RELEVANT LEGISLATION: NONE
RELATED POLICIES: NONE

Objective

Make the Pittwater LGA a Nuclear Free Zone.

Policy Statement

Pittwater Council supports the concept of a nuclear free zone for the Pittwater Council area and the wider Sydney region with the exception of radioactive isotopes or other radioactive material used in medical treatment, testing equipment or research.

Council Policy – No 28	Adopted:	OM: 03.03.97
	Amended	
Version:		

TITLE:	HORSES ON PRIVATE PREMISES
STRATEGY:	LAND USE AND DEVELOPMENT BIODIVERSITY
BUSINESS UNIT:	ENVIRONMENTAL COMPLIANCE
RELEVANT LEGISLATION:	LOCAL GOVERNMENT REGULATION 2005
RELATED POLICIES:	NONE

Objectives

To manage the keeping of horses on premises to prevent public health, safety and nuisance concerns.

Policy Statement

1. For the purposes of Council, the *Local Government Act 1993* and *Pittwater Local Environmental Plan 1993* the keeping of horses is considered “agriculture” and has the same meaning as “Agriculture” and “Cultivation” in the *Local Government Act 1919*.

The term is defined as follows: “Agriculture” and “Cultivation” includes horticulture and the use of land for any purpose of husbandry, including the keeping or breeding of live stock, poultry, or bees, and the growing of fruit, vegetables, and the like, and “agricultural” and “cultivate” have a corresponding meaning.

2. The keeping of horses is not supported in any zone of Pittwater except those listed in the following table.

PLEP 1993 ZONE	Type of consent
Zone No 1(a) (NON-URBAN “A”)	Without development consent
Zone No 1(a1) (NON-URBAN “A1”)	Only with development consent
Zone No 1(b) (NON-URBAN “B”)	Without development consent
Zone No 1(c) (NON-URBAN “C”)	Without development consent
All other zones	Not Supported

3. The keeping of horses requires suitable stable accommodation, enclosure/yard space and animal health management practices to be in place.
4. A stable for the keeping of horses does not require development consent provided it meets the criteria of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

5. Implementation of the powers outlined in Local Government (General) Regulation 2005 – Schedule 2 - Standards Enforceable by Orders: Part 5, Division 3:
 - a) Horses must not be kept within 9 metres (or such greater distance as the council may determine in a particular case) of a dwelling, school shop, office, factory, workshop, church or other place of public worship, public hall or premises used for the manufacture, preparation or storage of food.
 - b) The floors of stables must be paved with concrete or mineral asphalt or other equally impervious material, and must be properly graded to drain.
 - c) Horse yards must be so enclosed as to prevent the escape of horses.
6. The keeping of horses is to be managed in accordance with:
 - a) “Environmental Management on the Urban Fringe – Horse Properties on the rural urban fringe” published by the Department of Environment and Conservation (NSW), September 2004.
7. Each horse shall be provided with a horse yard being a minimum area of 100 square metres (excluding the stable). Reference: “Environmental Management on the Urban Fringe – Horse Properties on the rural urban fringe” published by the Department of Environment and Conservation (NSW), September 2004.
8. Liquid wastewaters from stables are to be graded and drained to:
 - a) the Sydney Water sewage system (premises where the sewer is available).
 - b) a separately dedicated on-site sewage management system (premises where the sewer is not available).
9. All feed receptacles are to be vermin proof and fly proof.
10. All manure and other materials contaminated by liquid or solid wastes are to be removed from the stable and yard areas daily.
11. All collected manure and other materials contaminated by liquid or solid wastes are to be contained in closed, waterproof and flyproof receptacles.
12. The receptacles containing the collected manure and other materials contaminated by liquid or solid wastes are not to be stored in close proximity to the boundaries of the premises.
13. Manure and other materials contaminated by liquid or solid wastes are to be removed from the premises at least one in every seven consecutive days.
14. The premises shall be maintained free from nuisance, flies, vermin and offensive odour at all times.
15. A regular and effective cleaning and maintenance regime is to be maintained in and around the horse stable/s and yard area/s.
16. Liquid and solid horse wastes are to be effectively prevented from escaping from the horse stable/s and yard area/s.

Council Policy – No 29	Adopted:	OM: 03.03.97
	Amended:	
Version:		

TITLE: FOOD PREMISES

STRATEGY: COMMUNITY ENGAGEMENT, EDUCATION & AWARENESS
RISK MANAGEMENT CO-ORDINATION

BUSINESS UNIT: ENVIRONMENTAL COMPLIANCE

RELEVANT LEGISLATION: FOOD ACT 2003

RELATED POLICIES: NONE

Objective

To ensure that food for human consumption is stored, prepared and sold in a manner which will adequately protect the health of the community.

Policy Statement

The storage, manufacture, preparation and selling of food for human consumption shall comply with the following:-

1. Food Premises:
 - The Australia New Zealand Food Standards Code.
 - AS 4674-2004 "Design, Construction and Fit-Out of Food Premises".
 - The Building Code of Australia – Section F: Health and Amenity.
2. Home based businesses eg Catering, Child Care, Bed & Breakfast, Food intended for sale at Food Premises/Events/Markets:
 - The Australia New Zealand Food Standards Code.
 - AS 4674-2004 "Design, Construction and Fit-Out of Food Premises".
3. Food Vending Vehicles and Temporary Premises (Events):
 - "Mobile Food Vending Vehicles – Operation, Construction and Food Handling Guidelines" published by the NSW Food Authority, August 2009.
 - "Food Handling Guidelines for Temporary Events" published by the NSW Food Authority, August 2006.

Copies of each of the relevant codes are to be freely available from Council on request.

Council Policy – No 31 Version:	Adopted:	OM: 03.03.97
	Amended	

TITLE: COMPANION ANIMAL POPULATION

STRATEGY: COMMUNITY ENGAGEMENT, EDUCATION AND AWARENESS

BUSINESS UNIT: ENVIRONMENTAL COMPLIANCE

RELEVANT LEGISLATION: COMPANION ANIMALS ACT 1998

RELATED POLICIES: COMPLIANCE ENFORCEMENT AND ORDERS POLICY

Objective

To assist in the control in the management of companion animals on residential properties.

Policy Statement

That the number of dogs or cats kept on residential premises be restricted to a maximum of 3 except;

Where the dogs or cats concerned are less than 6 months old, or

Where the property concerned is within a “Non Urban” zone.

Council Policy – No 44 Version:	Adopted:	OM: 03.03.97
	Amended	

TITLE: NAMING OF STREETS AND PATHWAYS

STRATEGY: LAND USE & DEVELOPMENT

BUSINESS UNIT: PLANNING & ASSESSMENT

RELEVANT LEGISLATION: LOCAL GOVERNMENT ACT

RELATED POLICIES: NONE

Objective

Appropriate Street Names.

Policy Statement

That, wherever possible, aboriginal, or names of people and events associated with the history and heritage of Pittwater or the names of indigenous flora and fauna be used in the naming of roads.

That in all subdivisions where new streets are involved, Council retains the responsibility for naming such streets.

Council Policy – No 45	Adopted:	OM: 02.03.98
	Amended	
Version:		

TITLE:	DIRECT FINANCIAL ASSISTANCE - COMMUNITY SERVICE ORGANISATIONS
STRATEGY:	BUILDING COMMUNITIES
BUSINESS UNIT:	COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT
RELEVANT LEGISLATION:	LOCAL GOVERNMENT ACT
RELATED POLICIES:	DIRECT FINANCIAL ASSISTANCE - MAYORAL DONATIONS PROGRAM

Objectives

To support community service organisations in providing community and cultural services within the Pittwater area.

To stimulate the development of effective community and cultural services to meet the needs of residents of Pittwater.

To encourage high quality community and cultural programs in the Pittwater area.

To assist in building the capacity of local not for profit community groups through the provision of financial assistance.

Policy Statement

Council may provide financial assistance to community service organisations through any of the following categories:

- a) Annual Community Services Grants Program
- b) One-off requests
- c) Identified Partnerships
- d) Mayoral Donations

Availability and Targeting of funding

Each year Council will call for applications subject to funding being available in the Delivery Plan.

Prior to calling for applications, Council will identify priority areas for which financial assistance is to be targeted each year.

Eligibility

To be eligible for financial assistance under the Community Services Grants Program, organisations must provide a community or cultural service to residents of Pittwater. To be considered under the Community Services Grants Program, applications for financial assistance must:

- Address the objectives of the Community Services Grants Program.
- Be supported by evidence of local need.
- Indicate how financial accountability will be ensured.

Requests for Financial Assistance outside the Grants Program

Council may also consider requests for financial assistance which are received after the Community Services Grants Program has closed each year, or which are not eligible under this program, but which are considered by Council as meriting support.

More significant requests (over \$500) may need to be the subject of a separate report to Council.

Council may also consider requests, when a community service organisation is identified as a clear partner for Council to deliver projects or programs identified within the Social and Cultural Plans.

Requests for \$500 and under can be considered under the Mayoral Donation Program. This program allows the Mayor discretion to support local initiatives and community organisations, not just community **service** organisations.

Council Policy – No 46 Version:	Adopted:	OM: 02.03.98
	Amended	

TITLE:	COMMUNITY CENTRES
STRATEGY:	BUILDING COMMUNITIES AND RECREATION MANAGEMENT
BUSINESS UNIT:	COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT
RELEVANT LEGISLATION:	NONE
RELATED POLICIES:	NONE

Objectives

To provide all residents with opportunities for social and cultural interaction (through the availability of local community space).

To ensure equitable access for all residents to community centres.

To offer diverse programs which are culturally rich and foster local identity.

To ensure that community centres are accountable to the community in the most cost effective and efficient manner.

Policy Statement

Pittwater Council, through its community centres network, is committed to offering diverse and accessible venues for meetings, cultural activities and events for the whole community.

Community centres enhance the quality of community life by encouraging participation and networking within the local community and by facilitating the development of a diverse range of activities and services, which recognise the distinct lifestyles and interests of residents.

Council will promote and market the community centres to attract maximum interest.

Council will ensure the ongoing development and implementation of fair and equitable pricing policies that facilitate access to facilities for all residents.

Council will ensure that existing facilities are attractive and appropriate for community use through ongoing maintenance and upgrading of facilities.

Council Policy – No 48	Adopted:	OM: 02.03.98
	Amended	
Version:		

TITLE: **FREEDOM OF COLLECTION AND ACCESS FOR
LOCAL GOVERNMENT LIBRARIES**

STRATEGY: **COMMUNITY LEARNING**

BUSINESS UNIT: **COMMUNITY LIBRARY AND ECONOMIC
DEVELOPMENT**

RELEVANT LEGISLATION: **LIBRARY ACT 1939**

RELATED POLICIES: **NONE**

Objectives

To provide all residents with equitable access to a comprehensive and balanced collection of materials and information in a variety of formats.

To provide all residents of Pittwater with access to Council's information and library collection.

To provide popular and contemporary material including fiction and non-fiction.

To provide broad based information and reference resources for lifelong learning

Policy Statement

Pittwater Council is committed to offering a Library and Information Service for residents of Pittwater and for people who work or attend educational institutions in the area.

Council will provide access to materials and information presenting, as far as possible, all points of view on current and historical issues including controversial issues.

Everyone has the right to use the public library, whatever their age, sex, race, religion, national origin, disability, economic condition, individual lifestyle or social views, unless prohibited by any order under the Library Regulations (1976) of the Library Act, 1939.

Book and non-book materials are made available to enable members to pursue their own interests. Any material not prohibited by State or Federal law may be provided, subject to budget, space, availability of material and the information needs of the community.

Collection development is conducted according to the Mona Vale Library Collection Development Strategy which has been developed to assist the library staff in providing a collection which meets the needs of the library community. All collections are available to all members and all materials are kept in open access except for restricted materials or for the express purpose of protecting them from injury and theft.

Monitoring the reading of children is the responsibility of parents/ guardians and not the library staff.

Council cooperates with other information providers in the Pittwater area including school libraries and the Avalon Community Library. Council participates in the wider network of public, state and national libraries throughout Australia.

Council Policy – No 49	Adopted:	EP: 27.04.98
	Amended:	

TITLE: DEVELOPMENT APPLICATIONS PREVIOUSLY APPROVED
BY THE ELECTED COUNCIL – AMENDMENT OF

STRATEGY: LAND USE & DEVELOPMENT

BUSINESS UNIT: PLANNING & ASSESSMENT

RELEVANT LEGISLATION: ENVIRONMENTAL PLANNING & ASSESSMENT ACT
LOCAL GOVERNMENT ACT

RELATED POLICIES: NONE

Objective

Transparency and Consistency in Development Application Decision Processes.

Policy Statement

1. Council confirms its previous policy, namely that in all cases where a policy review of the DCP is required (even relating to minor matters of policy change) all such changes to policy be referred to the elected Council for decision.
2. In relation to any application for amendment of a previous decision of Council relating to a Development Application that these applications be referred to the elected Council on the basis that Council staff have no delegation to vary decisions taken by the elected Council unless such decisions are made in accordance with the Delegations Of Authority Manual.
3. In relation to the requirements of Pittwater 21DCP which allows for variations to policy, where the application is assessed as being of overall merit and within the intent of the DCP and as a guidance to staff, it should be noted that any such variation in excess of 10% in relation to site coverage or height must be brought to the elected Council.

Council Policy – No 83	Adopted:	OM: 03.03.97
	Amended:	

TITLE: KIMBRIKI RESOURCE RECOVERY CENTRE – FREE ACCESS

STRATEGY: WASTE MANAGEMENT & POLLUTION CONTROL

BUSINESS UNIT: ENVIRONMENTAL COMPLIANCE

RELEVANT LEGISLATION: NONE

RELATED POLICIES: NONE

Objectives

To relieve registered charities and not-for-profit community organisations from tipping charges.

To assist registered charities and not-for-profit community organisations by accepting tipping charges as a debt to Council.

Policy Statement

1. That no charge be made to registered charities and not-for-profit community organisations for the disposal of waste/recyclables at Kimbriki Resource Recovery Centre, Kimbriki Road, Ingleside.
2. That Pittwater Council agrees to be debited and pay the applicable fee for waste/recyclables disposed by registered charities and not-for-profit community organisations.
3. Evidence of current registration as a charity or not-for-profit organisation is required to be supplied prior to Council issuing a letter of exemption.
4. The quantity of waste/recyclables shall remain within reason and at the discretion of Council.

Council Policy – No 103	Adopted:	OM: 02.03.98
	Amended:	
Version:		

TITLE: CAR PARKING AREAS - FREE

STRATEGY: TOWN AND VILLAGE

BUSINESS UNIT: ENVIRONMENTAL COMPLIANCE

RELEVANT LEGISLATION: LOCAL GOVERNMENT ACT

RELATED POLICIES: NONE

Objectives

To identify areas of Council land set aside for free public parking. To ensure that Council periodically reviews the conditions under which vehicles may be parked, consults with stakeholders and determines and publicises appropriate conditions and enforces those conditions effectively.

Policy Statement

That pursuant to Section 650 Local Government Act, 1993 Council resolves to provide the areas below as free car parks, subject to the terms specified on notices erected by Council on each of the subject areas.

Avalon

Bowling Green Lane Car Park – Land being Lot 49, DP 9151 and Lots 1 and 2, DP 519886
 Scout Hall Car Park – 7 Bowling Green Lane, Avalon, Lot 6, DP 1102075
 Barefoot Boulevard Car Park – 76 Old Barrenjoey Road, Avalon, Lot 201, DP 1107408

Newport

Bramley Lane Car Park (rear of bottleshop) – 394 Barrenjoey Road, Newport, Lot 7340, DP1161043

Mona Vale

Bungan Lane Car Park – 4 Bungan Lane, Mona Vale, Lot 2, DP 1136849
 Mona Vale Library Car Park (adjoining Community Centre) – 1 Park Street, Mona Vale, Part of Lot 100, DP 1047405

Leased Areas

Woolworths (Mona Vale) Car Park – 25-29 Park Street, Mona Vale, Lot 1, DP 605804

Council Policy – No 133 Version:	Adopted:	OM: 29.09.97
	Amended	

TITLE: **BROTHELS IN PITTWATER**
STRATEGY: **TOWN AND VILLAGE**
BUSINESS UNIT: **ENVIRONMENTAL COMPLIANCE**
RELEVANT LEGISLATION: **ENVIRONMENTAL PLANNING & ASSESSMENT ACT**
LOCAL GOVERNMENT ACT
RELATED POLICIES: **NONE**

Objective

Presentation of the Amenity and Safety of Residents, particularly Children.

Policy Statement

That, if an applicant wishing to establish a brothel in Pittwater industrial areas can demonstrate to Council that an individual site can satisfy the criteria set out by the Department of Planning, described in its letter dated 16 July 1996, i.e. no brothels are to be located adjacent to schools or facilities frequently used by children including community centres, schools, churches, etc., and should not be located adjacent to residential development where children may be living, then Council would consider a rezoning application for the establishment of a brothel (or sexual service premises).

Council Policy – No 156	Adopted:	
	Amended:	
Version:		

TITLE: GREYWATER REUSE IN SEWERED AND UNSEWERED DOMESTIC PREMISES

**STRATEGY: COMMUNITY ENGAGEMENT, EDUCATION & AWARENESS
RISK MANAGEMENT COORDINATION
WATER MANAGEMENT**

BUSINESS UNIT: ENVIRONMENTAL COMPLIANCE

RELEVANT LEGISLATION: LOCAL GOVERNMENT ACT 1993

RELATED POLICIES: NONE

Objectives

Domestic greywater is increasingly being considered as a potential resource for use on-site with ornamental garden and lawn watering, toilet flushing and laundry use. Although greywater reuse may encourage ecological sustainability it is also essential to protect public health as greywater is considered to be potentially infectious with pathogenic organisms and a chemically polluted waste material and this policy aims to ensure that reuse is carried out in the safest possible manner.

Policy Statement

- That Council requires all installations for the purpose of reusing domestic greywater, in areas where the Sydney Water sewerage system connection is available, to comply with the “NSW Guidelines for Greywater Reuse in Sewered Single Household Residential Premises”, May 2008 and associated accreditation guidelines, or the equivalent specifications as may be endorsed by NSW Health.
- That Council requires all installations for the purpose of reusing domestic greywater, in areas where the Sydney Water sewerage system connection is not available, to comply with the Department of Local Government “Environmental Health and Protection Guidelines: On site Sewage Management for Single Households” 1998 and associated accreditation guidelines, or the equivalent specifications as may be endorsed by the Department of Local Government and NSW Health.
- The reuse of greywater on any premises shall not be to the detriment of native flora.

Council Policy – No 158 Version: 1	Adopted:	OM: 14.02 05
	Amended	18.06.10

TITLE: ISSUING OF INFRINGEMENT NOTICES

STRATEGY: COMMUNITY ENGAGEMENT, EDUCATION AND AWARENESS

BUSINESS UNIT: ENVIRONMENTAL COMPLIANCE

RELEVANT LEGISLATION: ROADS AND TRAFFIC ACT AND ROAD RULES NEW SOUTH WALES

RELATED POLICIES: COMPLIANCE ENFORCEMENT AND ORDERS POLICY

Objective

To assist in the control in the management of companion animals on residential properties.

Policy Statement

That all infringement notices should be served personally or affixed to the windscreen except in exceptional circumstances.

When such exceptional circumstances exist the letter accompanying the infringement notice must state the exact place, date, time and the circumstances why the notice could not be served at the time of the offence.

Such letters and infringement notice must be posted within 2 working days of the date of the offence.

Rangers must display, so that it can be seen, appropriate Council identification.

Council Policy – No 167 Version:	Adopted:	OM: 16.07.07
	Amended	

TITLE: YOUTH

STRATEGY: BUILDING COMMUNITIES

BUSINESS UNIT: COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT

RELEVANT LEGISLATION: NONE

RELATED POLICIES: COMMUNITY ENGAGEMENT

Objectives

Consultation

- Knowing what current issues are facing young people and finding ways to address these.

Participation

- Providing opportunities to get young people involved in the community as well as being inclusive of young people in decision making that relates to them.

Partnerships

- Working with services and other levels of government to respond to youth issues and create new opportunities for young people.

Positive Acknowledgement

- Acknowledging and promoting to the wider community the positive ways that young people contribute to Pittwater.

Resourcing/Supporting Providers

- Supporting providers of youth services through information, advice on best practice models, provision of community space, and financial assistance through the Pittwater Grants Program.

Direct Provision

- Provision and access of safe youth leisure, recreation, learning space and social experiences such as sporting facilities, libraries, community centres and youth specific events.

Training Opportunities

- Provide student placement opportunities within Council for students still currently studying at University, Tafe or high school.

Encouraging Leadership

- Promoting and providing financial assistance for young people to attend youth leadership conferences and forums.

Supporting Families

- Endeavour to support parents through information provision and promote services available to parents of teenagers.

Advocacy

- Lobby on behalf of Pittwater's young people for improvement, change or more services that are important to them and improve their access and equity opportunities.

Capacity Building

- Provide skills based learning to a number of young people each year through Pittwater's co-ordinated youth events, to provide the capacity for young people to be providers of their own safe, well organised events.

Information Source

- Disseminate up to date, credible information to young people and their families to assist with healthy living and safety of young people in the community.

Policy Statement**Background**

For the purpose of this document youth are defined as 12 – 24 years

Philosophy

Pittwater Council recognises the values and contributions that young people make to enhance the community that is Pittwater. Council will continue to facilitate and provide opportunities for young people to contribute, be recognised, and participate in community life.

Development

That Council encourage developers in Pittwater to consider incorporating user friendly youth space within all applicable future development applications.

Council Policy – No 168 Version:	Adopted:	OM: 16.07.07
	Amended	

TITLE: CHILDREN'S SERVICES

STRATEGY: BUILDING COMMUNITIES

BUSINESS UNIT: COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT

RELEVANT LEGISLATION: NONE

RELATED POLICIES: NONE

Objectives

- To ensure a range of quality services for children and families are available to meet the diverse needs of families and communities.
- To provide leadership in identifying families' and children's needs and coordinate community and government response to these needs.
- To develop strong and effective linkages between the range of children's and family services and between all levels of government, the community and the private sector.
- To provide an environment that enhances children's opportunities to develop positive relationships with their family and with the community at large.

Policy Statement

Background

For the purpose of this document children are defined as 0 to 12 years.

Philosophy

Pittwater Council endorses a vision for the future that acknowledges that:

- Children's best interests are a primary consideration in the provision of services for children and families.
- Children have the right to services and spaces that assist them to develop strong relationships and confidence in their abilities.
- Children have a right to care, education and recreation which promotes individual development.
- High quality children's services are an investment which develops and enhances social, cultural and economic wellbeing of the entire community.

- Community participation in decisions about children and families is essential for the development of services that meet local needs.

Principal Strategies

Provision:

- Council will examine options to develop childcare services where gaps exist and other options for delivery are not available.

Resourcing and supporting other providers:

- Assistance will be provided to other childcare services to share knowledge and experiences through the facilitation of networks for all childcare providers in the area.
- As an advocate for the whole community, Council will actively pursue options to increase access to services that are appropriate for the children in need of services.

Supporting families:

- Council will provide information and advice to families on the selection of quality childcare and the range of childcare options.
- Council will provide families with information on other services available to them eg health and child development service, local schools, parks and playgrounds, playgroups and recreation activities.
- In developing community land, for example parks, playgrounds, community centres etc the needs of children and families of children will be a consideration.

Partnerships:

- By supporting and developing services and through community partnerships, Council will seek to improve access for all children, especially for children with special needs.
- Council will look for opportunities to work with Federal and State Governments to provide families of Pittwater with access to additional services.

Council Policy – No 172	Adopted:	OM: 07.07.08
	Amended	
Version: 1		

TITLE: STREET PARKING

STRATEGY: COMMUNITY ENGAGEMENT, EDUCATION AND AWARENESS

BUSINESS UNIT: ENVIRONMENTAL COMPLIANCE

RELEVANT LEGISLATION: ROADS AND TRAFFIC ACT AND ROAD RULES NEW SOUTH WALES

RELATED POLICIES: COMPLIANCE ENFORCEMENT AND ORDERS POLICY

Objectives

- To promote community awareness of responsible road use through education.
- To ensure that all users of the roads and road reserve areas have safe and equitable access.
- To provide a mechanism within Council, that is procedurally fair, for the review of infringements.
- To ensure that all records and evidence relating to infringements, including photographic evidence is securely stored and managed in accordance with privacy and other legislative principles.

Policy Statement

- An authorised officer must hold the appropriate delegated authority under the Local Government Act 1993 to issue infringements for offences. Staff delegated to issue infringements are set out in Council's Delegation Register.
- Enforcement officers will issue an infringement where, in their opinion, there has been a breach of the relevant legislation.
- Parking offences are defined by the legislation and compliance is considered to be a primary responsibility of the drivers of motor vehicles however, officers are encouraged to assess each situation on its own merits in determining whether an infringement is issued.
- Wherever possible enforcement officers will obtain a digital photograph of the offence clearly showing such details as signs, registration details and vehicle position that may be relevant to the offence.
- All photographs taken may be used as evidence in a court of law and will be stored and handled in accordance with the Personal and Privacy Protection principles.
- All written representations relating to parking infringements issued by Council enforcement officers will be referred, in the first instance, to the State Debt Recovery Office for adjudication.
- Representations referred to Council by the State Debt Recovery Office for comment will be assessed by a panel consisting of the Director, Environmental Planning and Community (or designated alternate) and the Environmental Compliance Manager (or designated alternate).

Council Policy – No 175	Adopted:	OM: 02.03.09
	Reviewed	CRED 01.03.10
Version:	Amended	

TITLE: LIQUOR LICENSING APPLICATIONS

STRATEGY: BUILDING COMMUNITIES

BUSINESS UNIT: COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT

RELEVANT LEGISLATION: NEW SOUTH WALES LIQUOR ACT 2008

RELATED POLICIES: NONE

Background

A new Liquor Act was passed by the NSW Parliament on 5 December 2007, and these laws came into effect from 1 July 2008. These new laws impact on existing liquor licensees and registered clubs. Existing liquor licences will continue under the new laws, although the type of liquor licence will change for many businesses. Applications for a new licence, or to alter an existing licence are now subject to a range of requirements.

Liquor licences are issued by the Casino, Liquor & Gaming Control Authority. The Authority determines liquor licence applications and disciplinary outcomes in NSW. Under the new regulations, a Community Impact Statement (CIS) must accompany an application for most types of permanent liquor licences. The intention of the CIS is to enable the Authority to consider the likely impact of the proposed licence or authorisation on the local community, and gauge the level of community support for the proposal.

The CIS process is the first opportunity for the community to influence the outcome of a liquor licensing proposal. It is prepared before the liquor licensing application is made. In compiling the CIS, the applicant consults with local stakeholders before deciding to lodge an application. The CIS summarises the results of consultation between the applicant and the local community about any issues and concerns with a proposed application. A CIS must be included with the papers lodged with the Authority when a liquor licence application is made. The Authority cannot grant a licence unless it is satisfied that the overall social impact will not be detrimental to the well being of the local or broader community.

The new Liquor Act provides for six new categories of liquor licence:

New Licence	Former Licence
Hotel licence (including a general bar licence)	Hotelier
Club licence	Registered club (certificate of registration under the Registered Clubs Act 1976)
On-premises licence	On-licence (restaurant) Nightclub On-licence (restaurant) with motel endorsement On-licence (motel, vessel, public hall, theatre) On-licence (airport, university)
Packaged liquor licence	Off-licence (retail)
Producer/wholesaler licence	Off-licence (vigneron, brewer wholesale)
Limited licence (multifunction or single function)	On-licence (function) Special event licence

Policy Statement

This policy seeks to establish criteria for considering applications from two broad categories:

1. Facilities on Council land including but not limited to bowling clubs, golf clubs, surf clubs, cafes/restaurants/'kiosks', and whether Council owns the land or is the Trust manager of a Crown Reserve; and
2. Premises on private land, including but not limited to hotels, clubs, cafes or restaurants.

The following criteria and the attached tables for Council and Private Land will form the basis of whether Council supports or opposes liquor licensing applications. However, individual applications will be considered on their merits.

Criteria for Assessing Liquor Licence Applications

Both Council and Private Land

- Council will only support an application if appropriate planning approvals are in place and any requirements of the Building Code of Australia have been or will be met.

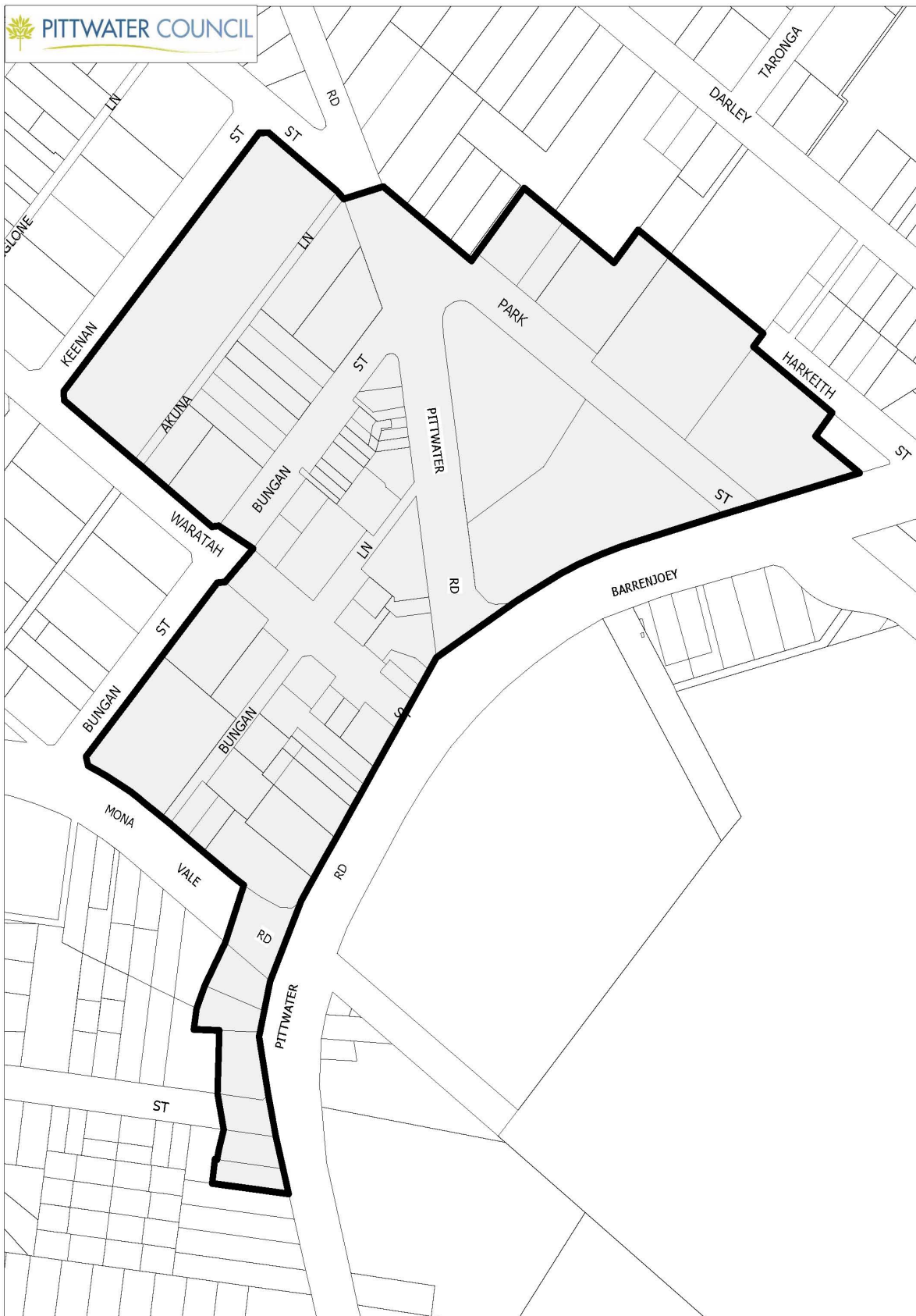
Council Land

- Applicants must consult with Council before embarking on any required Community Impact Statement process (before consulting residents), and before lodging their application.
- In the event the applicant does not consult with Council, and based on compliance issues and adverse community concerns, Council will strongly oppose the applicant's licence application.
- The application must be consistent with any adopted Plans of Managements, and lease/licence conditions.

- Council will generally only support the application if the basis of how the facility is to operate as a licenced premises has been agreed with Council and that this agreement has been included via an amendment to their existing lease with Council or via entering into a new lease.

COUNCIL LAND			
Category of licence	Licenced Hours		Other conditions
<ul style="list-style-type: none"> - Hotel Licence - General Bar Hotel Licence - Packaged liquor licence - Producer/Wholesaler licence 	These types of licences will generally <u>not</u> be supported.		Minors Area Authorisations generally will <u>not</u> be supported by Council in small bar / hotel type situations.
<ul style="list-style-type: none"> - Club Licence (RSLs) <p><i>Note: the outdoor leased area of Dunbar Park by Avalon Beach RSL is further restricted to: Monday – Sunday 10am to 10pm</i></p>	Monday – Saturday Sunday Public Holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	N/A
<ul style="list-style-type: none"> - Club Licence (Sporting clubs) 	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	N/A
<ul style="list-style-type: none"> - On-premises licence – Surf Clubs - Limited licence (multi-function or single) 	Sunday – Thursday Friday – Saturday Public holidays New Years Eve	midday to 10pm midday to midnight midday to 10pm midday to 1am	N/A
<ul style="list-style-type: none"> - On-premises licence for a Restaurant for locations as follows: (see shaded areas in attached maps) <ul style="list-style-type: none"> • Mona Vale • Newport • Avalon • North Narrabeen • Elanora Heights • Palm Beach 	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	Primary Service Authorisations generally will be supported. Council will <u>not</u> support the PSA extending into any outdoor footpath area / reserve leased from council.
<ul style="list-style-type: none"> - On-premises licence for a Restaurant, Entertainment Venue, Accommodation, all areas other than above. 	Seven days per week New Years Eve Public holidays	10am to 10pm 10am to 1am 10am to 10pm	Primary Service Authorisation generally will <u>not</u> be supported.
<p>Note:</p> <ul style="list-style-type: none"> • Council acknowledges that many existing licences may be entitled to trade for longer than the above hours. • Council will only seek to reduce these longer hours where there are serious complaints regarding the licenced premises or where the premises seek a significant change to their licence. • Council will also seek to make all future leases/licences consistent with this Policy including voluntary compliance until such time as leases/licences are renewed. 			

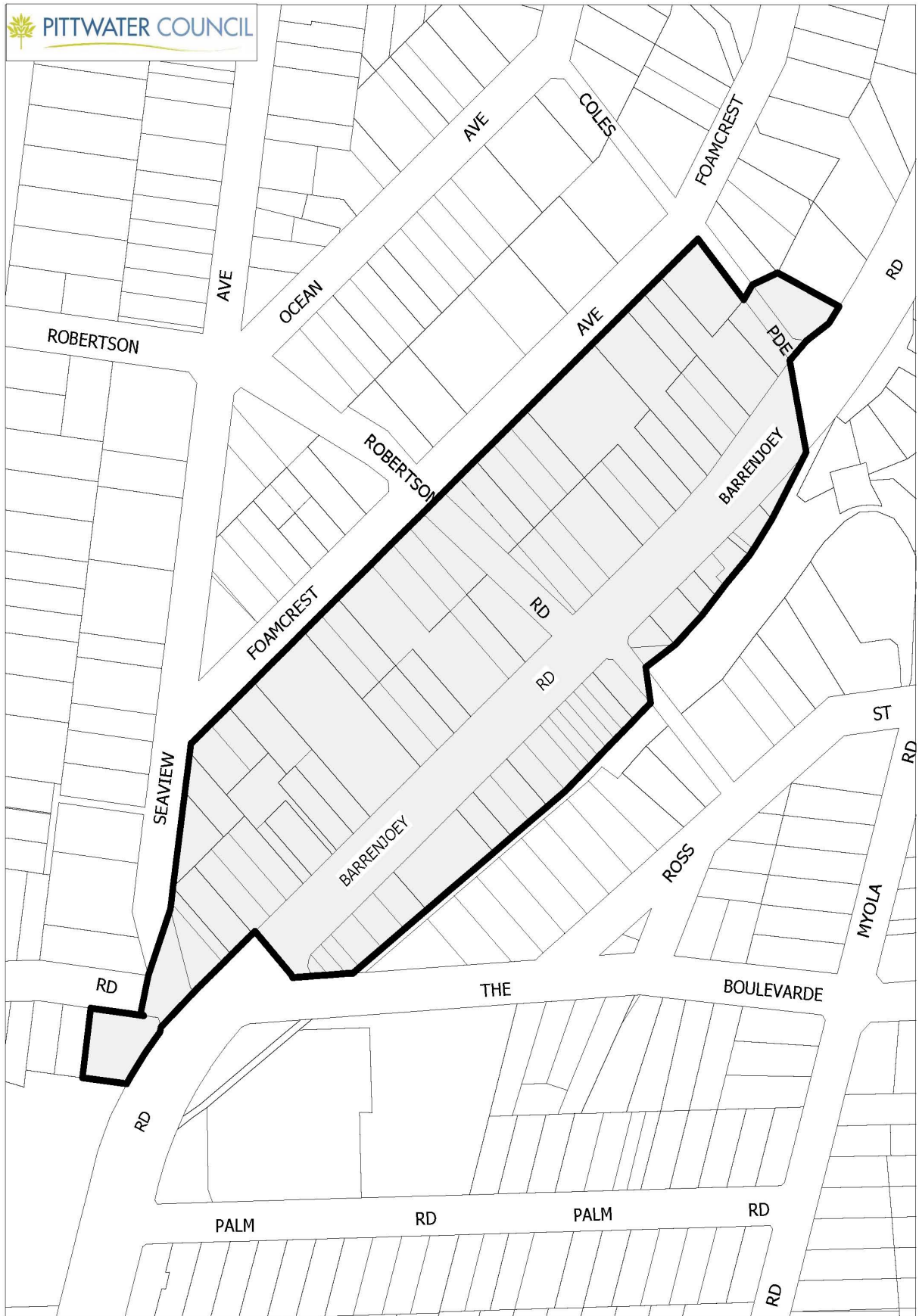
PRIVATE LAND Category of licence	Licenced Hours		Other conditions
- Hotel Licence	These types of licences will need to be assessed in detail based on their merits.		N/A
- General Bar Hotel Licence This type of licence will generally not be supported except in the following areas: <i>(see attached maps)</i> <ul style="list-style-type: none"> • Mona Vale • Newport • Avalon • North Narrabeen • Elanora Heights • Palm Beach 	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	Minors Area Authorisations generally will <u>not</u> be supported by Council in small bar / hotel type situations.
- On-premises licence for a Restaurant, Entertainment Venue, Accommodation for locations as follows: <i>(see shaded areas in attached maps)</i> <ul style="list-style-type: none"> • Mona Vale • Newport • Avalon • North Narrabeen • Elanora Heights • Palm Beach 	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	Primary Service Authorisations generally will be supported. Council will <u>not</u> support the PSA extending into any outdoor footpath area / reserve leased from council.
- On-premises licence for a Restaurant, Entertainment Venue, Accommodation, all areas other than above.	Seven days per week New Years Eve Public holidays	10am to 10pm 10am to 1am 10am to 10pm	Primary Service Authorisation generally will <u>not</u> be supported.
- Club Licence (RSLs)	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	N/A
- Club Licence (Sporting clubs)	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	N/A
- On-premises licence – Surf Clubs - Limited licence (multi-function or single)	Sunday – Thursday Friday – Saturday Public holidays New Years Eve	midday to 10pm midday to midnight midday to 10pm midday to 1am	N/A
- Packaged Liquor Licence	Seven days per week	10am to 10pm	N/A
- Producer/Wholesale Licence	Seven days per week	10am to 10pm	N/A
Note: <ul style="list-style-type: none"> • Council acknowledges that many existing licences may be entitled to trade for longer than the above hours. • Council will only seek to reduce these longer hours where there are serious complaints regarding the licenced premises or where the premises seek a significant change to their licence. 			



This plan is not survey accurate.

**Monna Vale
Town Centre**

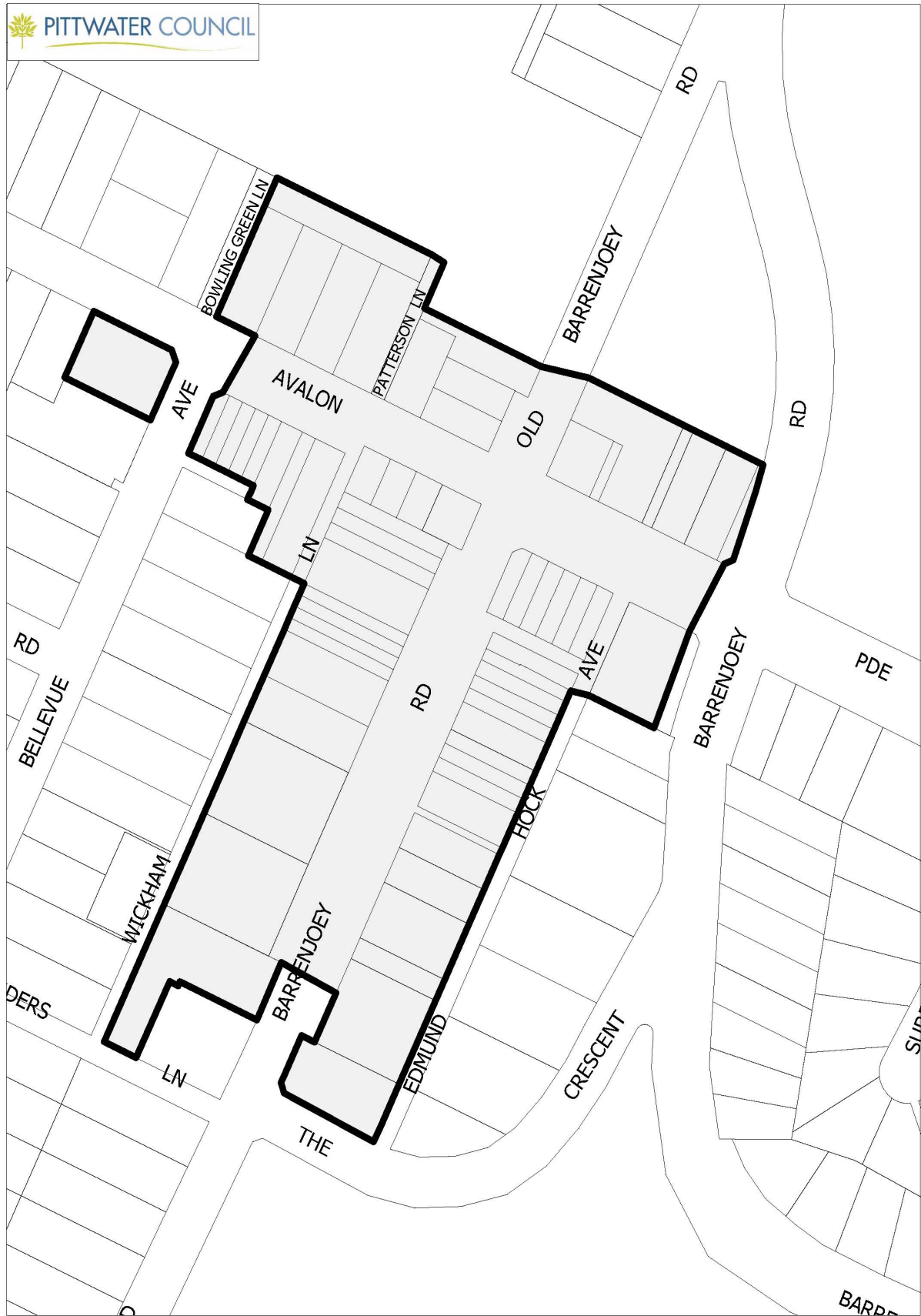
NORTH
A4 Scale 1:3000



This plan is not survey accurate.

Newport Village

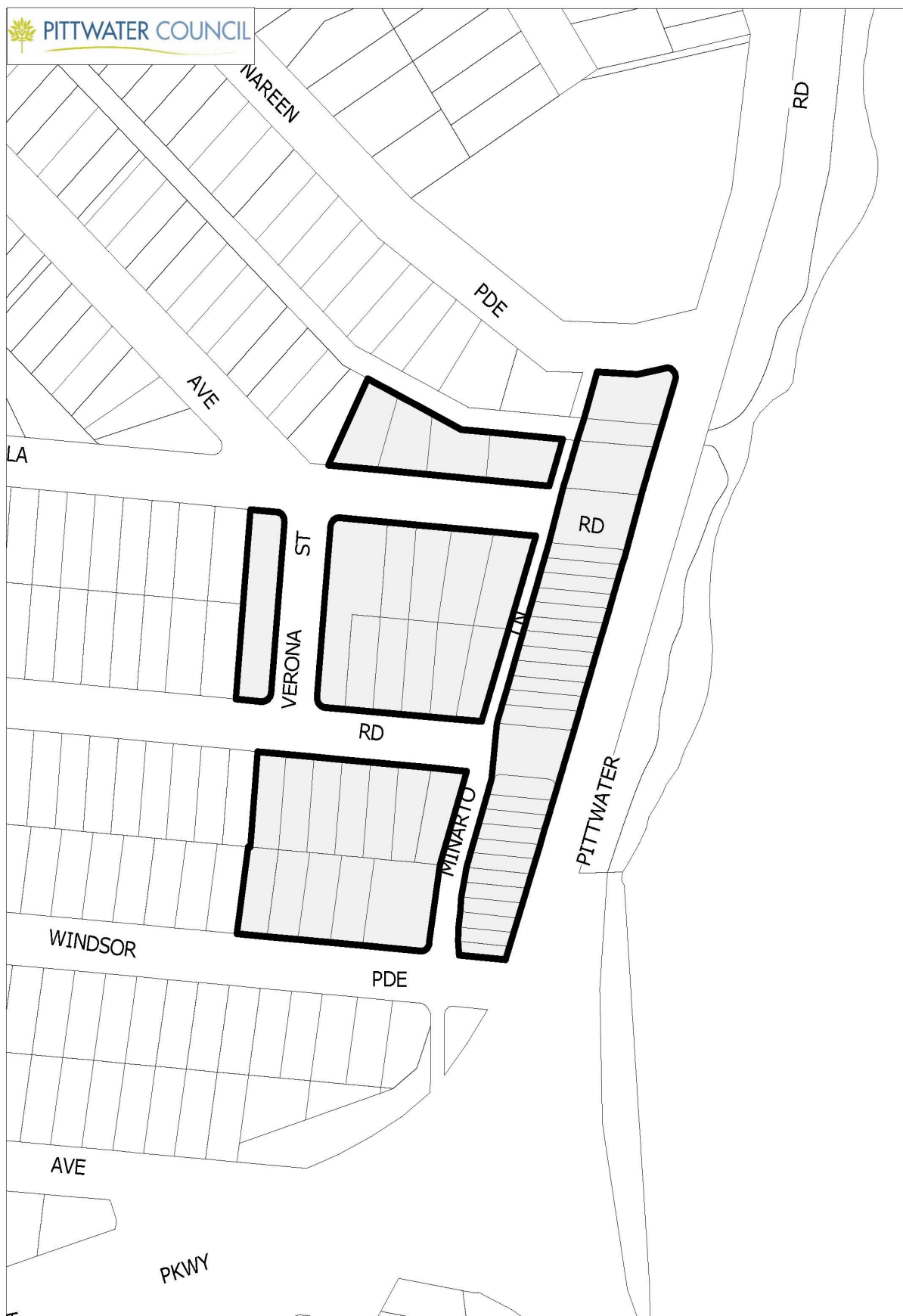
NORTH
A4 Scale 1:2500



This plan is not survey accurate.

Avalon Village

NORTH
A4 Scale 1:2000



This plan is not survey accurate.

**North Narrabeen
Village**

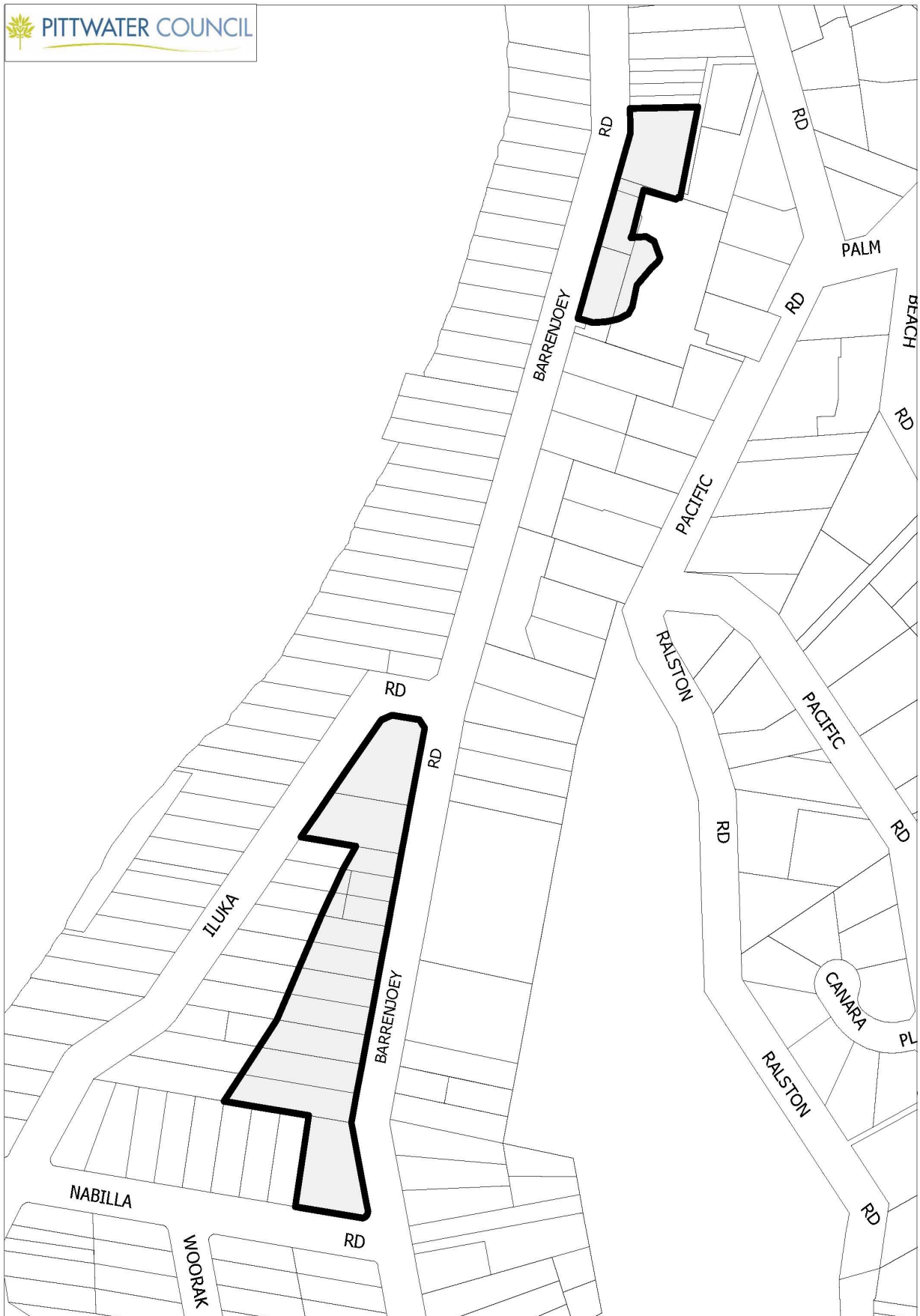
NORTH
A4 Scale 1:2000



This plan is not survey accurate.

**Elanora Heights
Village**


NORTH
A4 Scale 1:2000



This plan is not survey accurate.

**Palm Beach
Village**

NORTH
A4 Scale 1:2500

Council Policy – No 179 Version: 1	Adopted:	03.0510
	Amended	03.0510

TITLE: COMPLIANCE ENFORCEMENT AND ORDERS POLICY

STRATEGY: COMMUNITY ENGAGEMENT EDUCATION AND AWARENESS

BUSINESS UNIT: ENVIRONMENTAL COMPLIANCE

RELEVANT LEGISLATION:

- Local Government Act 1993 and Regulations
- Environmental Planning and Assessment Act 1979 and Regulation
- Food Act 2003, Regulations and NSW Food Safety Standards
- Protection of the Environment Operations Act 1997 and Regulations
- Waste Avoidance and Resource Recovery Act 2001 and Regulations
- Noxious Weeds Act 1993
- Public Health Act 1991 and Regulations
- Companion Animals Act 1998 and Regulations
- Roads Act 1993 and Regulations
- Road Transport (Safety and Traffic Management) Act 1999, Regulations and Australian Road Rules
- Impounding Act 1993 and Regulations
- Recreational Vehicles Act 1983
- Swimming Pools Act 1993
- Fisheries Management Act 1994 and Regulations
- Liquor Act 1982 and Regulations
- Building Code of Australia, 1996 as amended

RELATED POLICIES: Policy No 158 – Issuing of Infringement Notices

Objectives

To provide an operating manual of relevant legislative powers for compliance officers and guidance in the application of those powers in regard to a balance between the reasonable exercise of authority and the statutory responsibility of the officer to act where a breach has been identified. The Policy aims to promote consistency, procedural fairness and transparency of process in enforcement activities by providing officers with a set of guidelines for the process from responding to complaints, the investigation and the determination of enforcement action.

Policy Statement

Council acknowledges that it has an obligation under section 8 of the Local Government Act 1993 to ensure that the exercise of its regulatory power is carried out consistently and without bias. Council acknowledges its obligations under the Occupational Health and Safety (OH&S) Act in relation to its officers.

The policy applies to all compliance and enforcement action where Council has regulatory responsibility under NSW legislation. It applies to Council staff and contractors who must carry out their duties lawfully.

Council's Values of Respect, Quality, Ethics and Communication apply to all actions taken under this Policy.

(Note: Reformatted Front Page of Policy Only)

Council Policy – No. 180 Version: 1	Adopted:	17.05.10
	Amended:	

TITLE:	CLOSED CIRCUIT TELEVISION (CCTV)
STRATEGY:	TOWN AND VILLAGE
BUSINESS UNIT:	COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT
RELEVANT LEGISLATION:	PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998, WORKPLACE SURVEILLANCE ACT 2005, SECURITY INDUSTRY ACT 1997
RELATED POLICIES:	NONE

–

Objectives

The CCTV system currently focuses on providing asset protection to a number of key Council facilities. The CCTV system also monitors some general public domain areas, particularly around Village Park Mona Vale.

The CCTV system contains a number of cameras which are networked to Council offices at both Vuko Place and Boondah Depot. Recordings are taken 24 hours a day, however the camera footage is generally not monitored live.

The objectives of Pittwater Council's CCTV system are as follows:

- To reduce crime levels by deterring potential offenders.
- To reduce fear of crime.
- To assist Police in the detection and prosecution of offenders.
- To help secure a safer environment for those people who live in, work in and visit the areas that are monitored.
- To assist Council in general claims management.

The CCTV system may also be used for intelligence gathering on individuals and locations, in relation to criminal offences.

The CCTV system will operate in accordance with the following key principles:

- *Principle 1*
Pittwater Council's CCTV system will be operated fairly, within applicable law, and only for the purposes for which it is established.

- *Principle 2*
The system will be operated with due regard to the privacy and civil liberties of individual members of the public.
- *Principle 3*
The public interest in the operation of the system will be recognised by ensuring the security and integrity of operating procedures.
- *Principle 4*
The public will be provided with clear and easily accessible information in relation to the CCTV system.
- *Principle 5*
Information recorded will not exceed that necessary to fulfil the aims and objectives outlined in this policy.

Policy Statement

It is recognised that the threat of crime is an important factor impacting on the actual and perceived safety of certain areas in the Pittwater area. The aim of the CCTV system is to reduce the potential for crime in the Pittwater area.

**Policies to be Retained with
Substantial Modification
and
Format Modification**

Council Policy – No 21	Adopted:	OM: 23.09.96
	Amended	
Version:		

TITLE:	TOURISM IN PITTWATER
STRATEGY:	BUILDING COMMUNITIES & ECONOMIC DEVELOPMENT
BUSINESS UNIT:	COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT
RELEVANT LEGISLATION:	NONE
RELATED POLICIES:	NONE

Objectives

1. Ensure that the natural environment of Pittwater is protected and appreciated by visitors and community alike and managed for sustainability.
2. Improve community knowledge of and attitudes towards tourism in Pittwater.
3. Ensure that tourism/ visitation issues are considered in the strategic planning of the area.
4. Work with the recognised tourism groups within Pittwater to encourage planned, sustainable and appropriate tourism development within the area to agreed standards.
5. Ensure any investment in infrastructure provision or up-grade has the two-fold benefit of improving facilities for the community while addressing the needs of tourism operators and users.
6. Encourage the provision and accessibility of community and visitor information.

Policy Statement

Pittwater Council is committed to the orderly and strategic development of tourism initiatives that benefit the ratepayers of Pittwater but which are environmentally and structurally sensitive to our unique environment.

In looking at tourism initiatives Council will be favouring those initiatives that create employment, that provide facilities for the residents of the area, which in turn can be used by tourists, that promote and protect our unique environment and lifestyle and that do not unduly interfere with the fabric of the society in which we live.

Implementation

In co-operation with the relevant organisations, Council will develop long-term management strategies which ensure tourism development which is acceptable to the Council's vision.

Pittwater Council will continue to formulate planning controls and policies which maintain the quality of the environment and conserve the resources which are the basis of tourism in the area.

In doing so Council will ensure that any investment in infrastructure provision or up-grade related to tourism has the two-fold benefit of also improving facilities for the community while addressing the needs of tourism.

Council will also ensure that any proposed tourism development meets with provisions of this policy.

Council Policy – No 154	Adopted:	08.12.03
	Amended	
Version:		

TITLE:	SMOKE FREE ZONES AROUND PITTWATER
STRATEGY:	BUILDING COMMUNITIES
BUSINESS UNIT:	COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT
RELEVANT LEGISLATION:	SMOKE-FREE ENVIRONMENTAL ACT 2000 PUBLIC HEALTH (TOBACCO) ACT 2008
RELATED POLICIES:	NONE

Objectives

The objectives of Pittwater Council in banning/encouraging the community not to smoke in various Council areas are to:

- Improve the health of community members;
- Improve the public amenity and maintenance of Council property;
- Raise community awareness of the issues associated with smoking;
- Provide community leadership in taking measures to protect the health and social wellbeing of the community;
- Minimise cigarette butt pollution on Council owned beaches, waterways, parks and other open space areas.

Policy Statement

Background

There is substantial evidence linking exposure to second-hand smoke with a range of serious and life threatening health impacts including heart disease, cancer, asthma and other respiratory problems. Children exposed to second-hand smoke are at an increased risk of asthma, sudden infant death syndrome (SIDS), acute respiratory infections and ear problems.

While most of the evidence relates to indoor exposure, there is emerging evidence on how smoking affects air quality in outdoor locations such as alfresco cafes and playgrounds. A recent study which measured cigarette smoke levels in a variety of outdoor locations showed that a person sitting near a smoker in an outdoor area could be exposed to levels of cigarette smoke similar to the exposure of someone sitting in an indoor tavern where smoking is allowed. Therefore, the second-hand smoke in outdoor areas where people tend to congregate, such as alfresco dining areas, sports stadiums and concert venues etc can present a real health risk to patrons and staff.

There is also evidence to suggest that smoking bans or encouraging people not to smoke support smokers who are trying to quit as well as reduce their overall cigarette consumption. Fifty four percent of smokers who had tried to quit found that seeing someone with a cigarette was a trigger to relapse, according to a 2006 study.

In addition to the health impacts, cigarettes are an environmental issue. Cigarette butts take up to five years to break down. Cigarette butts are consistently one of the most common items found during Clean Up Australia Day. Almost 50% of all litter in urban areas is tobacco related products. Outdoor smoking bans can help to reduce the amount of cigarette butt litter and provide a substantial cost saving through reduced clean-up costs.

Principles

This policy recognises that Council has:

- An obligation to promote public health outcomes where Council provides assets and services intended to be of benefit to children and other members of the community.
- A commitment to improve the natural environment and the amenity of the local area by reducing the amount of cigarette butt litter found in outdoor spaces.
- An understanding that the damaging effects of passive smoking while well documented in regard to indoor areas, is also beginning to emerge in regard to outdoor areas; and
- An acknowledgement that the indirect effects of people smoking in an outdoor area can result in children playing with and swallowing discarded cigarette butts; cigarette-derived particles accumulating on clothing and skin; and smoking causing sensory irritations such as eye watering, coughing, difficulty in breathing or asthma.

Smoke Free Areas

1. That Council bans smoking in the following areas on Council owned or managed land:
 - (i) Within ten (10) metres of all fenced children's playgrounds.
 - (ii) In all alfresco dining areas and that current leases/licences will not be covered by this policy until such time as the lease or licence with Council is renewed. All existing lessors or licensees will be encouraged to voluntarily comply with this policy until such time as their lease or licence is renewed.
 - (iii) In all Council owned buildings. Current leases/licences will not be covered by this policy until such time as the lease or licence with Council is renewed. All existing lessors or licensees will be encouraged to voluntarily comply with this policy until such time as their lease or licence is renewed.
2. That Council encourages the community not to smoke in the following areas on Council owned or managed land.
 - (i) On all playing fields, sporting grounds and sporting facilities (ie. Swimming pools, outdoor sports centres).
 - (ii) On all beaches.
 - (iii) Within all covered bus stops and taxi ranks.

Council Policy – No 162 Version:	Adopted:	OM: 09.05.05
	Amended	

TITLE:	HOME BASED BUSINESS
STRATEGY:	ECONOMIC DEVELOPMENT
BUSINESS UNIT:	COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT
RELEVANT LEGISLATION:	NONE
RELATED POLICIES:	NONE

Objectives

To support and promote home based micro businesses in all residential areas of Pittwater as an important economic development activity.

Home based businesses support sustainable local communities which are vital to the long term future of the local economy.

Home based businesses help promote economic as well as social benefits and opportunities for the local and regional area.

To provide an alternative to commuting to work to external locations and an opportunity to support and retain the high levels of professional skills in the area.

To support employment containment within Pittwater.

To support recognition of the national trend towards home based businesses and that many future small and medium businesses will grow from home based businesses.

To complement support for the eventual rollout of the NBN to help reinforce working from home as a legitimate form of employment now and for the future.

Policy Statement

Home based businesses are growing by 16 percent a year and it is estimated that between 750,000 and 1,000,000 Australians use their home in some capacity to earn an income.

In Pittwater LGA there are already numerous home based businesses and this trend is expected to expand even further as a result of existing demographics, new communication technology advances, desire for telecommuting and self employment across a number of business sectors, flexibility and low overheads.

Background

Operating a business from home has become increasingly common because of the digital revolution, outsourcing, the trend to self-employment and the growth of service industries.

This accelerated emergence of micro business operating in recent years can also be linked to better technology and trends toward more flexible lifestyles. Apart from the economic value this growth entails, local communities also gain with social and environmental benefits of those working from home.

Pittwater and the Northern Beaches have historically experienced high levels of containment. Residents have chosen to live and work in the LGA due to lifestyle advantages, the geographical distance from the Sydney CBD and lack of efficient public transport infrastructure for easy access connecting to employment centres elsewhere. Women in business for example often use home businesses as an opportunity to be in close proximity to young families.

A "home based business" or a "home activity" is a business that operates from home instead of a commercial premises. In some cases, all aspects of the business might be conducted from the home. In other cases the administrative aspects of the business are carried out in the home, which might be the case for contractors or tradespeople for example.

Typical home based include professional consultants such as accountants or solicitors, clothes design, graphics, craft workers or artisans, people involved in IT, computer/electronics assembly or repair, family day care and telecommuting or virtual offices.

Pittwater Council is keen to support doing business from home which is a growing sector, provided that the particular business is compatible with the broad amenity and environment of the local area.

New Policies

Council Policy – No -New- Version:	Adopted:	
	Amended	

TITLE:	DIRECT FINANCIAL ASSISTANCE – MAYORAL DONATION PROGRAM
STRATEGY:	BUILDING COMMUNITIES
BUSINESS UNIT:	OFFICE OF THE GENERAL MANAGER
RELEVANT LEGISLATION:	LOCAL GOVERNMENT ACT
RELATED POLICIES:	DIRECT FINANCIAL ASSISTANCE & COMMUNITY SERVICES ORGNISATION

Objectives

To support local initiatives and community organisations through small financial donations.

To encourage community organisations in providing community and cultural services within the Pittwater area.

Policy Statement

This program allows the Mayor discretion to support local initiatives and community organisations, not just community **service** organisations with small donations.

Requests for Financial Assistance under the Mayoral Donation Program

Requests for \$500 and under can be considered under the Mayoral Donation Program. The Mayor has discretion to fund a number of local initiatives each year up to a maximum amount contained in the Delivery Plan and Budget which in 2010/2011 is \$6000.

Reporting

Each year a full list of all funding provided under the Mayoral Donations Program will be included in the Annual Report.

Council Policy – No -New- Version:	Adopted:	
	Amended	

TITLE: **GRAFFITI AND VANDALISM**

STRATEGY: **BUILDING COMMUNITIES**

BUSINESS UNIT: **COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT**

RELEVANT LEGISLATION: **NONE**

RELATED POLICIES: **NONE**

Objectives

To reduce the social, environmental and economic impact of graffiti and vandalism throughout Pittwater.

To develop partnerships with community stakeholders to assist in the prevention and removal/repair of graffiti and vandalism.

To divert and discourage those who may have a predilection towards graffiti and vandalism.

Policy Statement

Council views any unauthorised damage, drawing, names, words or marks on public buildings, infrastructure or private property as illegal.

Council believes that the prevention and removal/repair of graffiti and vandalism is the responsibility of all levels of government, as well as private residents, businesses and utility owners.

Council is committed to the apprehension and prosecution of graffiti and vandalism offenders, and where possible will use the law to prosecute those who perpetrate acts of graffiti and vandalism within Pittwater.

Council recognises that it must use its position to provide leadership in the management of graffiti and vandalism within Pittwater. As such, Council will look to form partnerships with other stakeholders to assist in the elimination of graffiti and vandalism throughout Pittwater.

Council is committed to a program of systematic inspection and the rapid removal of graffiti from Council owned property and within budget constraints from private property accessible from public domain within Council's main villages.

Policies to be Revoked

Council Policy – No 32	Adopted:	OM: 03.03.97
	Amended	

CARGO WHARF AT CHURCH POINT – OPERATION REGULATIONS

1. The wharf will be opened for use by the public between the hours of 7am and 6pm daily including weekends. Pedestrian access to the wharf outside these times shall be entirely at the discretion of the Wharfinger and can only be obtained upon the payment of a prescribed fee and bond for a key, or by appointment with the Wharfinger and the payment of a prescribed fee to cover the costs of unlocking and locking the wharf.
2. Outside the times of wharf is opened to the public, the hours of operation of the wharf shall be strictly between the hours of operation of the wharf shall be strictly between the hours of 7am to 6pm daily, including public holidays and weekends.
3. There shall be no storage of goods on the wharf except by permission of the Wharfinger. Any such permission granted shall be limited to a maximum of 48 hours. Goods on the wharf for longer than that period will be impounded by the Wharfinger and recovery of those goods will be subject to the cost of their removal being reimbursed to the Wharfinger. If the goods are not claimed within 30 days then the Wharfinger will proceed to offer the goods for sale.
4. The cargo wharf shall be used for the landing, loading and unloading of goods and merchandise and for the launching of vessels, stepping of masts and riggings associated with yachts. All users shall comply with the discretions of the Wharfinger.
5. The weight of loaded vehicles accessing the wharf and goods placed on the wharf shall not exceed fifty (50) tonnes. Persons accessing the wharf may be required to satisfy the Wharfinger as to the weight of goods in vehicles and will provided, upon request from the Wharfinger, proof satisfactory to him that the absolute weight limit set by this regulation is not exceeded.
6. The wharf shall not be used for the deposition of rubbish and all debris and litter deposited on the wharf shall be removed forthwith.
7. No vessel will moor at the wharf except for the immediate purpose of loading and unloading goods and any vessel so moored my be removed by the Wharfinger and the cost of such removal be recovers from the owner, master or agent of that vessel. All vessels accessing the wharf will comply absolutely with direction given by the Wharfinger as to the mooring of those vessels and the loading and unloading of goods.

Council Policy – No 33	Adopted:	OM: 03.03.97
	Amended	

ARREST OF PERSONS – POWERS OF COUNCIL OFFICERS

Whilst recognising that special circumstances must be dealt with at the time on their own merits and without attempting to define exhaustively the cases in which Council officers are authorised to arrest private citizens, Council adopts the following circumstances as generally justifying the exercises by its officers of the powers to arrest given to them by law:-

- The apprehension of any person in act of damaging or destroying any property of the Council.
- The apprehension of any person in the act of or immediately after having destroyed or damaged any property at all in the circumstances which involve an offence under the Local Government Act, 1993.
- Any person who wilfully refuses, after repeated request, to give his or her name and place of abode after having been caught committing an offence under the Local Government Act, 1993 or who supplies a name or place of abode known to the Council officer concerned to be false, may be arrested.
- Any person who persistently continued to commit an offence despite warnings of likely arrest, having been ordered to desist from the offence may be arrested if it is considered that arrest is the only available means of preventing continuance of the offence involves some damage, injury or serious disturbance to the public.

Note: Refer section 680 of the Local Government Act, 1993 and section 352 of the Crimes Act.

Council Policy – No 34	Adopted:	OM: 03.03.97
	Amended	

BUILDERS' LICENSING BOARD AGENCY

That Council act as an agency for the Builder's Licensing Board for the payment of insurance premiums. A commission of 7.5% is payable to Council on all premiums collected (*Note: A formal agreement has been executed by the Council*).

Council Policy – No 35	Adopted:	OM: 03.03.97
	Amended	

ADEQUACY OF STRUCTURAL DESIGN

That where, in the opinion of the Built Environment Manager, the proposed design of a building or the materials to be used in it make it necessary or desirable that the adequacy of submitted engineering data be established or checked:-

1. The General Manager be authorised to engage a practising structural engineer to provide the information required; and
2. Subject to the provision of the regulations, the fees payable to the structural engineer be met by the applicant or, if deemed appropriate by the Built Environment Manager, by the Council.

Council Policy – No 36	Adopted:	OM: 03.03.97
	Amended	

NOISE NUISANCE FROM BUILDING OPERATIONS

That in exercise of its powers under the Local Government Act, 1993 the Council of Pittwater hereby controls and regulates noises in or near any public place within the said Area as follows:-

- 1) The demolition of any building on any land in or near any public place (which includes a public road) is restricted to the hours of 7am to 5pm Mondays and Fridays inclusive and 7am to 1pm on Saturdays and is prohibited on Sundays, public holidays, Christmas Day and Good Friday.
- 2) The use on land in or near any public place (which includes a public road) of the following specified items of plant, namely compressors, bulldozers, power-operated woodworking machines, all excavators and/or loaders, jackhammers and ramset guns, concrete mixers and/or concrete delivery wagons, hoists, winches and welding and riveting plant is restricted to the hours of 7am to 5pm Mondays to Fridays inclusive and 7am to 1pm on Saturdays and is prohibited on Sundays, public holidays, Christmas Day and Good Friday.

Council Policy – No 38	Adopted:	OM: 21.04.97
	Amended	

DEVELOPMENT APPLICATIONS – POLICIES AT DATE OF DETERMINATION

That all Development applications will be considered on policies applying at the date of determination.

Council Policy – No 39	Adopted:	OM: 03.03.97
	Amended	

DEVELOPMENT APPLICATIONS - APPLICATION CHECK LIST

That personal consultation take place by way of a check list designed by Council staff for the benefit of applicants upon the lodging of a development application with Council officers.

Council Policy – No 40	Adopted:	OM: 03.03.97
	Amended	

DEVELOPMENT APPLICATIONS - SITE INSPECTIONS WITH COUNCIL'S STAFF

That the following procedures be adopted regarding Councillor's site inspections:-

1. Inspections are primarily to assist Councillors and staff in their considerations and are not to provide for debate between applicants, objectors and Council.
2. Discussions on the matter with applicants and objectors at inspections, where possible, be limited to the asking of questions and seeking of information to assist in Council's deliberation.
3. Applicants and objectors not be permitted, during the inspections, to venture onto each others property.
4. As per normal Council meeting practice, applicants and objectors be informed of their right to request to address Council at the relevant meeting.

Council Policy – No 41	Adopted:	OM: 03.03.97
	Amended	

DEVELOPMENT APPLICATIONS – DETERMINATION

1. That in respect of any Development Application which is determined by Council, or by the Development Unit, the applicant be advised that:
 - (i) It is clearly understood that the above consent is not an approval to carry out any structural work. A formal building application must be submitted to Council and be approved before any structural work is carried out to implement the above consent. Also the applicant is not relieved of any obligation to obtain any other approval required under any other Act.
 - (ii) The foregoing determination was taken “by Council – under delegated authority by the Development Unit on behalf of the elected Council” and, pursuant to Council policy.
 - (iii) Section 97 of the Environmental Planning and Assessment Act confers on the applicant who is not satisfied with the determination of the consent authority a right of appeal to the Land and Environment Court exercisable within 12 months of receipt of this notice.
 - (iv) This consent shall be effective and operative from the endorsement date of this consent, however, should an appeal be lodged against Council’s determination of the application, the consent shall cease to be, or shall not become, operative, until that appeal is determined. See section 93 of the Act. In this respect Council has determined that the consent will have a two year period within which to be commenced. Council would consider a one year extension to this period.
 - (v) For information about the circumstances in which this consent may lapse, about commencement of a development granted consent, about extension of the consent, and about the circumstances in which Council may require completion of the development, see section 99 of the Act.
 - (vi) For information about the procedure for the modification of this consent by Council, see section 102 of the Act.
 - (vii) Any person who contravenes this notice of determination of the above mentioned development application shall be guilty of a breach of the Environmental Planning and Assessment Act, 1979, and shall be liable to a monetary penalty and for a restraining order which may be imposed by the Land and Environment Court.

Council Policy – No 71	Adopted:	OM: 03.03.97
	Amended	

INTERALLOTMENT DRAINAGE POLICY – SUBDIVISIONS

- (i) That formal interallotment drainage, including a connection to the public drainage system supported by easements, be required in all subdivisions in Pittwater.
- (ii) That this requirement be included in all Development Control Plans on subdivisions.

Council Policy – No 72	Adopted:	OM: 03.03.97
	Amended	

NUMBERING OF PROPERTIES

To ensure that properties are allocated an identifying number visible from the street and to provide a guideline (Annexure A) for the type and location of the number to be displayed.

1. Property numbering on building or fence fronting the street
The General Manager be authorised to carry out the necessary duties to ensure that Council's requirements under Section 124 Item 8 of the Local Government Act 1993 are complied with.
2. Property Numbering on Kerb
The numbering on the kerb must be in accordance with the attached Annexure A – Guidelines for Kerb Numbering which can be varied as necessary by Council's Urban Infrastructure Manager.



GUIDELINES FOR KERB NUMBERING

A) SPECIFICATIONS

- The numbers are to be painted on the kerb, reflective white in colour (with letter sizes – Series D, AS 1744-1975). Height 100mm and painted with the aid of a stencil.
- The numbers are to be positioned on a rectangular background of black paint, being 300mm x 120mm, and again applied with the use of a stencil
- In all instances the stencils used are to be precisely engineered to totally preclude over-spray and under-run.
- Numbers are to be painted on the kerb side vertical face only, directly adjacent to the driveway to the property.
- Numbers are to be placed on the kerb of the street that the number refers to only.
- Council shall not permit numerals to be glued or otherwise physically attached to the kerb.

B) REQUIREMENTS FOR CONTRACTORS

- Only contractors who have received written approval from Council are permitted to paint street numbers on the public kerb.
- This guideline in no way gives a contractor exclusive rights for the provision of this service in the Pittwater Council area.
- Council approval is valid for a period of 1 year from the date of issue. New approval must be sought past this date.
- Any breach of these guidelines may result in the termination of this approval.
- The contractor must indemnify Council against any public liability claim resulting from their work and provide a copy of their current public liability cover, to a value to be set by Council each year.
- The contractor must undertake work in a safe manner in accordance with all current legislation and provide traffic control as necessary, noting Council's permission is required to control traffic.
- The cleanup of equipment is not allowed on the public road.
- The contractor must provide a copy of this guideline to each and every person who is provided with a quotation for kerb numbering.

C) CODE OF CONDUCT

The contractor must advise all residents approached of the following:-

- That the intention of the contractor must be adequately explained to the residents and/or owners of the property, when the work is being canvassed.
- That the numbering of kerbs, in no way, reduces the obligation of the property owners, to display the correct house number on their building or fence fronting the street, pursuant to Section 124 Item 8 of the Local Government Act 1993.
- That under NO CIRCUMSTANCES is the painting of house numbers on kerbs in the Pittwater Council area compulsory.
- That Council will not be responsible for the maintenance or repair of these painted numbers, under any circumstance. This is to remain the responsibility of the property owner.
- That a quotation may be sought from other contractors.

Council Policy – No 107	Adopted:	OM: 01.06.98
	Amended	

GRAFFITI POLICY (SHOROC)

Introduction

SHOROC is the regional organisation of Manly, Warringah, Pittwater and Mosman Councils.

At the Executive meeting held on 27 March 1998 it was resolved that:-

- “1. *SHOROC formulate a broad policy which sets a framework and direction for dealing with graffiti.*
2. *That each Council implement this policy using strategies relevant to their local area and preference.”*

Background

It is estimated that graffiti is costing the SHOROC Councils over \$120,000 per year. There is also a non quantifiable negative social impact.

The SHOROC Councils have agreed to join in an effort to minimise both the financial and social impacts.

The main areas targeted are public toilets, sporting amenities blocks, and play equipment. Bus shelters are often the most visible.

Purpose of this Policy

This policy provides member Councils with a framework for efficient and effective minimisation of graffiti.

The Councils are committed to *working closely with the Police and other agencies* to reducing the maintenance costs and improving the appearance of community assets.

Objectives

- To provide member Councils with a framework to be applied consistently across all four Councils.
- To encourage a cooperative approach.
- To facilitate opportunities for joint funding.
- To develop a strategic approach to *minimise and effectively control* graffiti.
- To reduce the incidence and cost of vandalism and graffiti in the community.

Shared Principles

1. The SHOROC member Councils are committed to working together to *minimise* graffiti.
2. Councils will endeavour to develop the community's interest in and commitment to a quality urban landscape.
3. Councils will develop a holistic approach to the management of the problem with strategies that incorporate maintenance, design, prevention and education initiatives.

4. Councils will integrate strategies within the existing framework with particular emphasis on *Police Services, Youth Services, Community Services, Infrastructure and Services Maintenance*.
5. Publicity and focus of strategies will aim to promote improvements to the environment and not be negative towards young people.

Broad Strategies

Councils will monitor impacts and costs of graffiti

An audit of graffiti will be completed.

Graffiti hot lines or other similar initiatives will be implemented.

Management of both private and public buildings will be addressed.

Education will be an integral part of each Council initiative.

Publicity opportunities will be sought where appropriate.

Commitment from the community to assist in the prevention of vandalism will be sought.

Swift maintenance once the property has been "hit" will be incorporated into individual plans.

Council will consider better initial design of known graffiti targets.

There will be a proactive approach to the prevention of graffiti.

The effectiveness of different approaches will be tested.

Councils will establish a network on shared experience of the relevant officers.

Evaluation Criteria

1. An audit will be completed by each Council *by 2002*.
2. The number of people involved in activities/ initiatives across the region will be measured.
3. The amount of press coverage and other educational tools distributed will be measured.
4. Whether the policy has enabled funding attraction.
5. A cost benefit analysis incorporating a comparison of different strategies.

Review Date

This policy will be reviewed in 2002.

Implementation Guidelines

Member Councils will implement strategies relevant to their Councils needs and preferences, *working together where a joint approach would be beneficial*.

Initiatives will be aligned within the policy framework.

Note: Please note draft 2 changes made at the SHOROC Executive are in italics.

Council Policy – No 116	Adopted:	OM: 03.05.99
	Amended	

DEVELOPMENT APPLICATIONS – SEPP 5 DEVELOPMENT

That Council place a condition of approval on any SEPP 5 (Aged Persons Accommodation) development requiring placement of a restriction on use of land on the title of any new lots, the terms of which burden the said lots, benefit Council and restrict the occupancy of the lot to persons, as defined in SEPP 5 as “older people” or “people with a disability.”

Council Policy – No 117	Adopted:	OM: 09.04.01
	Amended	

AEROSOL ART SITES IN THE PITTWATER AREA

1. Aerosol Art Sites and structures shall be allocated and defined by Council.
2. All Council allocated Aerosol Art Sites will display a sign noting rules of use and clearly defining the site.
3. Any offensive material will be removed immediately and at the discretion of Council.
4. Council will repaint Aerosol Art Site no less than every 4 to 6 weeks.
5. Council will not be responsible for protecting, maintaining or supplying materials for any artwork at the defined Aerosol Art Sites.
6. This policy and the intent of the management of Aerosol Art Sites will be reviewed every 12 months.

Council Policy – No 125	Adopted:	EP:27.09.99
	Rescinded:	OM:13.09.04

BUILDING HEIGHT CONTROLS IN FLOOD PRONE AREAS

That Council adopt as an interim policy in designated flood prone areas as indicated on Council's flood constraint maps, where owners choose to or are required to raise the floor level of the building above the 1% flood level, the height of the building is to be:

- (1) a maximum of 8.0 metres above the level dictated by the designated 1% flood level; excluding freeboard requirements, or:
- (2) 8.5 metres above existing ground level, whichever is the greater overall height. Where it is proposed to floodproof a building and maintain its floor level below the 1% flood level, the overall height of the building is to be 8.5 metres above ground level as per the existing controls.

These controls are to be incorporated into the relevant Development Control Plans.

Council Policy – No 127	Adopted:	OM: 11.10.99
	Amended:	

NON COMPLIANT DEVELOPMENT APPLICATIONS

1. That all applications lodged with Council require certification by the applicant, consultant or architect, that the subject application complies with all of Council's numerical standards and the principles of Council's locality plans.
2. Where there is a non-compliance a statement of justification must be attached, fully setting out each area of non-compliance and the justification for the same.

In the event that such certification is not given or a statement of justification is not attached, the application shall be refused.

3. That Council staff put in place a "fast track" process to refuse the non-complying Development Applications not accompanied by a statement of justification.

Council Policy – No 128	Adopted:	EP: 18.10.99
	Amended:	

MULTIPLE OCCUPANCY BREACHES

That where the Council has detected illegal multiple residential occupancies within a property and has issued Orders of Compliance under the Act and/or has obtained Court Orders, that the Council, within twelve months of compliance with such Orders, undertake further random inspection/inspections to ensure continued compliance has occurred and further inspections where deemed necessary.

That all relevant documentation leading up to compliance with the Orders clearly indicate that the Council will conduct such inspections subsequent to compliance

Council Policy – No 131	Adopted:	EP: 05.06.00
	Amended:	

IN-SINK FOOD WASTE DISPOSERS - BAN ON INSTALLATION

That the Council immediately place a ban on the installation of in-sink food waste disposers in all multi-unit dwellings, residential dwellings and all new development throughout Pittwater due to the inadequacy of the Warriewood Sewage Plant during wet weather and the close proximity of the ocean outfall to Warriewood and Mona Vale beaches.

Council Policy – No 135	Adopted:	EP: 11.08.97
	Amended:	

MOBILE PHONE TOWER LOCATIONAL POLICY

1. *To preserve the high visual significance of the Pittwater area.*
2. *To provide a “precautionary” health standard to protect the well-being of the residents of Pittwater.*

Zone/Use	Standard for Location of Towers
<i>Industrial/commercial</i>	<i>Not permitted within these zones unless the annual average exposure level, measured at the site is less than 0.2 microwatts per square centimetre and is not within 300m of a residence.</i>
<i>Residential land/schools/child care centres/hospitals or aged care centres</i>	<i>A tower is not to be erected within 300m of these zones/uses, due to the detrimental environmental, amenity and visual effects and as a precaution against any potential health effects.</i>
<i>Public land under Council’s control</i>	<i>No tower is to be erected on these lands within 300m of any residence, school, child care centre, or aged care centre and subject to the exposure levels being less than 0.2 microwatts per square centimetre when measured at the boundary of the land upon which the mobile phone tower is located.</i>

Note: *In all cases involving a new, or extension to an existing mobile phone tower, Council will require a Carrier to submit a Development Application accompanied by a State of Environmental effects which address:*

- *The above Locational Policy Guidelines.*
- *Alternate sites which have been investigated and the reasons why these sites were discarded.*
- *How the flora and fauna impacts have been minimised.*
- *Details of proposed supplementary screen planting designed to minimise the visual and aesthetic impacts.*
- *How impacts on Heritage Items listed in the Pittwater Local Environmental Plan 1993, are minimised or avoided.*

- *The means by which stormwater run-off, soil erosion and soil contamination are controlled or avoided.*
- *Details as to how amenity impacts of noise generation from and routine servicing of the proposed telecommunication facility are minimised.*
- *Details of the proposed colour of the tower and associated infrastructure, blend with the natural environment.*
- *That provided the application is in compliance with the Policy Guidelines in all other respects —confirmation that the Telecommunications Carrier has properly investigated the possibility of co-location with the existing telecommunications infrastructure.*
- *Details as to how amenity impacts of noise generation from and routine servicing of the proposed telecommunication facility are minimised.*

Council Policy – No 139	Adopted:	18.06.01
	Amended:	

ECONOMIC POLICY 2001

The future of Pittwater is dependent on there being a balance between the economic, social and environmental factors that exist.

To this end, Council, in considering its actions, will have referred to those interrelationships and consider the impact of those relationships on its decisions.

In order to do so, Council will maintain and up-date a report on the State of the Pittwater Local Government Area Economy.

Council Policy – No 140	Adopted:	CS: 03.09.01
	Amended:	

DEVELOPMENT APPLICATION – YOUTH SPACE

That Council adopt a policy of encouraging the design and incorporation of user friendly youth space within all applicable future development application.

Council Policy – No 141	Adopted:	EP: 22.04.02
	Amended:	

DEVELOPMENT APPLICATION – PROCESS

1. That applicants be encouraged to undertake formal pre-lodgement interviews to determine a clear understanding of relevant policies and a risk analysis of their proposal.
2. That all applications be carefully checked prior to submission to ensure that all information required on the Development Application form is submitted and that as far as can be determined at this stage the information is accurate and comprehensive.
3. That the applicant be alerted to that section of the application form which obliges the applicant to certify that the application is complete, accurate and in compliance.
4. That as soon as the application is referred to the Development Officer that officer contact the applicant and introduce themselves as the Council contact for the project.
5. That staff be directed to communicate with the applicant on at least a 3 weekly basis to update the applicant on the progress of the application.
6. That as soon as it is determined that the application is to be refused for lack of information or for minor policy non-compliance or further information is required, a one off period of 10 working days be given to submit such information or a period specifically extended beyond 10 days with the agreement of the Principal Officer.
7. That the owner of the property be given a copy of the letter sent to the applicant.
8. That matters be determined on their merits and in accordance with relevant delegations on the basis of the submitted information following the above period.
9. That all correspondence to applicants and neighbours be reviewed to ensure that the process is communicated as clearly as possible.

Further, that the General Manager give consideration in the next Management Plan to the opportunity of charging of a commercial fee for Development Application consultation where applicants wish to consult staff in relation to an application, beyond a reasonable level of service.

Council Policy – No 160	Adopted:	07.03.05
	Amended:	

S96 MODIFICATION APPLICATIONS – CONSIDERATION THEREOF

1. When an S96 and S96AA Modification Application or a Demolition Application is lodged, without exception, Council consider the existing Development Consent, all Conditions thereof and particularly any Special Conditions, the contents of the entire file and whether any original Objectors should be notified of the Application before any decision is made on the application.
2. That all Section 96 modification applications and all DA's which when approved in any forum (delegated authority, DU or by Council) have special or altered conditions different to standard conditions, have those conditions italicised to make them stand out and be more easily accessible and also have the numbers thereof noted in the consent decision and notification thereof to the applicant.

Council Policy – No 161	Adopted:	EP:04.02.02
	Amended:	

DEVELOPMENT CONTROL PLANS – LANDSCAPING AND STREETScape

That Council's procedures and relevant Development Control Plans and policies and procedures be **investigated** through the Pittwater 21 review process to not require the submission of detailed landscaping plans associated with single residential developments for rear yard areas that are not in the public view and that landscaping plans only be required for the front yard area or those areas viewed from the street or a public place. That all areas on private property that are visible from the public domain be required to be the subject of detailed landscaping plans. That site cover as per the requirements of the Locality Plan be maintained. This would be subject to still requiring the planting of additional canopy trees within the property boundary. This procedure and policy be implemented on an interim basis until Pittwater 21 is completed. It being noted that Council in specific circumstances may still require specific plantings to secure privacy to adjoining neighbours properties within the rear and side yard area.

Council Policy – No 177	Adopted:	OM: 16.11.09
	Amended:	

ROAD RULE EDUCATION POLICY

Objectives

To advise of new or amended road related legislation affecting the Australian Road Rules, New South Wales (NSW) Road Rules, NSW Roads Traffic Acts and the NSW Roads Act to the Pittwater community.

Policy Statement

Within 30 days of notification of new or amended legislation, Council shall (where applicable):

- Prepare and distribute information sheets, advertisements or brochures
- Place advisory advertisements with local media
- Place updated information on Council's website.

Where changes to legislation have a direct impact on schools, organisations or community groups, Council will notify those groups directly.

Where possible, Council will utilise the resources of the Roads and Traffic Authority to assist in the education of legislation changes to the Pittwater community.

C10.9	Cannes Reserve and Gunyah Place Reserve Draft Plan of Management
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Meeting: Governance Committee

Date: 16 May 2011

STRATEGY: Vegetation

ACTION: Review, update and implement development controls and conditions regarding landscape vegetation and bushland management.

PURPOSE OF REPORT

To consider exhibiting the draft plan of management for Cannes Reserve and Gunyah Place Reserve, Avalon.

1.0 BACKGROUND

- 1.1 The draft plan of management for Cannes Reserve and Gunyah Place Reserve covers two adjoining reserves at Avalon. Gunyah Place Reserve consists of a small park with playground while Cannes Reserve consists of two endangered ecological communities (EEC) being Spotted Gum Forest and Littoral Rainforest.
- 1.2 A colony of Grey-headed Flying-fox has occupied Cannes Reserve for approximately 10 years. Numbers remained stable at approximately 200 animals until early in 2010. Since that time and until June 2010, numbers rose to approximately 1500 in response to habitat and food shortages. Numbers fluctuate seasonally and at the last count, the reserve contained approximately 360 Grey-headed Flying-fox.
- 1.3 The Grey-headed Flying-fox is listed in NSW and nationally as a threatened species with the conservation status of 'vulnerable'. A Draft National Recovery Plan for the Grey-headed Flying-fox has been prepared by the Commonwealth Government. The Office of the Environment & Heritage administers the legislation and provides an advisory role with regards to camp management. The draft PoM was developed in consultation with the Office of the Environment & Heritage.

2.0 ISSUES

2.1 Habitat and site conditions

- The Grey-headed Flying-fox traditionally occupies forests of the eastern coastline of Queensland and NSW. Their habitat requirements appear to be extremely specific favouring damp sheltered gullies within a maximum of 20 – 50 km from a food source. Over the past decade Grey-headed Flying-fox colonies have established in cities due to habitat and food shortages in rural areas and increased density and diversity of food sources in cities. When Grey-headed Flying-fox colonise areas in close proximity to residents they can create difficulties for people due to noise, odour and faeces.

- Since the Grey-headed Flying-fox colony at Cannes Reserve increased beyond 200 animals it has impacted on adjoining residents. In response, a working group was established to facilitate an education program and to explore options to address issues. The group consists of key stakeholders being adjoining residents, a representative from Sydney Wildlife Rescue Inc., a representative from the Office of Environment & Heritage and Council staff from Reserves and Recreation and Natural Resources.
- The issues at Cannes Reserve are exasperated by the small size of the reserves. It is believed that the Avalon site represents the smallest site occupied by Grey-headed Flying-foxes in Sydney's residential areas. The total site area covers 0.74 hectares, with approximately 0.3ha of suitable habitat area. This allows for Gunyah Place Reserve and a seven metre wide buffer zone around the perimeter of Cannes Reserve to distance neighbouring properties. Refer to Appendix 1 Masterplan.
- The difficulties at the Avalon site can be highlighted by contrasting it with the Ku-ring-gai colony which occupies a site of 14.6 ha. A survey by the Ku-ring-gai Bat Conservation Society in 2001 revealed that resident's attitudes were related to their distance from the colony, with those living closer than 50m to the edge of the colony being the most negative towards the flying-foxes.
- The Flying-fox Camp Management Policy (DECC 2007) states that the larger the site the more sustainable it will be in the long term, because it provides room for the Grey-headed Flying-fox to move around within the site to allow for fluctuations in numbers and for regeneration of the canopy trees.
- Another issue to consider at Avalon is the possibility of the Grey-headed Flying-fox numbers increasing due to continued loss of habitat and food, the impact of recent floods and the proposed relocation of the flying-foxes from the Royal Botanic Gardens. Further, the colony has changed from a male dominated population to a maternity colony which may lead to increased numbers with each generation.

2.2 Proposed responses

- The PoM aims to maintain the colony of Grey-headed Flying-fox based on:
 - encouraging roosting away from boundaries; and
 - maintaining the Grey-headed Flying-fox numbers at a sustainable level in relation to local amenity
- The management of the reserve is complex and will require ongoing input and cooperation from members of the working group, particularly the Office of Environment & Heritage which is responsible for native fauna. The only option to achieve the above aims is to implement adaptive management practices that respond to new situations as they arise, such that:
 - encourage the flying-fox to roost away from boundaries towards the core of the reserve;
 - evaluate the flying-fox response, then
 - re-assess the situation to determine required works.
- A further complication is that work near the habitat should be carried out between May to July to avoid impacts on pregnancy, birthing and raising offspring. As this timeframe represents the only opportunity to address any issues that have been existent for most of the year the working party will need to be well organised and plan ahead.

- It is proposed to remove weeds and restore the EEC while creating four zones that aim to manage the grey-headed flying-fox colony as outlined below and shown in **Appendix 1. - Masterplan.**
 - Zone 1 - current roosting area– gradually shift the colony away from homes and into the core of Cannes Reserve
 - Zone 2 - proposed seven metre wide buffer zone around the perimeter of the reserve. The buffer area will be created as issues arise and in consultation with residents who are impacted by the colony. New plants will be under three metres (unsuitable for roosting) at mature height and existing plants will be pruned to under three metres as required.
 - Zone 3 - most suitable area for occupation by the Grey-headed Flying-fox. Encourage the colony into this area. Nevertheless, the management of vegetation in this area should avoid outcomes that may increase Grey-headed Flying-fox numbers.
 - Zone 4 - Gunyah Place Reserve – retain parkland and playground
- A section 91 licence application has been prepared in consultation with the working group and submitted to the Office of Environment & Heritage for works to be carried out during May to July 2011. If approved, the licence will allow Council to remove or prune plants (mostly weeds) in the reserve including the current roosting area. The licence application has been included as an appendix in the PoM with works being carried out while the PoM is on exhibition.
- The working group representative from Sydney Wildlife Rescue has pointed out that should any Grey-headed Flying-fox leave the site due to works it is unknown where they will go and that Council needs to be aware of this. A colony of Grey-headed Flying-fox has established at Warriewood Wetlands which is suitably distanced from residences. However, it is impossible to direct grey-headed flying-fox to colonise selected sites.
- Residents reported that the Grey-headed Flying-fox colony did not impact on their amenity while numbers were stabilised at around 200 animals. It is hoped that modifying the vegetation to encourage the Grey-headed Flying-fox towards the core of the reserve and restricting their numbers to a reasonable level will enable the residents and Grey-headed Flying-fox to coexist in the long term.
- Monitoring the site to determine works will be a slow process but the outcome is considered preferable to allowing numbers to increase until relocation becomes necessary. Relocation is generally considered unsuccessful, expensive, involves a range of legal issues and is stressful for the animals.

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

- 3.1.1 It is anticipated that the working party will enable to community to work together in resolving issues as they arise over the longer term.

3.2 Valuing & Caring for our Natural Environment (Environmental)

- 3.2.1 The PoM includes strategies that will allow Council to more effectively manage the reserve and thereby preserve Pittwater's natural environment.

3.3 Enhancing our Working & Learning (Economic)

- 3.3.1 The strategies in the PoM are based on monitoring the grey-headed flying-fox colony and managing the vegetation to constrain the colony size in order to avoid possible relocation which is costly for rate payers and stressful for the animals.

3.4 Leading an Effective & Collaborative Council (Governance)

- 3.4.1 The PoM provides the aims, objectives and base line data to guide decision making over the five year duration of the document.

3.5 Integrating our Built Environment (Infrastructure)

- 3.5.1 The proposed works are intended to value and care for the natural environment.

4.0 EXECUTIVE SUMMARY

- 4.1 The objectives of the Cannes Reserve and Gunyah Place Reserve Draft Plan of Management are to restore the endangered ecological communities being Littoral Rainforest and Pittwater Spotted Gum Forest and manage a colony of Grey-headed Flying-fox. The Grey-headed Flying-fox is listed in NSW and nationally as a threatened species with the conservation status of 'vulnerable'.
- 4.2 The PoM aims to retain the Grey-headed Flying-fox at Cannes Reserve based on:
- encouraging roosting away from boundaries; and
 - maintaining the Grey-headed Flying-fox numbers at a sustainable level in relation to local amenity
- 4.3 The only option to achieve the above is to use adaptive management practices that respond to new situations as they arise, such that:
- encourage the flying-fox to roost away from boundaries towards the core of the reserve;
 - evaluate the flying-fox response, then
 - re-assess the situation to determine required works.
- 4.4 It is further proposed to remove weeds and restore the EEC while creating four zones that aim to manage the Grey-headed Flying-fox colony as follows:
- Zone 1 - current roosting area
 - Zone 2 - proposed seven metre wide buffer zone around the perimeter of the reserve.
 - Zone 3 - most suitable area for occupation by the Grey-headed Flying-fox.
 - Zone 4 - Gunyah Place Reserve
- 4.5 It is hoped that modifying the vegetation to encourage the Grey-headed Flying-fox towards the core of the reserve and restricting their numbers to a reasonable level will enable the residents and Grey-headed Flying-fox to coexist in the long term.

RECOMMENDATION

That the Cannes Reserve and Gunyah Place Reserve Draft Plan of Management; which includes the section 91 licence application for proposed works during May to July 2011, as tabled at the meeting, be placed on public exhibition for four (4) weeks with a further (2) two weeks allowed for submissions to be received.

Report prepared by
Jenny Cronan, Landscape Architect

Mark Eriksson
A/MANAGER – RESERVES, RECREATION & BUILDING SERVICES

3.9 Masterplan



Camnes Reserve and Guriyah Place Reserve Draft Plan of Management

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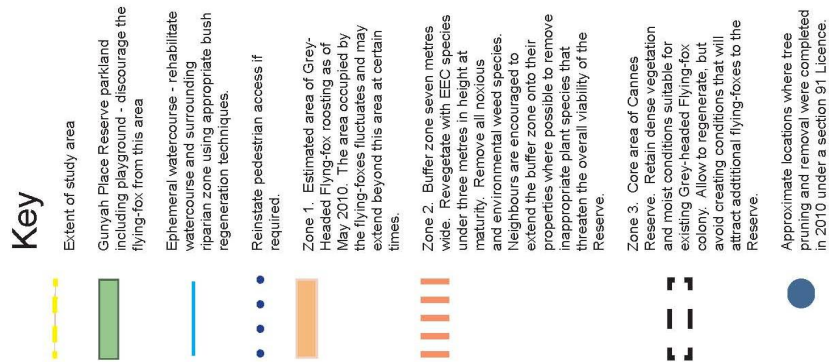


Figure 8. Masterplan

C10.10 Native Fauna Management Plan - Adoption

Meeting: Governance Committee

Date: 16 May 2011

STRATEGY: Biodiversity Management

ACTION: To protect threatened species and habitats

PURPOSE OF REPORT

The Native Fauna Management Plan will help meet the objectives of the Biodiversity Strategy within the Pittwater Strategic Plan 2020, and identify required actions in habitat management, updating and creating Plans of Management for bushland reserves, identification of faunal communities at risk and minimising risk elements, conditions for development, community engagement and grant applications. The purpose of this report is to report to Council on the public exhibition of the Draft Native Fauna Management Plan and submissions received, and to recommend its adoption.

1.0 BACKGROUND

- 1.1 This plan replaces the previous plan by Smith and Smith, 2000. Fauna lists for the LGA and specific areas within including Council reserves were updated via a number of methods. Surveys were undertaken by the consultant Ecotone in certain reserves where funding permitted, other areas of the LGA were updated using recent fauna reports from trusted stakeholders and DECCW Wildlife Atlas records. Emphasis was placed on fauna species listed as threatened under the Threatened Species Conservation Act 1995, as well as species which are deemed locally significant to the Pittwater LGA. A comprehensive bird survey had been undertaken in 2008, additional surveys by the consultants focused on bats, small terrestrial and arboreal mammals, frogs and reptiles. Records earlier than 1995 were generally discounted as being still viable, despite being discussed in some cases.
- 1.2 Management actions are provided in the report (refer **Attachment 1**) and are prioritised and cross-referenced to relevant sections in the plan. These actions reflect and aim to mitigate any relevant Key Threatening Processes as per the Threatened Species Conservation Act 1995 which are focussed on habitat retention, enhancement of wildlife corridors, fire management, minimising disturbance to wildlife, controlling pests and invasive species, minimising the impact of domestic animals and wildlife road fatalities.
- 1.3 A rapid assessment tool for fauna and habitat surveying has been developed for Council bushland reserves. This has been trialled by NEE staff and is awaiting further refinement and integration with Catchment Management Authority methodology.
- 1.4 Species profiles have been included in the appendices of the management plan which profile each listed threatened species known or having the potential to occur in the LGA. These profiles give scientific information as well as details of the population in or near the LGA. Profiles have been included for two threatened populations, two critically endangered species, thirteen endangered species and fifty vulnerable species (as per the most recent determinations under the Threatened Species Conservation Act 1995). These can be included on the Council website for future community education purposes.

1.5 The full Native Fauna Management Plan can be viewed at: www.pittwater.nsw.gov.au/exhibition

1.6 This report recommends that Council adopts the Native Fauna Management Plan.

2.0 ISSUES

2.1 Key elements addressed in the Native Fauna Management Plan:

The plan aims to provide the following:

- update information on relevant legislation;
- review and update actions provided in the current Fauna Management Plan and prioritise actions;
- historical discussion on fauna found in the Pittwater LGA;
- provision of native fauna profiles and photographs (for community education, website etc)

2.2 Plan of Management Process

After due development, community consultation and preparation of the Draft Plan of Management, Council endorses the Native Fauna Plan of Management for public exhibition and community comment. After submissions have been received, the Plan is then recommended for adoption by Council. Once adopted by Council, only the uses, activities or developments consistent with the adopted Plan of Management may be undertaken.

2.3 Community Consultation

Various user groups, interested organisations and individuals were consulted during the preparation of this Plan of Management.

On 21st February 2011, Council resolved to place the draft PoM on public exhibition. Copies of the PoM were placed in Council's Customer Service Centres (Mona Vale and Avalon) and on the Pittwater website. Local press also ran articles on the subject. The exhibition period ran from 25th February 2011 to 8th April, 2011.

The consultation process included a public meeting with individual residents and stakeholders on 9th March 2011, attended by 5 residents including 2 stakeholder groups, the Mayor, 1 Councillor and 6 Council staff. This meeting was advertised in the Manly Daily, on the Council website and in Pittwater Council's environmental magazine "Cooee" which is circulated to local stakeholders.

Community consultation was undertaken to provide interested parties and stakeholders the opportunity of expressing their vision and needs for consideration in the formulation of the Draft Plan of Management as part of the process of preparing the plan.

The formulation of the draft PoM has been directed by both community input and feedback gleaned through this process, by relevant legislation and management strategies and design parameters considered appropriate by Council for implementation across the LGA as appropriate.

Community values are reflected in various Council strategic plans, including the 2020 Strategic Plan (Our Sustainable Future). The community of Pittwater places a high value on native fauna and natural areas. These values outlined in the Sustainability Assessment section of this report are primarily based on those identified in community and stakeholder consultations.

2.4 Submissions Received / Assessment of Issues Raised

Following exhibition of the Draft PoM, Council received six (6) submissions from local residents and two (2) submissions from local stakeholder groups covering the following topics and issues.

Issue Raised	Relevant Section(s) in Management Plan	Council Response
Maintaining areas around Narrabeen Lagoon without lighting to allow bandicoots to forage.	Nil.	Noted. No changes to current lighting around Narrabeen Lagoon are proposed thus these darker areas will be maintained. No further lighting can be removed due to public safety issues and to ensure vandalism is minimised.
Supporting proposal for dog exercise area to be sealed off from Etival street, wildlife protection area and mudflats at Careel Bay.	6.6 Impacts of Domestic (companion animals) and Feral Animals (predators) pp20-21 and 6.10 Disturbance at Nesting, Roosting and Feeding Sites pp24-25 and 8.3 Careel Bay p37.	Noted.
Move the dog exercise area from Careel Bay to the area alongside Palm Beach Golf Course.	6.6 Impacts of Domestic (companion animals) and Feral Animals (predators) pp20-21 and 6.10 Disturbance at Nesting, Roosting and Feeding Sites pp24-25 and 8.3 Careel Bay pp36-37	Noted.
Requesting the construction of a wader roost at Careel Bay.	8.3 Careel Bay p36.	Item is already included in Table of New Management Issues and Actions
Requesting the extension of the exclusion fence at St Michaels Cave.	8.4 St Michaels Cave pp37-38	Item is already included in Table of New Management Issues and Actions
Requesting the creation of an online database that would expedite reporting of wildlife sightings for members of the public.	5.4 Recording Fauna Sightings (Wildlife Watch) p15.	This action item is already underway within Council and includes GIS mapping of reported sightings.
Community education regarding the maintenance of native vegetation on private lands. Develop bushcare courses for private landowners and greater support for private landowners in this regard.	5.1 Sustainability Workshops p14 and 5.5 Coastal Environment Centre p15 and 6.2 Conservation and Rehabilitation of Core Habitat and Remnant Bushland p16.	Item already included in Table of Ongoing Actions to be Continued and Supported.

Issue Raised	Relevant Section(s) in Management Plan	Council Response
The installation of nest boxes in reserves and lands lacking tree hollows.	6.12 Use of Nest Boxes p25-27 and 10.0 Further Research Required p38.	Item already included in Table of Ongoing Actions to be Continued and Supported.
Requesting rope bridge crossing be investigated for Bilgola Bends, Mona Vale Road and Wakehurst Parkway.	6.8.1 Roadkill Hotspots p23 and 6.8.2 Fauna Road Crossings p23-24.	Item already included in Table of Ongoing Actions to be Continued and Supported under Wildlife Corridors.
Investigate traffic calming devices on known roadkill hotspots such as speed bumps or chicanes on Council managed roads.	6.8.1 Roadkill Hotspots p23 and 6.8.2 Fauna Road Crossings p23-24.	Item already included in Table of Ongoing Actions to be Continued and Supported under Wildlife Corridors.
Requesting further information regarding invertebrates and their function within ecosystems be included in the section relating to Broadscale insecticide use.	6.7 Management Issues associated with Broadscale Insecticide Use p21.	Additional text added, please see Amendments section below.
Development of wildlife corridors around the proposed Ingleside land release area that are of a sufficient width to make them viable as habitat corridors.	6.2 Conservation and Rehabilitation of Core Habitat and Remnant Bushland p16 and 6.3 Wildlife Corridors, Fragmentation and Edge Effects p18-19 and 8.1 Proposed Land Release Area Ingleside p35 and 10.0 Further Research Required p38-39.	Item already included in Table of Ongoing Actions to be Continued and Supported under Wildlife Corridors.
Requesting Council ensure that DAs include the planting of local canopy species and understorey when landscaping.		Item already supported by Council and ongoing.
Supporting the discouragement of broadscale insecticide use.	6.7 Management Issues associated with Broadscale Insecticide Use p21	Noted.
Requesting Council undertake more biodiversity surveys and scientific research projects within Council reserves and throughout the LGA particularly in regard to microbats, reptiles and amphibians.	5.3 Scientific Research Projects p14 and 10.0 Further Research Required p38.	Item already included in Table of Ongoing Actions to be Continued and Supported under Further Research and Grants. Also included under Table of New Management Issues and Actions under Species Inventory for Pittwater and Reserves.
Encouraging the careful reintroduction of native fauna into the LGA.	6.5 Reintroduction of Native Fauna p20	Noted.
That Council investigate the introduction of appropriate fire regimes to bushland reserves to reduce tick numbers.	6.7 Management issues associated with Broadscale Insecticide use p21	Noted.

Issue Raised	Relevant Section(s) in Management Plan	Council Response
Requesting Council identify areas and reserves with high densities of hollow-bearing trees and ensure these areas are maintained with a mosaic of vegetation density and strata to promote and sustain these areas for foraging by microbats and other native fauna species.	7.1 Bats (Microchiroptera) p.29	Noted.
Analyse NSW Office of Environment and Heritage (formerly DECCW) mapping of foraging habitat for Grey-headed Flying-foxes and incorporate these areas into Pittwater mapping for priority management and restoration.	7.2 Bats (Megachiroptera) and 8.2 Cannes Reserve Flying-fox Colony	Noted.
Bascham (2005) did not record the Large-eared Pied as using St Michaels Cave as reported in the draft PoM.	4.40 p112 Large-eared Pied Bat and 8.4 p37 St Michaels Cave	Removed reference to the Large-eared Pied Bat at St Michaels Cave.
Stronger enforcement by Council to prevent cats and dogs roaming in wildlife protected areas. Continued education of the community regarding this issue and encouragement of pet owners to utilise cat or dog runs.	6.6 pp20-21 Impacts of Domestic (companion animals) and Feral Animals (predators). 6.10 pp24-25 Disturbance at Nesting, Roosting and Feeding sites. 6.11 p25 Fencing	Item already included in Table of Ongoing Actions to be Continued and Supported

2.5 Amendments to the Draft Management Plan

- 2.5.1 Removal of references to NSW Department of Environment, Climate Change and Water (DECCW) throughout document and replacement with NSW Office of Environment and Heritage (formerly DECCW).

Amendments to Table - "Summary of Management Issues and Actions". (This table now incorporates the two tables "Summary of Ongoing Actions to be Continued and Supported" and "Summary of New Management Issues and Actions")

- 2.5.2 Rewording of Management Action relating to Wildlife Corridors from "Review and update the Pittwater LGA Corridors Strategy" to "Review and update the Pittwater LGA Corridors Strategy and amend the associated Pittwater 21 DCP controls".
- 2.5.3 Rewording of first Management Action relating to Fire Management from "Identify where hazard reduction burns are not to be undertaken where they pose an identified significant threat to threatened fauna" to "Identify and manage risks to threatened or significant fauna in areas where hazard reduction burns are to be undertaken".

- 2.5.4 Rewording of first Management Action relating Depletion of intertidal invertebrate populations from “Continue with community awareness and education initiatives through Project Aware on the Rocks and the Coastal Environment Centre” to “Continue with community awareness and education initiatives through the Coastal Environment Centre”.
- 2.5.5 Remove “Manage access in reserves where disease is known” from section entitled Infection of Native Plants by *Phytophthora cinnamomi*.
- 2.5.6 Rephrase action related to Impacts of Domestic (companion) Animals from “Develop conditions to manage the impacts of cats and dogs on new residential developments in sites where they are a particular threat to threatened fauna species” to “Investigate development conditions to manage the impacts of cats and dogs on new residential developments in sites where they are a particular threat to threatened fauna species”.
- 2.5.7 Remove the word “threatened” in the management action listed under Fauna Road Casualties and the Rehabilitation of Sick, Injured, and Orphaned Native Wildlife and replace with “native”.

Addition to Section 6.7 Management Issues associated with Broad-scale Insecticide Use p21

- 2.5.9 The inclusion of the following:

“Despite their small size, the sheer numbers or biomass of insects means that they have a significant impact on the environment and therefore upon our lives. Their species richness or diversity surpasses any other group of organisms. It has been said that insects outnumber all the other species of animals and plants combined.

An insect may be of benefit to us or be regarded as a pest. Most are beneficial or have an indirect influence. Fewer than 0.1% are regarded as pests.”

Amendment to Section 9.0 Rapid Assessment Tool

- 2.5.10 Reworded to:

A rapid assessment is a process that does not require comprehensive studies for a site. A complete inventory is extremely time consuming and needs to be carried out over a range of seasons. It provides a condition assessment for a reserve.

The Rapid Fauna Habitat Assessment of the Sydney Metropolitan Catchment Management Authority Areas (DECC, 2007b) was used to guide the design of this assessment methodology.

The ranks given for each category are added to give an overall score for the reserve, with the highest number representing the highest condition. There are also some valuable habitat features listed at the end that contribute to the worth of a site but are unable to be used as part of the ranking process. Negative points may be given for the presence of introduced fauna species. It would be undesirable for a site to be given points because an introduced species has not yet been recorded, when the species may actually occur.

One example has been trialled in Pittwater reserves but requires refinement of its assessment matrix.

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

- 3.1.1 This plan attempts to provide for the diverse needs of all sectors of the community by increasing the focus on fauna conservation. The plan provides many opportunities for volunteering and the emphasis on protection of native fauna and participation in such activities creates a sense of ownership and belonging for residents and stakeholders.

3.2 Valuing & Caring for our Natural Environment (Environmental)

- 3.2.1 The project provides direction for fauna management with emphasis on threatened species, conserving locally significant species, identification of key threatening processes, rehabilitation of fauna habitat through vegetation management and pest removal, and enhancement of wildlife corridors and reserves.

3.3 Enhancing our Working & Learning (Economic)

- 3.3.1 Actions as proposed in the plan are representative of long term strategies to improve the focus on native fauna as an educational resource, and can be incorporated into the Coastal Environment Centre's educational programs and other natural environment programs for schools.

3.4 Leading an Effective & Collaborative Council (Governance)

- 3.4.1 The plan provides an effective use of community assets by improving natural area amenity which native fauna is viewed as a significant aspect of. The recommended refinements as a result of public feedback will improve amenity overall in this regard.

3.5 Integrating our Built Environment (Infrastructure)

- 3.5.1 The Native Fauna Management Plan is applicable across the entire Pittwater LGA and this includes within urban areas. Management actions and recommendations will align with and provide future direction for the Pittwater LEP, DCP and current and future land release areas.

4.0 EXECUTIVE SUMMARY

4.1 This Plan of Management has been prepared to:

- update Council's current fauna management plan prepared in 2000;
- plan and allocate management actions that are prioritised including those of high importance and those that can be implemented when funding becomes available in the future;
- integrate sustainable principles into future management; and
- comply with legislative changes particularly the *Local Government Act 1993* and the *Threatened Species Conservation Act 1995*.

- 4.2 Eight submissions were received during the public exhibition period. Where appropriate these have been incorporated into the Plan.
- 4.3 This report recommends that Council adopt the Native Fauna Plan of Management.

RECOMMENDATION

1. That the public submissions on the Draft Native Fauna Management Plan be noted.
2. That the Native Fauna Management Plan, as tabled at the meeting, be adopted.

Report prepared by
Sonja Elwood – Natural Resources Officer

Matt Hansen
A/MANAGER, NATURAL ENVIRONMENT & EDUCATION

Key Directions of Council

This Plan of Management has been developed to implement the management directions of Pittwater Council's Strategic Plan.

A key direction for Pittwater Council is valuing and caring for the natural environment. This involves the need to be a model community that leads the way towards sustainable living by reducing ecological footprints, protecting and enhancing the bush, beaches and waterways as well as achieving long-term sustainability of biodiversity. The key strategies include:

- supporting viable and thriving biodiversity and sustainable ecosystems;
- sustainably managing our areas of urban forest, bushland and waterways;
- providing a diverse range of accessible recreational opportunities for a broad range of ages, abilities and interests inspired by bush, beach and water.

Actions

Actions to address the above key directions are presented in the table of Management Issues and Actions overleaf.

Priorities

Each has been allocated a priority as follows:

Action:

- ongoing – important actions that Council needs to continue and improve;
- high priority – to be completed within two years;
- medium priority – to be completed within the next five years;
- low priority – to be completed.

These timeframes are subject to allocation of resources via Council's Annual Delivery Plan.

Summary of Management Issues and Actions

Management Issue	Management Actions	Priority	Section(s) in Management Plan
Preservation of remnant bushland, including creek lines and riparian vegetation	Retain native vegetation where possible including specific habitat types for threatened species i.e. <i>Allocasuarina torulosa</i> stands (Glossy Black-cockatoo), Swamp Mahoganies and Spotted Gums (Swift Parrot and Regent Honeyeater).	Ongoing	6.2 6.3 7.7
Pittwater Council's Tree Preservation Order (October 2009).	Implement and monitor Tree Preservation Order (TPO). Ensure compliance with the Threatened Species Act and Local Government Act. Amend to include bushland in LEP.	Ongoing Ongoing High	6.3
Retention of hollow-bearing trees, dead trees and dead wood	Hollow-bearing trees, dead trees and dead wood should be conserved where possible within reserves.	Ongoing	6.2 7.1 7.2 Appendix 7
Bush-rock removal	Restrict bush-rock removal from any areas of bushland.	Ongoing	6.2 Appendix 7
Wildlife Corridors	Review and update the Pittwater LGA Wildlife Corridors Plan and amend associated Pittwater 21 DCP controls.	High	6.4
Habitat enhancement (e.g. by food tree plantings)	Plant additional food plants on council land.	Medium	6.3
Fire Management	Identify and manage risks to threatened or locally significant fauna in areas where hazard reduction burns are to be undertaken.	High	6.5 Appendix 7
	Hazard reduction or ecological burns are to be conducted in a manner that retains patches of unburnt vegetation as fauna refuges.	Ongoing	
	Liaise with the relevant authority (formerly the Dept. of Environment, Climate Change and Water (DECCW)) and the Rural Fire Service (RFS) to develop habitat requirements of threatened fauna in relation to fire regimes. Implement fire management practices accordingly.	High	
Education and Community Involvement	Ongoing community education on the following topics to reduce impacts on wildlife: <ul style="list-style-type: none"> Backyard bushcare - e.g. creating habitat, tree netting ; Bush regeneration; Responsible disposal of litter and recycling; Climate Change – reducing greenhouse emissions; 	Ongoing	5.0 6.2 6.8 6.10 Appendix 2

Management Issue	Management Actions	Priority	Section(s) in Management Plan
Education and Community Involvement continued	<ul style="list-style-type: none"> • Tick control; • Reducing pollutants in waterways; • General ecological information about fauna species. 		
	Develop community education on the following topics: <ul style="list-style-type: none"> • Marine fauna; • Feeding wildlife, disease and related issues; • Conservation of tree hollows and value of dead wood; • Landscaping for conservation; • Pest species including cane toads; • Management issues associated with broadscale insecticide use. 	High	5.0 6.2 6.8 6.10 6.14
Depletion of intertidal invertebrate populations	Continue with community awareness and education initiatives through the Coastal Environment Centre.	Ongoing	5.0 6.15
	Continue in partnership with Dept Industry & Investment (Fisheries) such education programs as the Kid's Fishing Clinic	Ongoing	
Frogs – Chytrid fungus	Provide web-based information on handling frogs in Pittwater LGA. Any persons should be encouraged to follow suitable hygiene methodology.	Medium	6.2 7.6 Appendix 7
Infection of Native Plants by <i>Phytophthora cinnamomi</i>	Bush regenerators to practice good hygiene if entering areas known to contain disease.	Medium	6.2 Appendix 7
	Encourage planting of canopy trees where there have been losses due to dieback.	Medium	
Control of Vertebrate Pest Species	Continue to develop effective and humane control programs for feral animals (rabbits, foxes, feral cats, dogs etc.) in the Pittwater area, with special emphasis on sites where they are a particular threat to threatened fauna species. This should be carried out in conjunction with the relevant authority (formerly DECCW) and Rural Lands Protection Board.	Ongoing	5.0 6.2 6.7 6.14 Appendix 7
	Encourage the community to report the presence of feral animals to Council.	Medium	
Impacts of Domestic (Companion) Animals	Implement Council's statutory obligations and responsibilities for control of dogs and cats under the Companion Animals Act.	Ongoing	6.7 6.10

Management Issue	Management Actions	Priority	Section(s) in Management Plan
Impacts of Domestic (Companion) Animals continued	Educate dog owners as to the importance of keeping dogs on leads when walking through bushland areas.	Ongoing	6.11
	Continue and expand existing community education programs aimed at reducing the impact of cats and dogs on native fauna, including advice on suitable fencing for dogs and outdoor cat enclosures.	High	
Fencing	Investigate in association with other Councils and the relevant authority (formerly DECCW) suitable types of fencing that will confine pets, but also not hinder the movement of wildlife through a corridor.	Medium	6.12
Fauna road casualties and the rehabilitation of sick, injured or orphaned native wildlife	Develop a recording system for the reporting of rescues and releases of threatened fauna species in Pittwater.	High	6.9
	Encourage, support and publicise organisations which rescue and rehabilitate sick, injured or orphaned animals in Pittwater. Guidelines for people finding sick, injured or orphaned native animals should be more widely publicised.	High	
Fauna Assessments for Development Proposals	Further develop guidelines for fauna assessments in line with changes to state guidelines.	Ongoing	6.2
Further Research and Grants	Continue development of fire management plans for large reserves.	Medium	11.0
	Seek partnerships with external bodies to undertake research i.e. universities, animal rescue agencies, community groups, National Parks Association etc.	Ongoing	
	Seek grants to fund research projects.	High	11.0
Disturbance at Nesting, Roosting and Feeding Sites	Consideration to known roost sites for threatened and significant species (e.g. rerouting a footpath to avoid a nest or roost tree area rather than signage which may increase visitors). Temporary closure or rerouting of walking tracks may be an option during the breeding seasons of sensitive species.	Medium	6.11 7.2 8.4
	Investigate designated feeding areas on mudflats, with signage asking people to avoid these areas.	Medium	
	Investigate protection for known micro-bat roost sites including culverts, drains, bridges and caves known to be used. E.g. St Michaels Cave.	High	

Management Issue	Management Actions	Priority	Section(s) in Management Plan
	Use nest boxes as a survey technique.	Low	
Nest Boxes	Nest boxes installed in areas where hollow availability is poor – targeting threatened and significant species.	Medium	6.13
Marine Fauna	Partner with the NSW Department of Industry and Investment (Fisheries) and relevant authority (formerly DECCW) to determine the most suitable methods of ensuring impacts upon these species are minimised.	Medium	3.5 6.2 7.8
	Partner with the NSW Dept. of Industry and Investment (Fisheries) to provide education programs through the Coastal Environment Centre and other avenues to educate the community regarding these species and their protection.	Medium	
	Council should notify the relevant authority (formerly DECCW) of any injured or dead threatened species in this category or of any issues involving these fauna groups.	Low	
Depletion of Intertidal Invertebrate Populations	Partner with NSW Dept. of Industry and Investment (Fisheries) and in management and monitoring of Intertidal Protection Areas and other rock platforms in the Pittwater area.	High	6.15
	Establish a local fish care program through the Coastal Environment Centre including rock platform tours and signage.	Low	6.15
Control of Plague Minnow	Identify occurrence of species within reserves, then implement control programs in conjunction with the relevant authority (formerly DECCW).	Low	6.2 Appendix 7
Feral Honey Bees	Identify any hives in the LGA and encourage responsible management of bee hives by local apiarists.	Low	6.2 Appendix 7
Impacts of Domestic (Companion) Animals	Investigate development conditions to manage the impacts of cats and dogs on new residential developments in sites where they are a particular threat to threatened fauna species.	High	6.7
Importation of Red Fire Ants	Notify the relevant authority (formerly DECCW) if a population of Fire Ants is identified within the LGA.	High	6.2 Appendix 7

Management Issue	Management Actions	Priority	Section(s) in Management Plan
Fauna Road Casualties and the Rehabilitation of Sick, Injured and Orphaned Wildlife	Identify sites where road casualties pose a particular threat to native fauna species in Pittwater. Investigate reduction strategies (reduce speed zones, speed humps and islands, increased signage) and/or fauna control measures at these sites.	High	6.9
	Monitor and review the development assessment process such that new developments include appropriate measures to prevent increased road casualties of threatened fauna.	Medium	
Flying-fox Camps	Identify camps in the Pittwater LGA.	High	7.2 8.2
	Develop a Plan of Management for the flying-fox camp at Cannes Reserve, Avalon.	High	
	Raise community awareness and respond to complaints quickly with an information package, developed in consultation with the NSW Office of Environment and Heritage (formerly DECCW).	High	
Careel Bay	Investigate the provision of a new wader roost at Careel Bay.	Low	8.3
	Monitor and control domestic dog use of intertidal areas at Careel Bay.	Ongoing	
	Partner with the NSW Office of Environment and Heritage (formerly DECCW) and the Dept of Industry & Investment (Fisheries) to investigate the activity of yabbie pumping in Careel Bay to determine the level of disturbance upon the bay.	Medium	
Rapid Assessment Tool	Develop and trial rapid assessment tool across Pittwater LGA.	High	9.0 Appendix 8
Species Inventory for Pittwater and Reserves	Conduct fauna surveys in reserves on a priority basis throughout Pittwater to supplement known fauna information.	Medium	Appendix 1
	Add to Appendix 1 – Fauna species known to occur in Pittwater as new information becomes available, particularly of threatened and locally significant species.	Medium	2.0 Appendix 1
	Develop database of fauna species within Pittwater LGA as information becomes available from all sources and regularly submit to NSW Office of Environment and Heritage - Wildlife Atlas (formerly DECCW).	High	

Management Issue	Management Actions	Priority	Section(s) in Management Plan
Species Inventory for Pittwater and Reserves (continued)	Develop GIS Mapping of threatened, regionally and locally significant fauna species for inclusion in wildlife corridor planning and Council website.	High	

Planning an Integrated Built Environment Committee

11.0 Planning an Integrated Built Environment Committee Business

C11.1 Warriewood Valley Strategic Review

Meeting: Planning an Integrated Built Environment Committee

Date: 16 May 2011

STRATEGY: Land Use & Development

ACTION: Coordinate land use planning component of land release.

PURPOSE OF REPORT

To inform Council of the approach being developed, in collaboration with Department of Planning and Infrastructure, to undertake a strategic review of all undeveloped lands in the Warriewood Valley Release Area including the Southern Buffer Area. It also seeks Council's approval to the approach, enabling the Strategic Review to formally commence.

1.0 BACKGROUND

1.1 The Planning Assessment Commission (PAC), in determining the Major Project Application at 14-18 Boondah Road Warriewood, recommended that *"Council and the Department work together to clarify the role of the Warriewood centre, the potential for higher density residential and employment generating developments adjacent to the centre, its role in the subregion and how it relates to the rest of the Valley, in terms of development density, housing mix and traffic and transport. Council and the Department should jointly prepare a comprehensive strategic study of the whole area to review:*

- *the appropriateness of Council height and density standards across the Valley,*
- *the role of Warriewood Square,*
- *the current transport network and necessary improvement works, and*
- *the demand for physical and social infrastructure in the Valley and the surrounding area."*

1.2 On 28 February 2011, the then Minister for Planning advised Council of his decision to accept the proposal for a Major Project under Part 3A on 23-27 Warriewood Road and 2 Macpherson Street Warriewood (MP11_0005), enabling a Concept Plan to be submitted in accordance with Section 75M of the EP&A Act.

In response, Council wrote to the Director-General of the Department of Planning seeking an urgent meeting to discuss the Major Project Declaration ahead of any "Strategic review being carried out". Additionally, Council sought an assurance that the Director-General's Requirements would not be issued for this Major Project until such time as the comprehensive "strategic review" was carried out jointly by the Department and Council.

1.3 On 8 April 2011, the Director-General wrote to Council advising that he does *"not intend issuing the Director-General's Requirements for the project until there is greater clarity on the directions of the joint strategic study."*

1.4 On 14 April 2011, the Director-General wrote to Council confirming the Department's commitment to undertaking the strategic review with Council, proposing Draft Terms of Reference for Council's consideration (**ATTACHMENT 1**).

2.0 ISSUES

2.1 A meeting was held between Department of Planning and Infrastructure (DoPI) and Council officers to discuss the establishment of appropriate protocols and Terms of Reference for the strategic review, namely:

- Identification of matters to be considered in the Strategic Review
- Project Control Group – membership
- Key Tasks to be carried out and Outcomes of the Review
- Resourcing and Timeframe
- Community Engagement & Governance

3.0 MATTERS TO BE CONSIDERED IN STRATEGIC REVIEW

3.1 The strategic review involves all undeveloped land within the Warriewood Valley Release Area (see map in **ATTACHMENT 2**), and will undertake to address the matters specifically raised by the PAC, namely:

- *“the appropriateness of Council height and density standards across the Valley,*
- *the role of Warriewood Square,*
- *the current transport network and necessary improvement works, and*
- *the demand for physical and social infrastructure in the Valley and the surrounding area.”*

3.2 The PAC report for MP09_0162 (p9) states that:

“In the absence of this comprehensive strategic study and in order not to unreasonably delay a determination of the applications, when considering the merits of the project the Commission takes its lead from the Metropolitan Strategy. This has guided the Commission’s conclusions regarding the appropriate development density and height at the site...”

The Metropolitan Strategy defines ‘low rise’ as three storeys or less, and ‘medium density’ as between 25 and 60 net dwellings per hectare.”

Council’s development of the Warriewood Valley Release was based on the premise of a maximum density of 25 dwellings per hectare at certain locations, arising from development/land use capability identified under the Draft Ingleside/Warriewood Urban Land Release Planning Strategy (and Council’s original Environmental Studies for Ingleside –Warriewood), and transferred into the *Draft Warriewood Valley Urban Land Release Planning Framework 1997* and reiterated in *Warriewood Valley Planning Framework 2010* (adopted May 2010). Given these circumstances, any proposed increase in dwelling density above the 25 dwellings per hectare requires consideration of additional impacts such as:

- (a) Visual impact arising from likely urban design/form due changes in density,
- (b) Traffic and transport modelling of likely changes to density and land use scenarios,

- (c) Review of infrastructure requirements including the capacity to provide such infrastructure (such as flooding/water management, open space, community facilities), for any increase in density/development potential to inform preparation of a development contribution plan commensurate with the additional demand on infrastructure and services including any proposal to provide/implement an affordable rental housing scheme.

3.3 A **Project Control Group** (PCG) will oversee the strategic review to its completion, aimed at identifying and resolving delays and set up a delivery model, including:

- Consider need for/scope/cost of consultant studies;
- Agree on briefs to consultants and endorse appointment of consultants; and
- Provide technical advice on the direction and content of the strategic review.

The Strategic Review will be managed by the Project Delivery Unit of DoPI, ensuring timely completion of the project within budget.

In addition to the Project Delivery Unit, senior technical officers from the DoPI (Sydney Region East Team), Pittwater Council and NSW Department of Transport will form the PCG. In the event that specific matters cannot be resolved by the PCG, those matters will be reported upward to the Director-General (of DoPI) and the General Manager for joint resolution.

3.4 Council has had opportunity to review the Draft Terms of Reference proposed by DoPI, and has provided a response to the Department (see **ATTACHMENT 3**).

3.5 **Key Tasks to be carried out**, includes:

- (a) Consideration of constraints and opportunities across the Warriewood Valley Release Area, and land uses immediately adjoining the Release Area.
- (b) Address the environmental constraints and natural hazards of the land including flooding, climate change and water management.
- (c) Assessment of land use and dwelling density scenarios must have regard to the *Metropolitan Plan for Sydney 2036*, the Draft Sub-Regional Strategy for the North East SubRegion (particularly the housing and employment targets established for Pittwater), and the Draft Pittwater Local Planning Strategy, that:
 - tests the medium density range (from 25 to 60 dwellings per hectare) across the Valley subject to the environmental suitability and capability of the site to accommodate such density, taking account adjoining land uses;
 - reviews likely urban form and design arising from any change in density and development scenario across the Valley taking account adjoining land uses/areas;
 - develops land use options for the Southern Buffer that complements and is compatible with adjoining land uses and does not undermine the established Centres Hierarchy.
- (d) Undertake transport modelling and assessment of the various land use/development scenarios.

- (e) Develop a Community Engagement Strategy for implementation, incorporating the steps detailed in Section 4 of this report.
- (f) Review the infrastructure requirements for the land use/development scenarios, including the capacity to deliver/ accommodate such infrastructure.

It is anticipated that external consultants be engaged to undertake Tasks (c) to (f) inclusive.

3.6 The anticipated **Outcomes of the Strategic Review** are to:

- (a) Identify any parcel of land that, as a result of existing environmental or development constraints, is unable to develop beyond either:
 - the pre-planned dwelling density (that is no increase in density and will retain the 15 dwellings per hectare), or
 - the existing land use.
- (b) Define the density for each residential sector that is still to be developed, and enable progression to rezoning into the statutory LEP process.
- (c) Define the infrastructure requirements commensurate with any increase in dwelling density to inform preparation of a local development contributions plan or other funding arrangements.
- (d) Establish a forward path for the Southern Buffer precinct, resulting from an assessment of various land use options and analysis of urban form, with a recommended land use and infrastructure delivery strategy to inform the future rezoning of this precinct.

3.7 Council's resourcing commitment to this project will be critical due to the tight timeframe in completing the strategic review.

3.8 The strategic review is envisaged to be a 6 month project, from May to November 2011.

4.0 **COMMUNITY ENGAGEMENT & GOVERNANCE ISSUES**

4.1 A key element of the strategic review will be the community engagement phase. Council's own Community Engagement Procedures would be followed, where appropriate:

Step 1 - Landowners (being those properties currently undeveloped in Warriewood Valley) and any relevant stakeholders are informed, in writing, of the commencement of the Strategic Review (in accordance with recommendation 3).

Step 2 – Meeting with landowners (whose properties are in the Southern Buffer Area) in regard to the existing constraints and opportunities in the Southern Buffer area, as well as likely mechanisms upon which land use arrangements may be optimised regardless of property boundaries and ownership (in accordance with recommendation 4).

Step 3 – Place on exhibition the outcomes of the Strategic Review and Recommended Actions arising from the Strategic Review (in accordance with recommendation 6).

- 4.2 It will be necessary to engage the services of an Independent Probity Auditor for the course of this project.

5.0 SUSTAINABILITY ASSESSMENT

5.1 Supporting & Connecting our Community (Social)

- 5.1.1 It is intended that the strategic review would continue to enhance the health and wellbeing of residents in Warriewood Valley.

5.2 Valuing & Caring for our Natural Environment (Environmental)

- 5.2.1 The strategic review aims to continue to reduce our ecological footprint and continue protecting our biodiversity.

5.3 Enhancing our Working & Learning (Economic)

- 5.3.1 The strategic review aims to continue the orderly planned development of Warriewood Valley, and ensure delivery of a viable land release.

5.4 Leading an Effective & Collaborative Council (Governance)

- 5.4.1 Landowner and community participation will be conducted at the appropriate time to ensure that decision making is ethical, accountable and transparent.

5.5 Integrating our Built Environment (Infrastructure)

- 5.5.1 The strategic review is in response to recent decisions on increased dwelling density (through the Part 3A process), legislative reforms and Minister's Directions impacting on infrastructure delivery in Warriewood Valley, and aims to continue enhancing the liveability and amenity of the Valley by locating an appropriate mix of land use and development in well connected, effective transport routes.

6.0 EXECUTIVE SUMMARY

- 6.1 On 18 January 2011, the Planning Assessment Commission recommended that the Department of Planning and Pittwater Council undertake a comprehensive strategic study of all undeveloped sites in Warriewood Valley, including the future role of Centro Warriewood Square and the development potential around that site, establishing a strategic direction for the future of Warriewood Valley and its role in the sub-region.
- 6.2 On 14 April 2011, the Director-General of the Department of Planning and Infrastructure wrote to Council confirming the Department's commitment to undertaking the strategic review with Council, and sought Council's response to the Draft Terms of Reference for the Strategic Review.

RECOMMENDATION

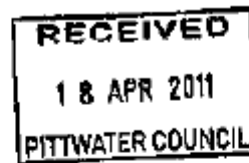
- 1 That Council confirms its participation with the Department of Planning and Infrastructure in the Strategic Review for all undeveloped sites in the Warriewood Valley Release Area.
- 2 That Council adopt the approach detailed in Section 3 of this report, including the nomination of Council staff to represent Council in the Project Control Group.
- 3 That Council write to those landowners, whose property is currently undeveloped in the Warriewood Valley Release Area and relevant stakeholders advising of the commencement of the Strategic Review with the Department of Planning and Infrastructure.
- 4 That a future meeting be scheduled with landowners of the Southern Buffer, the Department and Council Officers to discuss the existing opportunities and constraints affecting the Southern Buffer Area.
- 5 That a progress report be brought back to Council following engagement of the consultancies or within the first quarter 2011/12, whichever occurs first.
- 6 That a report be brought back to Council on the outcomes of the Warriewood Valley Strategic Review.

Report prepared by
Liza Cordoba, Principal Officer Land Release

Lindsay Dyce
MANAGER, PLANNING AND ASSESSMENT



**Planning &
Infrastructure**



Mr Mark Ferguson
General Manager
Pittwater Council
PO Box 882
MONA VALE NSW 1660

Our Ref:
11/03959

Dear Mr Ferguson

Warriewood Valley Strategic Review

I refer to our meeting of 24 March 2011 and associated discussions concerning the above. As agreed, the Department of Planning and Infrastructure and Pittwater Council will jointly undertake a strategic review of the Warriewood Valley.

A copy of a preliminary draft Terms of Reference for the Warriewood Valley Strategic Review is attached for your consideration. In summary, I anticipate that the project will include:

- a review of the opportunities to create a new employment/commercial/retail centre in the southern buffer area;
- a review of the dwelling numbers for all undeveloped land in the Valley having regard to any proposed new centre, as well as the changing urban form of the area that will result from recently approved and/or constructed developments; and
- consultant studies to resolve the capacity of the road intersections, flooding and water management issues.

The Department's Project Delivery Unit will co-ordinate the strategic review process and therefore is responsible for ensuring this project maintains momentum and meets agreed milestones. Ms Juliet Grant, Regional Director, Sydney Region East, will lead the required investigations and ensure they are undertaken and satisfactorily completed.

I look forward to discussing this project with you at a meeting to be shortly convened.

Yours sincerely

Sam Haddad
Sam Haddad
Director General
14/4/2011

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- DRAFT -

TERMS OF REFERENCE

Warriewood Valley Strategic Review

Purpose

- To undertake a strategic review of Warriewood Valley to identify appropriate development controls, land uses and infrastructure requirements for the whole area.
- To investigate appropriate opportunities to create a new employment/commercial/retail centre in the Southern Buffer area.
- To review and make recommendations as regards dwelling numbers for all undeveloped land in the Warriewood Valley having regard to any proposed new centre, the changing urban form of the area, the environmental constraints and the needs of the local and wider population.

Proposed Approach

1. Government Framework

A PCG will be set up which will function as a technical working group of senior staff from Department of Planning and Infrastructure, Pittwater Council and Department of Transport.

The PCG will:

- Agree on Terms of Reference;
- Identify in-house resources;
- Consider the need for/scope/cost of consultant studies;
- Endorse briefs and appointment of consultants; and
- Provide technical advice on direction and content of the strategic review.

2. Major Tasks

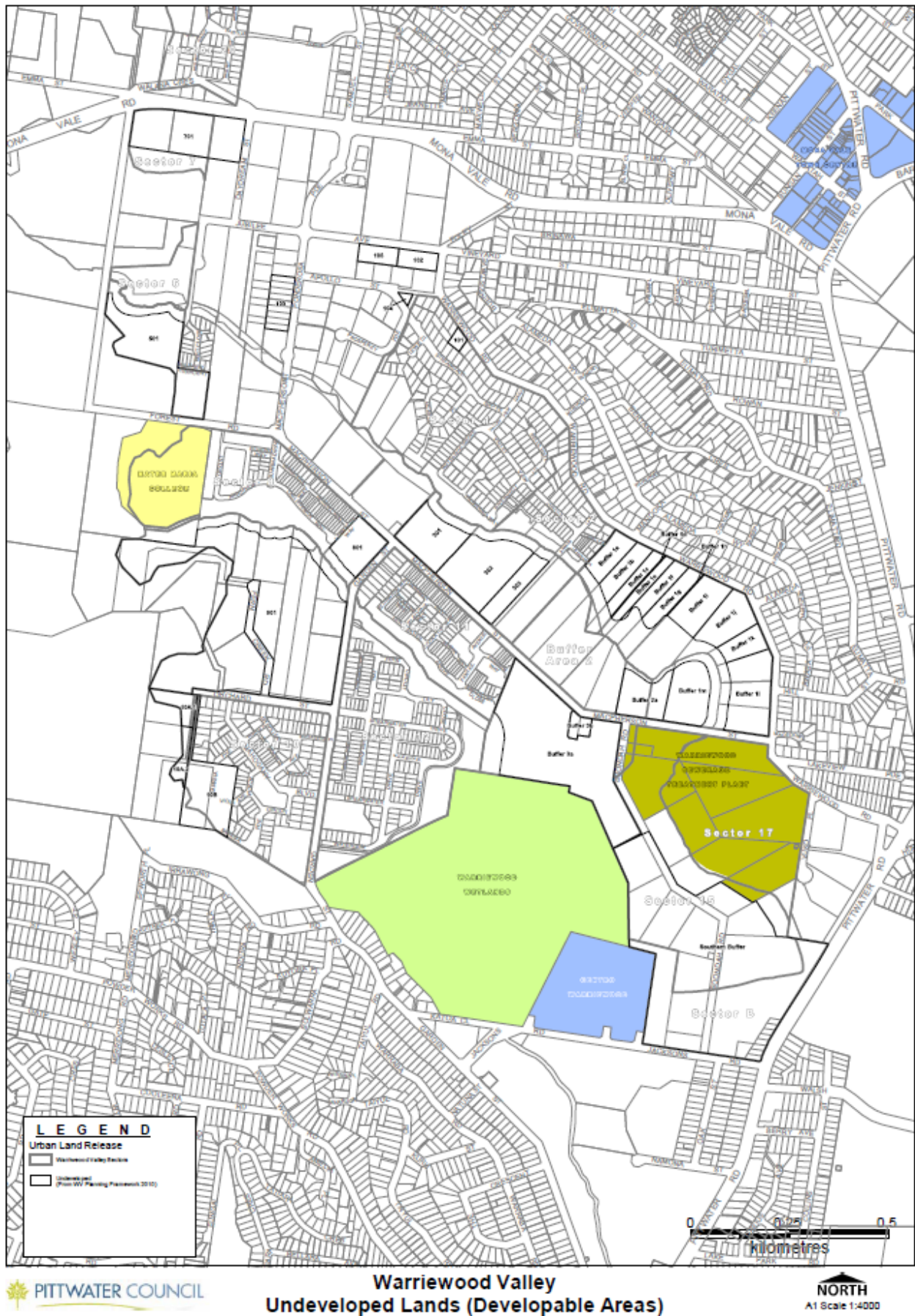
The major tasks to be undertaken as part of the strategic review include:

- Develop Land Use Options/Strategy for the Southern Buffer;
- Urban Form/open space review for the whole area;
- Transport modelling for land use scenarios;
- Flooding/Water Management; and
- Community engagement strategy.

3. Outcomes

Once completed the strategic review will include:

- an assessment of various land use options for the Southern Buffer;
- consideration of environmental constraints across the Valley;
- a desired urban form for the Valley; and
- a recommended land use strategy to inform the future rezoning of the land.



Council's response as provided to the Department

DRAFT TERMS OF REFERENCE

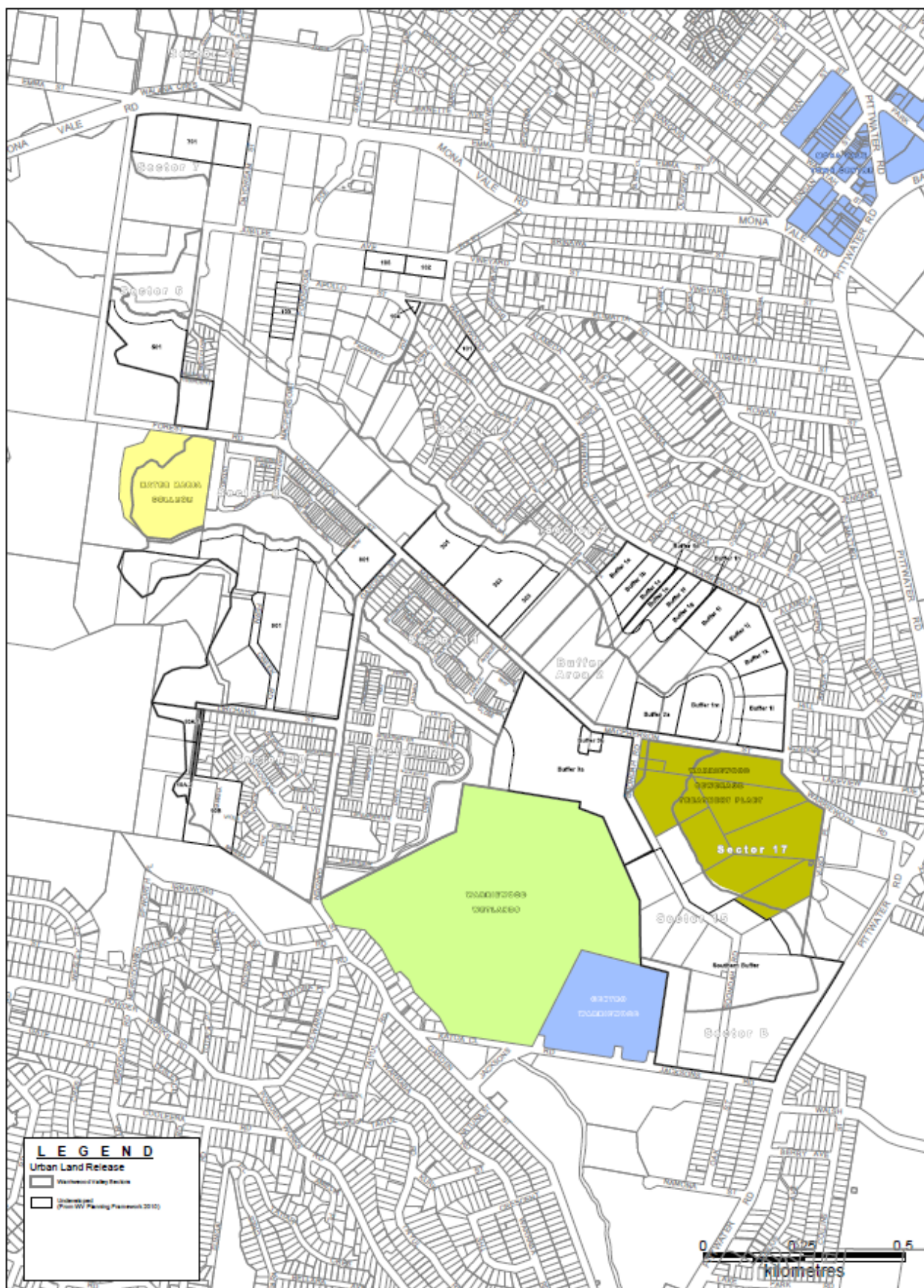
Warriewood Valley Strategic Review

Purpose

- To undertake a comprehensive strategic review of all undeveloped land in the Warriewood Valley Release Area to identify appropriate land uses and infrastructure requirements (and where relevant, development controls) for the whole area.
- To identify the scope of opportunity for a new mixed-use precinct in the Southern Buffer area, comprising commercial, retail, civic and residential uses whilst enhancing a connected, open space recreational precinct, that is complementary to and compatible with adjoining land uses.
- To review the dwelling numbers for all undeveloped land in Warriewood Valley under the medium density range under the Metropolitan Plan having regard to any proposed new centre, the changing urban form of the area, the environmental constraints and the needs of the local and wider population.
- To maximise the best use of the land, regardless of ownership.
- To recommend a forward path for the future development of the remaining undeveloped lands in Warriewood Valley, including the Southern Buffer.

Subject Land

The Strategic Review relates to all undeveloped land in the Warriewood Valley Release Area as depicted on the Map (see next page).



Proposed Approach

1. Government Framework

A Project Control Group (PCG) will be set up which will function as a technical working group of senior staff from Department of Planning and Infrastructure, Pittwater Council and Department of Transport.

The PCG will:

- Agree on Terms of Reference;
- Identify in-house resources;
- Consider the need for/scope/cost of consultant studies;
- Agree on briefs and endorse on appointment of consultants; and
- Provide technical advice on direction and content of the strategic review.

2. Major Tasks

The major tasks to be undertaken as part of the strategic review include:

- Consideration of constraints and opportunities across the Valley;
- Develop and implement a Community engagement strategy. *(NB. Council has an adopted Community Engagement Policy – attached for consideration)*
- Assessment of land use scenarios having regard to the Metropolitan Plan for Sydney 2036, the Draft Sub-regional Strategy for the North East Subregion in particular the housing and employment targets, and Draft Pittwater Local Planning Strategy.
- Review the dwelling density based on the medium density range under the Metropolitan Plan (that is 25 dwellings per hectare to 60 dwellings per hectare) subject to the environmental suitability and capability of the site to accommodate such density.
- Develop Land Use Options/Strategy for the Southern Buffer precinct that is complementary to and compatible with adjoining land uses, and does not undermine the established centres hierarchy;
- Examine Urban Form and design for the Valley, accounting for density and land use/development scenarios in the Valley and adjoining areas;
- Transport modelling for land use scenarios;
- Flooding/Water Management;
- Review the infrastructure requirements for land use/development scenarios;

3. Outcomes

Once completed the strategic review will include:

- Identification of any sector that as a result of existing environmental or development constraints is unable to develop beyond either the pre-planned dwelling density or existing landuse, for incorporation into the Standard Instrument LEP (SI LEP) process.
- Clear definition of dwelling densities for each residential sector that is still to be developed for incorporation into the statutory LEP process.
- Identification of the infrastructure requirements commensurate with any increase in dwelling density to inform preparation of a local development contributions plan.
- Establish a forward path for the Southern Buffer precinct, resulting from an assessment of various land use options and analysis of urban form, with a recommended land use and infrastructure delivery strategy to inform the future rezoning of this precinct.

C11.2	Outcomes of Exhibition of Draft Amendment to Warriewood Valley Section 94 Contributions Plan
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Meeting: Planning an Integrated Built Environment Committee

Date: 16 May 2011

STRATEGY: Land Use & Development

ACTION: Develop and implement Developer Contribution Schemes/ Agreements to support land use and development

PURPOSE OF REPORT

To inform Council of the outcomes of its exhibition of the Draft Amendment to the Warriewood Valley Section 94 Contributions Plan Amendment No.16 and the Minister's Direction issued 13 March 2011. This report seeks Council's approval to levy at the rate of \$62,100 per new residential lot/dwelling inclusive of land dedication for the multi-functional creekline corridor in the Warriewood Valley Release Area.

1.0 BACKGROUND

- 1.1 In May 2009, the then Minister for Planning required all NSW Councils to either "cap" their Section 94 Contributions Plan for new residential development at \$20,000 per dwelling, or seek exemption from that limitation.

Council successfully sought exemption from the local development contributions cap of \$20,000 per new dwelling/lot for the Warriewood Valley Release Area. The contribution for Warriewood Valley was capped at \$62,100 per new dwelling/lot, from 10 July 2009 to 2012.

- 1.2 In January 2010, Council completed a comprehensive review of the Warriewood Valley Plan with the view to preparing a new Plan. The review, which considered the findings of the Minister's Independent Panel, was undertaken by Hill PDA Consultants and was aimed at producing a revised Plan which met the Minister's "\$62,100 Cap" requirements. This was reported to Council's meeting of 1 February 2010.

- 1.3 On 4 June 2010, the then Premier of NSW capped all residential contributions to \$20,000 per new lot/dwelling. Councils could seek exemption from the \$20,000 cap from IPART, but being required to meet those additional costs from its own current revenue base or by means of Special Rate Variations.

Council sought exemption from the cap and sought permission to levy the amount of \$62,100.

- 1.4 On 15 November 2010, Council was advised of the recent changes to Local Development Contributions that saw the local development contributions for Warriewood Valley Release Area capped and eventually reinstated on 16 September 2010. The Minister's Direction exempted the Warriewood Valley Section 94 Contribution Plan from any cap, but allowed the escalation of contributions in a way inconsistent with the Minister's own Independent Review Panel findings and the Department's letter of 26 October 2010.

At its meeting of 15 November 2010, Council resolved inter-alia:

- “2. That Council rescind its resolution of 5 July 2010 deferring as an interim measure, any further rezoning proposals within the Warriewood Valley that rely on Section 94 infrastructure provision pending resolution of this matter.*
 - 3. That Council seek approval from the Minister for Planning to amend the Warriewood Valley Section 94 Contributions Plan Amendment No.16 insofar as to expressly state that the residential contribution rate is limited to \$62,100 per new residential lot/dwelling inclusive of land dedication for the multi-functional creekline corridor.*
 - 4. Concurrent with 3 above, Council place on exhibition the amendment to Warriewood Valley Section 94 Contributions Plan Amendment No.16, as per Attachment 4, in accordance with the Environmental Planning and Assessment Act.*
 - 5. That a report be brought back to Council on the outcomes of the exhibition to the amendment to Warriewood Valley Section 94 Contributions Plan Amendment No.16, as per Attachment 4.”*
- 1.6 Council resolved to exhibit a Draft Amendment to the *Warriewood Valley Section 94 Contributions Plan Amendment No.16* expressly limiting the residential contribution rate to \$62,100 per new lot/dwelling.

2.0 OUTCOMES OF THE EXHIBITION

- 2.1 The Draft Amendment to the *Warriewood Valley Section 94 Contributions Plan No.15 Amendment No.16* (Amendment 16 Plan) was placed on exhibition for 28 days from 20 November 2010 to 21 December 2010, appearing in the *Manly Daily* on 20 November 2010, in accordance with legislative requirements.
- 2.2 No submissions were received during the exhibition period.
- 2.3 Concurrent to the exhibition period, Council wrote to the Department advising of the exhibition of the Draft Amendment and sought approval to amend the *Warriewood Valley Section 94 Contributions Plan No.15 Amendment No.16* (Amendment 16 Plan) to expressly state that the residential contribution rate is \$62,100 per new residential lot/dwelling inclusive of land dedication for the multi-functional creekline corridor.

3.0 RESPONSE FROM DEPARTMENT OF PLANNING

- 3.1 On 13 March 2011, the then Minister for Planning issued a Direction to Council under Section 94E of the Environmental Planning and Assessment Act (**ATTACHMENT 1**). The Direction lists those lands in Schedule 1 as not having a cap on contributions, including “land identified as Warriewood Valley Urban Land Release Area in the *Warriewood Valley Section 94 Contributions Plan No.15 Amendment No.16*” (Amendment 16 Plan).

The effect of this Direction means that Council levy in accordance with the Amendment 16 Plan, where future residential contribution rates applicable are listed up to 2011/12 and therefore become the applicable contribution rate imposed on developments approved as it relates to the financial year up to 2011/12. These rates are also used to adjust the contribution if payment is not made within the financial year stated in the development consent. For example in September 2008 (when Amendment 16 was adopted) the residential contribution rate was \$63,306.18 per dwelling and if it was to be paid today, the payment would be adjusted to the contribution rate of \$71,610 per dwelling (as it applies to 2010/2011). Similarly, a development consent issued today will levy at \$71,610 per dwelling (in accordance with Amendment 16 Plan) and would also be adjusted at the time of payment should the contribution not be made by end June 2011.

This Direction is contrary to Council's decision of November 2010 to expressly limit the residential contribution rate to \$62,100 per new lot/ dwelling (the subject of the amendment recently exhibited and this report).

- 3.2 At the time of finalising this report, no formal response has been received from the Department of Planning in regard to:
- Approval to amend the *Warriewood Valley Section 94 Contributions Plan No.15 Amendment No.16* (Amendment 16 Plan) or subsequently adopt an amendment expressly stating that the residential contribution rate is \$62,100 per new residential lot/dwelling inclusive of land dedication for the multi-functional creekline corridor, or
 - Whether the draft amendment to the Amendment 16 Plan requires IPART review before Council's adoption of the plan.
- 3.3 Limiting the residential contribution rate to \$62,100 per new lot/dwelling in accordance with Council's decision of 15 November 2010 however does not account for increases in inflation. It is appropriate to propose CPI increases applying to the contribution rate of \$62,100, ensuring that inflationary cost increases associated with infrastructure delivery in Warriewood Valley are met. This will, in the interim, provide for a Plan that is robust and sustainable.
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4.0 WAY FORWARD

- 4.1 Prior to the NSW State Elections, legislative changes (known as the Part 5B provisions) and Local Development Contributions Guidelines were to be introduced affecting local development contributions. Recent announcements by the newly-formed NSW Government earmark legislative reforms including the introduction of a new planning act for NSW.
- 4.2 The imposition of the \$62,100, as proposed, will be an interim measure until such time as the next iteration of the Warriewood Valley Contributions Plan has incorporated the outcomes of the comprehensive review completed in January 2010, and the anticipated new legislation to ensure consistency with new legislation and the Guidelines.

The Department's letter of 26 October 2010 confirms the need to consider and, where appropriate, incorporate the outcomes of the comprehensive review process in the next reiteration of the Warriewood Valley Contributions Plan.

- 4.3 Development proposals and enquiries continue in the Warriewood Valley Release Area. Adoption of the amendment to the Contributions Plan that expressly limits the residential contribution rate to \$62,100 (subject to CPI and inclusive of land dedication for the multi-functional creekline corridor) provides certainty for proponents and is consistent with the previous Ministerial Direction.
- 4.4 Council's adoption of the amendment, limiting the rate to \$62,100 however will result in the making of a new plan, *Warriewood Valley Section 94 Contributions Plan No.15 Amendment No.17*, and is not the plan specifically referenced in any Minister's Direction. Under the circumstances, Council will not be in a position to levy in accordance with the newly-adopted plan until such time as another Minister's Direction is issued that correctly references the plan, that is *Warriewood Valley Section 94 Contributions Plan No.15 Amendment No.17*.

To rectify the anomaly and to enable Council to levy in accordance with its decision to limit the contribution rate to \$62,100 per new lot/ dwelling inclusive of land dedication for the multi-functional creekline corridor, this report also seeks Council to procedurally approve the residential contribution rate applying to Warriewood Valley. For example, the contribution plan referenced in the development consent will need to be the Amendment 16 Plan (regardless that Council has adopted a new plan) however, will specify the contribution rate is limited to \$62,100 per new lot/ dwelling inclusive of land dedication for the multi-functional creekline corridor in accordance with Council's decision (as per Recommendation 2).

This is an interim measure until such time as a Minister's Direction has been received in regard to the new plan. In this regard Council should:

- (i) continue to seek Minister's approval and gain a new Direction that caps us at \$62,100 (but does not refer to the Amendment 16 or 17 Plan) other than to say this Direction applies to land identified in the WWV Contributions Plan.
- (ii) resolve to limit the residential contribution rate to be levied for DAs at \$62,100 per new lot/ dwelling inclusive of land dedication for the multi-functional creekline corridor, the cash contribution being adjusted at the time of payment (on a quarterly basis in accordance with the applicable Consumer Price Index).

5.0 SUSTAINABILITY ASSESSMENT

5.1 Supporting & Connecting our Community (Social)

- 5.1.1 Recent State Government decisions on local development contributions affect the delivery of community services and facilities aimed at enhancing the health and wellbeing of residents.

5.2 Valuing & Caring for our Natural Environment (Environmental)

- 5.2.1 Recent State Government decisions on local development contributions affect how we protect our biodiversity in the future.

5.3 Enhancing our Working & Learning (Economic)

- 5.3.1 Recent State Government decisions on local development contributions have financial implications for Council and the community at large.

The application of \$62,100 is consistent with the revision of the plan and consistent with the Department of Planning's letter of October 2010.

5.4 Leading an Effective & Collaborative Council (Governance)

- 5.4.1 State Government decisions on local development contributions have significant financial and social implications for Council and the community at large, which at times, have not been transparent and are appear to be a response to external factors outside of local government's sphere of influence.

5.5 Integrating our Built Environment (Infrastructure)

- 5.5.1 Recent State Government decisions on local development contributions affect the timely delivery of infrastructure and services/facilities.

6.0 EXECUTIVE SUMMARY

- 6.1 In accordance with Council's resolution of 15 November 2010, Council exhibited an amendment to the Warriewood Valley Section 94 Contributions Plan Amendment No.16 to expressly state that the residential contribution rate is \$62,100 per new residential lot/dwelling inclusive of land dedication for the multi-functional creekline corridor.

- 6.2 The Minister's Direction of 13 March 2011 enables Council to levy in accordance with the Warriewood Valley Section 94 Contributions Plan Amendment No.16 (the Plan current at the date of the Direction).

The effect of the recent Direction is contrary to Council's decision to expressly limit the residential contribution rate to \$62,100 per new lot/ dwelling inclusive of land dedication for the multi-functional creekline corridor.

6.3 No formal response has been received from the Department of Planning regarding Council's amendment to Warriewood Valley Section 94 Contributions Plan Amendment No.16.

6.4 Adopting the amendment to the Warriewood Valley Section 94 Contributions Plan Amendment No.16 ensures that a level of certainty in infrastructure delivery in Warriewood Valley.

The residential contribution rate is \$62,100 per new residential lot/dwelling inclusive of land dedication for the multi-functional creekline corridor contribution rate (indexed at the time of payment) is an interim measure, applying until such time as a new Warriewood Valley Plan incorporating the outcomes of the comprehensive review and new legislation is prepared and adopted.

RECOMMENDATION

- 1 That Council write to the Minister for Planning seeking a new Section 94E Direction that expressly states a residential contribution rate of \$62,100 per new residential lot/dwelling inclusive of land dedication for the multi-functional creekline corridor (subject to increases on a quarterly basis in accordance with the applicable Consumer Price Index, if not paid by the end of the quarter). This residential contribution rate would apply to land in the Warriewood Valley Release Area.
- 2 That until such time as the new Direction is issued (as it relates to 1 above), Council adopt a contribution rate \$62,100 per new residential lot/dwelling inclusive of land dedication for the multi-functional creekline corridor, applicable to residential development in the Warriewood Valley Release Area. If the total cash contribution rate (or part thereof) remains unpaid at the end of the quarter, the outstanding amount still to be paid to Council will be increased on a quarterly basis in accordance with the applicable Consumer Price Index.
- 3 That a further report be brought back to Council on the legislative changes to local development contributions when the information is released by the NSW State Government.

Report prepared by
Liza Cordoba, Principal Officer Land Release

Lindsay Dyce
MANAGER, PLANNING AND ASSESSMENT

Mark Jones
CHIEF FINANCIAL OFFICER



PLANNING circular

PLANNING SYSTEM

Local planning

Circular	PS 11-012
Issued	15 March 2011
Related	PS10-022

Section 94E Direction – Development contributions

The purpose of this circular is to provide councils, accredited certifiers and the community with information regarding the revocation and issuing of a new Section 94E Direction in relation to the capping of development contributions.

Background

Development contributions help provide new and growing communities across NSW with appropriate infrastructure. These contributions are levied under the *Environmental Planning and Assessment Act, 1979* (the EP&A Act).

The Minister for Planning (the Minister) issued a Direction under Section 94E of the EP&A Act which took effect on 16 September 2010.

That Direction provided for the following in relation to the contributions that can be levied under Section 94 of the EP&A Act for residential development:

- a cap of \$20,000 per dwelling/lot for established areas,
- a cap of \$30,000 per dwelling/lot for greenfield areas,
- an exemption for areas where development applications been lodged (including those that had been determined) and remain valid, as of 31 August 2010, for more than 25% of the expected yield from the development area or contributions plan.
- the Minister to consider, on the application of a council and request of a developer, approving a higher contribution amount.

Overview of the changes

The changes to the Section 94E Direction relate specifically to the Schedules to the Direction. Although the format of the Direction has changed, the requirements relating to the cap on contributions have not.

Changes to the Schedules

Certain land is exempted from the requirements of the direction (Schedule 1). Where a council has adopted a new plan (following the Minister's agreement that it is a refinement of the previous plan) the reference to the plan has been updated. This change will ensure that the exemptions from the cap continue to apply to certain land within the Liverpool City, Ku-ring-gai and Shoalhaven City Local Government Areas.

New greenfields areas have also been included in Schedule 2 for the Shoalhaven City, Wollongong City, Nambucca Shire and Blacktown City Local Government Areas. The maximum contribution in these areas is \$30,000.

Timing of changes

The Direction takes effect on 4 March 2011 and applies to consents granted after that date.

Savings and transitional arrangements

The Direction does not apply to Section 94 contribution conditions imposed before 4 March 2011.

The Direction revokes the earlier Direction that took effect on 16 September 2010.

The revocation of the earlier Direction does not affect the operation of a condition of a development consent imposed in accordance with that direction.

Further information

This and other Ministerial directions are available on the on the Department's website at <http://www.planning.nsw.gov.au>

For further information, please contact the Department of Planning's Information Centre on 1300 305 695.

Note: Department of Planning circulars are published are available from <http://www.planning.nsw.gov.au/circulars>

Authorised by:

Sam Haddad
Director-General

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2011

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, in pursuance of section 94E of the *Environmental Planning and Assessment Act 1979*, give the following Direction.


Minister for Planning

Dated: **3 MAR 2011**

1 Name of Direction

This Direction is the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2011*.

2 When Direction takes effect

This Direction takes effect on 4 March 2011.

3 Consent authorities to which Direction is given

- (1) This Direction is given to all councils.
- (2) This Direction also applies to any joint regional planning panel ("planning panel") when exercising consent authority functions of one or more councils.

4 No cap on contributions for development on Schedule 1 land

This Direction does not apply to a development consent to the extent that it authorises the carrying out of development on any land identified in Schedule 1.

5 Definitions

- (1) In this Direction:
 - (a) **dwelling** means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile, and
 - (b) **residential lot** means a lot created by the subdivision of land for the purpose of a dwelling, not being a lot that, in the opinion of the council (or planning panel), is to be further subdivided for the purpose of creating lots for the purpose of dwellings.

Note. See section 4B of the *Environmental Planning and Assessment Act 1979* for the meaning of "subdivision of land".

- (2) A reference in this Direction to a development consent that authorises a dwelling is a reference to a development consent that authorises the erection of the dwelling or the use of a building or part of a building as a dwelling.

Note. See section 4 (2) of the *Environmental Planning and Assessment Act 1979* for interpretation of the phrase "erection of a dwelling".

- (3) Notes in this Direction do not form part of this Direction.

6 Maximum amount of monetary contributions under s 94

- (1) This clause applies to a development consent to the extent that it authorises one or more dwellings or the subdivision of land into residential lots.
- (2) A council (or planning panel) must not grant development consent (other than for development on land identified in Schedule 2) subject to a condition under section 94 (1) or (3) of the *Environmental Planning and Assessment Act 1979* requiring the payment of a monetary contribution that:
- (a) in the case of a development consent that authorises one or more dwellings, exceeds \$20 000 for each dwelling authorised by the consent, or
 - (b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$20 000 for each residential lot authorised to be created by the development consent.
- (3) A council (or planning panel) must not grant development consent for development on any land identified in Schedule 2 subject to a condition under section 94 (1) or (3) of the *Environmental Planning and Assessment Act 1979* requiring the payment of a monetary contribution that:
- (a) in the case of a development consent that authorises one or more dwellings, exceeds \$30 000 for each dwelling authorised by the consent, or
 - (b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$30 000 for each residential lot authorised to be created by the development consent.
- (4) A council (or planning panel) may, in a particular case, require, as a condition on the grant of development consent, the payment of a monetary contribution that exceeds the maximum amount of the contribution calculated in accordance with subclause (2) or (3), but only with both the written agreement of the applicant for the consent and the written approval of the Minister, given before the condition is imposed.

7 Pending development applications

- (1) This Direction extends to development applications made to a council, but not finally determined, before this Direction takes effect.
- (2) This Direction does not apply to:
- (a) any application for modification of a development consent that was granted before this Direction takes effect, and

- (b) any condition of a development consent that was granted before this Direction takes effect.

8 Revocation of existing direction

- (1) The direction under section 94E of the *Environmental Planning and Assessment Act 1979*, relating to the imposition of conditions under section 94 of that Act, that took effect on 16 September 2010 is revoked.
- (2) The revocation of the direction does not affect the operation of a condition of a development consent imposed in accordance with the direction.

Note.

Section 94EC (1A) of the *Environmental Planning and Assessment Act 1979* provides as follows:

The imposition of a condition by an accredited certifier as authorised by a contributions plan is subject to compliance with any directions given under section 94E (1) (a), (b) or (d) with which a council would be required to comply if issuing the complying development certificate concerned.

Schedule 1 Land in respect of which there is no cap on the amount of the contribution by virtue of this Direction

- (1) Land within the Bathurst Regional Local Government Area identified as Area E in the *Section 94 Contributions Plan Robin Hill - Roads and Drainage Construction*.
- (2) Land within the Blacktown City Local Government Area identified as any of the following:
 - (a) a 1980's Release Area in the *Section 94 Contributions Plan No.1 – 1980's Release Areas*,
 - (b) a catchment area in the *Section 94 Contributions Plan No.2 – Local Roadworks*,
 - (c) Catchment 1:Blacktown, Catchment 2: Rooty Hill/Mount Druitt or Catchment 3: Riverstone/Schofields in the *Section 94 Contributions Plan No.3 – Open Space in Established Residential Areas*,
 - (d) the Mount Druitt Development Area in the *Section 94 Contributions Plan No.4 – Mount Druitt Development Area*,
 - (e) the Parklea Release Area in the *Section 94 Contributions Plan No. 5 – Parklea Release Area*,
 - (f) the Metella Road Toongabbie Floodplain Catchment in the *Section 94 Contributions Plan No.15 – Metella Road Floodplain*.
- (3) Land within the Camden Local Government Area identified as:
 - (a) the Elderslie Release Area or the Spring Farm Release Area in the *Camden Contributions Plan 2004*, or
 - (b) the Narellan Release Area or the Harrington Park Release Area on the map marked 'Camden LGA – Exemptions Area' held at the head office of the Department of Planning.
- (4) Land within the Campbelltown City Local Government Area identified as the Glenfield Road Urban Release Area in the *Section 94 Development Contributions Plan – Glenfield Road Urban Release Area*.
- (5) Land within the Coffs Harbour City Local Government Area identified as:
 - (a) the Wests Coffs Release Area in the *West Coffs Release Area Contributions Plan 2006*, or
 - (b) the Moonee Release Area identified in the *Moonee Developer Contributions Plan 2008*.
- (6) Land within the Hawkesbury City Local Government Area identified as the Pitt Town Residential Precinct in the *Hawkesbury Section 94 Contributions Plan 2008*.
- (7) Land within the Holroyd City Local Government Area identified as the Neil Street Precinct in the *Neil Street Precinct Section 94 Development Contributions Plan 2007*.
- (8) Land within the Ku-ring-gai Local Government Area identified as:
 - (a) zoned R3 Medium Density Residential, R4 High Density Residential, B2 Local Centre, B4 Mixed Use, B5 Business Development, B7 Business Park, SP2 Infrastructure or RE1 Public Recreation under the *Ku-ring-gai Local Environmental Plan (Town Centres) 2010* and to which the *Ku-ring-gai Contribution Plan 2010* applies, or

- (b) zoned No 2(d3) Residential "D3" under the *Ku-ring-gai Local Environmental Plan No 194* and to which the *Ku-ring-gai Contribution Plan 2010* applies.
- (9) Land within the Lake Macquarie City Local Government Area identified as:
 - (a) the Northlakes Urban Release Area in the *Lake Macquarie Section 94 Contributions Plan No.2 – Northlakes*, or
 - (b) the Belmont Catchment, the Charlestown Catchment, the Glendale Catchment, the Morriset Catchment or the Toronto Catchment in the *Lake Macquarie Section 94 Contributions Plan No.1 – Citywide*.
- (10) Land within the Liverpool City Local Government Area identified as Carnes Hill, Hoxton Park, Middleton Grange or Prestons in the *Liverpool Contributions Plan 2009*.
- (11) Land within the Marrickville Local Government Area to which the *Marrickville Section 94 Contributions Plan 2004* applies.
- (12) Land within the Palerang Local Government Area identified as Summerhill Road, Matthews Lane, the Woolshed Lane, Wanna Wanna Road, Clare Lane, Joe Rocks Road or Fernloff Road on the map marked 'Palerang LGA – Exemptions Area' held at the head office of the Department of Planning.
- (13) Land within the Penrith City Local Government Area identified as:
 - (a) Claremont Meadows Stage 2 in the *Claremont Meadows Development Contributions Plan Amendment No.1*, or
 - (b) Glenmore Park Stage 1 in the *Glenmore Park Stage 1 Development Contributions Plan 2008*.
- (14) Land within the Pittwater Local Government Area identified as the Warriewood Valley Urban Release Area in the *Warriewood Valley Section 94 Contributions Plan No. 15 Amendment No.16*.
- (15) Land within the Port Macquarie-Hastings Local Government Area identified as Kings Creek in the *Kings Creek Contributions Plan Version 2.5*.
- (16) Land within the Queanbeyan City Local Government Area identified as the Wanna Wanna Road Precinct on the map marked 'Queanbeyan LGA – Exemptions Area' held at the head office of the Department of Planning.
- (17) Land within the Shoalhaven City Local Government Area identified as the Riversdale Road Area, the Parma Road Area or the Kangaroo River Bridge Area in the *Shoalhaven Contributions Plan 2010*.
- (18) Land within The Hills Shire Local Government Area identified as any of the following:
 - (a) Kellyville/Rouse Hill in the *Section 94 Contributions Plan No.8 – Kellyville/Rouse Hill*,
 - (b) Bella Vista Village in the *Section 94 Contributions Plan No.2 – Bella Vista Village*,
 - (c) the West Pennant Hills Valley in the *Section 94 Contributions Plan No.2 – West Pennant Hills Valley*,
 - (d) Crestwood in the *Section 94 Contributions Plan No.3 – Crestwood*,

- (e) Glenhaven in the *Section 94 Contributions Plan No.4 – Glenhaven*,
 - (f) Castle Hill in the *Section 94 Contributions Plan No.5 – Castle Hill*,
 - (g) a Southern Precinct in the *Section 94 Contributions Plan No.7 – Southern Precincts*.
- (19) Land within the Tweed Local Government Area identified as Seaside City in the *Section 94 Contributions Plan No.28 – Seaside City*.
- (20) Land within the Wyong Local government Area identified as:
- (a) The Entrance District in the *Section 94 Contributions Plan No.3 'The Entrance District'*, or
 - (b) the Warnervale District Release Areas in the *Section 94 Contributions Plan No.7A 'Drainage, Water Quality, Open Space, Community Facilities and Roads – Warnervale District'*.

Schedule 2 Land subject to the \$30,000 maximum contribution

- (1) Land within the Blacktown City Local Government Area identified as Riverstone Precinct or Alex Avenue Precinct in the *Section 94 Contributions Plan No. 20 – Riverstone & Alex Avenue Precincts*.
- (2) Land within the Camden Local Government Area identified as:
 - (a) the Oran Park Precinct or Turner Road Precinct in the *Oran Park and Turner Road Precincts Section 94 Contributions Plan*, or
 - (b) Harrington Grove or Mater Dei on the map marked 'Camden LGA – Greenfield Release Areas' held at the head office of the Department of Planning.
- (3) Land within the Coffs Harbour City Local Government Area identified as the Hearnese Lake Release Area or Sandy Beach Release Area in the *Hearnese Lake/Sandy Beach Release Area Developer Contributions Plan 2008*.
- (4) Land within the Eurobodalla Local Government Area identified as Glenella Service Road 1c, Batehaven Greenfield Area, Broulee Greenfield Area, Dalmeny Greenfield Area, Kianga Greenfield Area, Malua Bay Greenfield Area, Bay Ridge 1c, Moruya 1c, Tomakin Greenfield Area, Longbeach Greenfield Area, Moruya South Greenfield Area, Moruya West Greenfield Area, Mystery Bay Greenfield Area, Narooma Greenfield Area, Nelligen 1c, Rosedale Greenfield Area, Central Tilba 1c or Bingi 1c on the map marked 'Eurobodalla LGA – Greenfield Release Areas' held at the head office of the Department of Planning.
- (5) Land within the Greater Taree City Local Government Area identified as the Old Bar Precinct 2B or Precinct 3 in the *Old Bar Contributions Plan 2010*.
- (6) Land within the Lake Macquarie City Local Government Area identified as North Wallarah in the *Lake Macquarie Section 94 Contributions Plan No.5 – North Wallarah*.
- (7) Land within the Liverpool Local Government Area identified as Edmondson Park in the *Liverpool Contributions Plan 2008 – Edmondson Park*.
- (8) Land within the Maitland City Local Government Area identified as the Thornton North Release Area in the *Thornton North Section 94 Contributions Plan*.
- (9) Land within the Nambucca Shire Local Government Area identified as the Contribution Catchment on Map C1 in the *Smiths Lane Local Road and Traffic Infrastructure Developer Contribution Plan 2010*.
- (10) Land within the Penrith City Local Government Area identified as:
 - (a) the WELL Precinct in the *Werrington Enterprise Living and Learning (WELL) Precinct Development Contribution Plan*, or
 - (b) Glenmore Park Stage 2 in the *Glenmore Park Stage 2 Development Contributions Plan*.
- (11) Land within the Port Macquarie-Hastings Local Government Area identified as Thrumster, Innes Peninsula, Camden Haven or Lake Cathie / Bonny Hills on the map marked 'Port Macquarie-Hastings LGA – Greenfield Release Areas' held at the head office of the Department of Planning.

- (12) Land within Shoalhaven City Local Government Area identified in *Shoalhaven Contributions Plan 2010* as any of the following:
- (a) Iron Bark Road Tapitallee upgrade area,
 - (b) Flannery Lane upgrade area,
 - (c) Browns Mountain Road upgrade area,
 - (d) Broger's Creek Road gravel upgrade area,
 - (e) Wattamolla Road upgrade area,
 - (f) Graham's Road/unnamed road gravel upgrade area,
 - (g) Spotted Gum Drive upgrade area,
 - (h) Hart Road bitumen upgrade area,
 - (i) Sinclair Road Part 3 bitumen upgrade area,
 - (j) Bendalong Mountain Road upgrade area,
 - (k) Pointer Road upgrade area,
 - (l) Bugong Road upgrade area.
- (13) Land within The Hills Shire Local Government Area identified as:
- (a) the Balmoral Road Release Area in the *Section 94 Contributions Plan No. 12 – Balmoral Road*, or
 - (b) North Kellyville in the *Section 94 Contributions Plan No. 13 – North Kellyville*.
- (14) Land within the Tweed Local Government Area identified as Black Rocks, Koala Beach, West Murwillumbah, Tanglewood, Kings Forest – Casuarina Beach, SALT, West Kingscliff, Area 'E' (Terranora), Terranora Village, Bilambil Heights, Cobaki Lakes, Nightcap Village or Hastings Point on the map marked 'Tweed LGA – Greenfield Release Areas' held at the head office of the Department of Planning.
- (15) Land within the Wollongong City Local Government Area identified as the West Dapto Release Area in the *West Dapto Section 94 Development Contributions Plan 2010*.
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C11.3 Status of Ingleside Investigation Area

Meeting: Planning an Integrated Built
 Environment Committee

Date: 16 May 2011

STRATEGY: **Land Use & Development**

ACTION: Coordinate land use planning component of land release

PURPOSE OF REPORT

To resolve the planning direction for the Ingleside Land release area comprising South Ingleside North Ingleside and Wirreanda Valley in terms of suitable land use, funding of the investigation and planning process and provision of infrastructure.

1.0 BACKGROUND

- 1.1 In 1992, the then Minister for Planning announced that Ingleside and Warriewood Valley would form part of a land release investigation area and would be included in the Urban Development program.

In 1993, Pittwater Council was directed by the then Minister for Planning to commence investigations towards a land release in Ingleside and Warriewood Valley.

In 1995 Pittwater Council completed an investigation and prepared a Draft planning strategy for Ingleside - Warriewood Land Release.

The Minister for Planning subsequently froze the land release process.

- 1.2 In 1997, instructed Council to proceed with Urban Land Release in Warriewood Valley.

- 1.3 The planning investigation and land release processes for the Ingleside area that were a component of the original Ingleside - Warriewood land release was stalled following the Minister's decision.

While there have been various investigations, assessments and proposals in relation to the Ingleside, nothing has eventuated.

2.0 PRELIMINARY SCOPING REPORT FOR INGLESIDE

- 2.1 In 2006, at the request of The Hon Frank Sartor MP (then Minister for Planning), Council's Urban and Environmental Assets Committee agreed to carry out preliminary investigations in the Ingleside area. The study area, known as the Ingleside Investigation Area, is shown on **Attachment 1**.

- 2.2 The Preliminary Scoping Report for Ingleside was developed by Council and Department of Planning (in 2009) and arose from the preliminary investigations that commenced in late 2006.

The Scoping Report raises concern about the future viability of Ingleside as a land release project, and recommended that a detailed economic and risk assessment be undertaken for Ingleside that examines the extent of development risk, based on a range of development options for Ingleside.

The Preliminary Scoping report and its outcomes was reported to Council's meeting of 19 October 2009. At that meeting, Council resolved inter-alia:

- "2 That Council continue to support a process that will identify appropriate development and land use scenarios for Ingleside however identifies the following risks to an orderly progress of the release:*
- (a) the future protection and management of the environmentally sensitive land, including environmental and biodiversity corridors and creekline corridors;*
 - (b) concerns raised by the Department of Environment and Climate Change requiring further resolution,*
 - (c) the threat from bushfire,*
 - (d) the extent of capitalisation evident in private landholdings in Ingleside,*
 - (e) the capacity of Mona Vale Road to accommodate for future development in Ingleside and provide emergency access/egress eg bushfire,*
 - (f) future use of Powderworks Road as a direct north-south route,*
 - (g) delivery of infrastructure in a timely manner over the life of the development process,*
 - (h) financial risk to Council and the State Government if the development potential is not achieved or is delayed,*
 - (i) uncertainty with the Section 94 funding mechanisms.*
- 3 That Council write to the Minister for Planning advising of the outcomes of its Preliminary Scoping Report identifying the opportunities and risks associated with developing Ingleside for all stakeholders including Council, State Government Authorities, servicing agencies and landowners.*
- 4 That Council request that the Minister direct the Planning Reform Funding originally granted to Pittwater Council, towards commission a detailed economic study and risk evaluation to determine a viable and sustainable development."*

A letter was sent to all landowners in the Ingleside Investigation Area advising of the outcomes of the Preliminary Scoping Report for Ingleside and Council's decision.

- 2.3 Since Council's resolution of 19 October 2009, discussions have continued between the Department and Council of potential land-use options for Ingleside.

To date, no solution has been identified.

3.0 ISSUES TO BE RESOLVED

- 3.1 Issues identified below will be forefront in any future discussions with the Department of Planning and Infrastructure:

- Investigation and Planning Strategies are not applicable
- Economic feasibility
- Commitment to upgrade Mona Vale Road and Powderworks Road
- Financial uncertainty for Council

3.2 Impact of uncertainty on residents

Residents in the South Ingleside, North Ingleside and Wirreanda Valley have been subject to an uncertain future in relation to the progression of land release or provision of alternative development scenarios for their area for a period approaching twenty years or in fact longer in some cases. During this period, there had been substantial change to the area with some properties being highly capitalised and others remaining in a relatively undeveloped state and in some cases subject to ongoing inappropriate land uses.

Without establishing a planning solution for the area, the environmental integrity of many sensitive parts of the Ingleside Investigation Area that would otherwise be preserved if a planning solution is developed and implemented are deteriorating.

Additionally the social impact of ongoing uncertainty for the residents of the area is simply not fair.

4.0 FORWARD PATH

In order to progress this matter, it is appropriate that a high level meeting of Pittwater Council Staff and Department of Planning & Infrastructure staff be held to resolve a forward path for determining the future planning solution for the South Ingleside, North Ingleside and Wirreanda Valley.

This meeting should raise the issues of economic feasibility, environmental impact and financial resourcing, infrastructure resourcing required with any process associated with progressing the planning solutions for the area specifically dealing with those issues in terms of the high level impact that an overall Urban development proposal would have the discussions will also pursue the feasibility of a more limited form of release in terms of some limited urban development in the South Ingleside, with the remainder of South Ingleside North Ingleside and Wirreanda Valley being the subject of a rural residential environmentally compatible large lot planning solution.

In all cases, the discussion should ensure that the existing shortfalls in infrastructure in particular Mona Vale Road are addressed.

5.0 CONCLUSION

It is appropriate the General Manager and Senior Council staff seek a meeting with the Director General of the Department of Planning & Infrastructure and departmental staff to determine a forward path of the rapid determination of a Planning solution for the South Ingleside, North Ingleside and Wirreanda component of the original Ingleside-Warriewood land release area.

6.0 SUSTAINABILITY ASSESSMENT

6.1 Supporting & Connecting our Community (Social)

6.1.1 Key to examining the Ingleside Investigation Area is how any new community is integrated into the wider Pittwater community

6.2 Valuing & Caring for our Natural Environment (Environmental)

6.2.1 Integral in our investigations is evaluating likely impacts of a land release development for Ingleside, including environmental impacts on the natural environment, economic and social impacts in the locality, and aimed at reducing our ecological footprint and protecting our biodiversity

6.3 Enhancing our Working & Learning (Economic)

- 6.3.1 Integral in our investigations is evaluating likely impacts of a land release development for Ingleside, including environmental impacts on the natural environment, economic and social impacts in the locality, particularly introducing employment containment initiatives and attract employment generators into the area. The introduction of further rate potential to Council and ongoing maintenance of the local infrastructure are financial considerations

6.4 Leading an Effective & Collaborative Council (Governance)

- 3.4.1 Key to the investigation of Ingleside will be continued communication with all stakeholders, particularly landowners in the Ingleside Investigation Area. Collaboration with all stakeholders and community participation in the investigation will continue to be carried out to ensure that decision-making is ethical, accountable and transparent.

6.5 Integrating our Built Environment (Infrastructure)

- 6.5.1 We are evaluating the likely impacts of a land release development for Ingleside, including environmental impacts on the natural environment, economic and social impacts in the locality. A primary objective in proceeding with any land release will be to enhance the liveability and amenity of any new community by locating an appropriate mix of land use and development in well connected, effective transport route.

7.0 EXECUTIVE SUMMARY

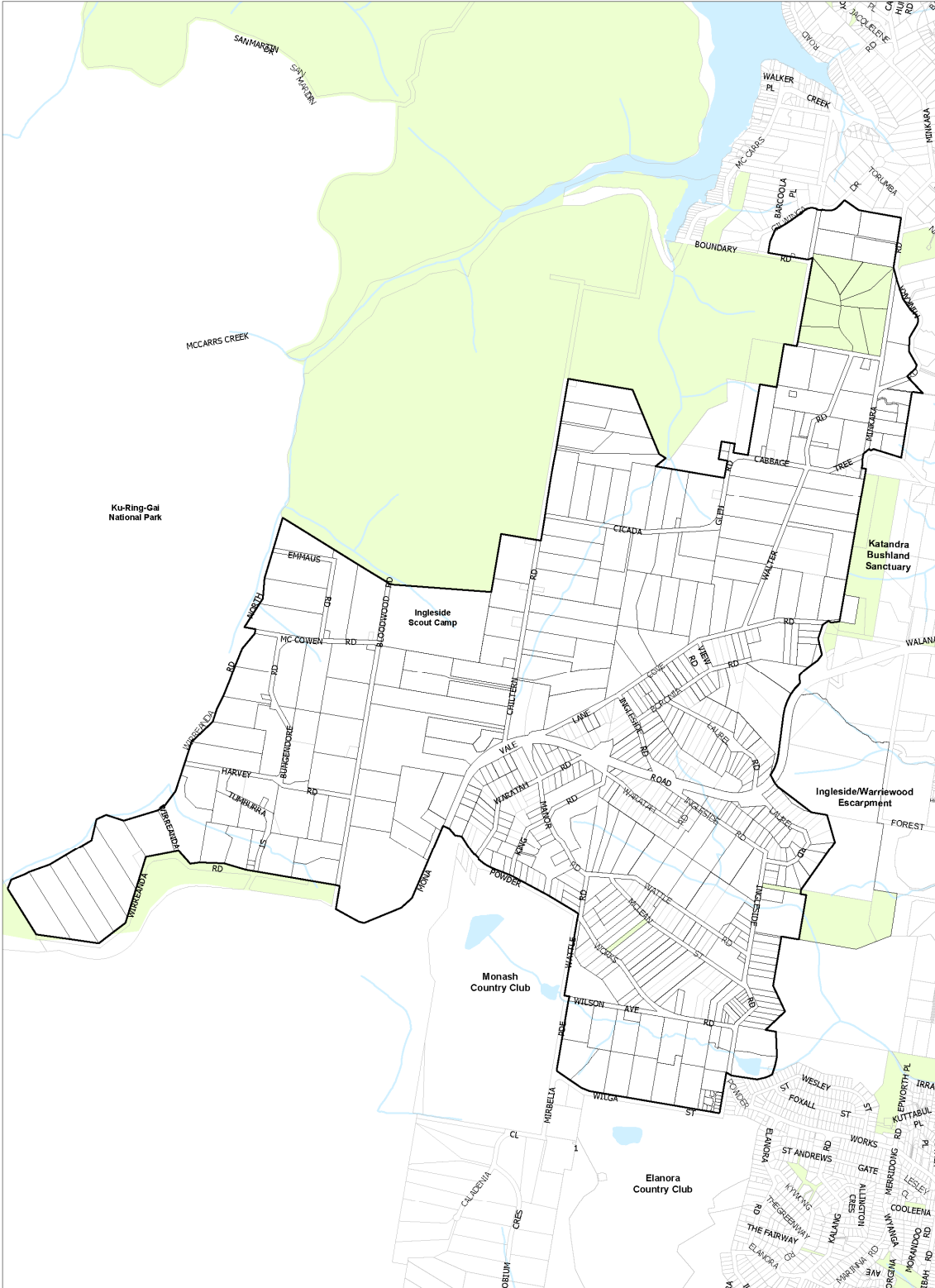
- 7.1 The preliminary investigations for the Ingleside Investigation Area were recommenced in November 2006, following a request from the then Minister for Planning.
- 7.2 The Scoping Report for Ingleside, prepared in 2009 by Council and the Department of Planning, raises concern about the future viability of Ingleside as a land release project. It is appropriate that a detailed economic and risk assessment be undertaken for Ingleside that examines the extent of development risk, based on a range of development options for Ingleside.
- 7.3 Discussions between Council and the Department have continued, with the view to developing land use options that are sustainable environmentally and economically for the area.
- To date, no recommended solution has been forthcoming.
- 7.4 Given the time elapsed, the continuing uncertainty with the future of Ingleside and newly formed NSW Government, it is appropriate to seek new dialogue towards a future direction for Ingleside.

RECOMMENDATION

That the General Manager seek to have an urgent high level meeting with Director General of the Department of Planning & Infrastructure and appropriate staff to urgently determine a forward path in developing a planning solution for South Ingleside, North Ingleside and Wirreanda Valley component of the original Ingleside -Warriewood land release.

Report prepared by
Liza Cordoba, Principal Officer Land Release

Lindsay Dyce
MANAGER, PLANNING AND ASSESSMENT



PITTWATER COUNCIL

1. Ingleside Investigation Area



C11.4	Pittwater Heritage Report, Heritage Strategy Annual Report & Heritage Advisor Funding
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Meeting: Planning an Integrated Built Environment Committee

Date: 16 May 2011

STRATEGY: Land Use & Development

ACTION: To identify and conserve Pittwater's heritage

PURPOSE OF REPORT

This report seeks Council's adoption of the Pittwater Heritage Report and 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 Pittwater Heritage Report and Annual Report and send these 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 Generally 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) by 30 May each financial year.
- 1.6 As a result of this offer of heritage funding by the NSW Heritage Branch for Council's heritage advisory service, Council prepared a Heritage Report for the management of heritage items for Pittwater for 2010.
- 1.7 On the 17 May 2010 Council resolved to adopt the Heritage Report for Pittwater Council as follows:
 - “1. That the information provided in the report be noted.
 2. That the attached “Pittwater Heritage Report” and “Annual Report” be adopted.
 3. That Council resolve to forward the Pittwater Heritage Report and Annual Report to the Department of Planning.”

- 1.8 The Heritage Report and Annual report for 2009-2010 were forwarded to the NSW Heritage Branch and funding was received for Council's Heritage Advisory service for the 2009-2010 financial year.

2.0 ISSUES

2.1 NSW Heritage Branch Funding Offer- 2011-2014

- 2.1.1 On 21 October 2010 Pittwater Council received an email 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 There has been a change made to the funding formula used for this program commencing with the 2011-2014 program grant funding will be reimbursed as \$1 for \$2. A maximum grant of \$7,500 has been approved to continue Council's heritage advisor position for 2011-14.
- 2.1.3 This grant funding from the NSW Heritage Branch allows councils to apply for heritage grant funding for various heritage management issues within Local Government. It also allows council 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 have a shortage of experienced heritage staff and 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 advisory service. 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 before 30 May 2011.
- 2.1.7 Council's Heritage advisory officer 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 also forms the basis for the \$7,500 dollar for dollar funding by the NSW Heritage Branch.

It is a recommendation of this report that Council adopt both the Pittwater Heritage Report and the Annual Report and forward both of them onto the NSW Heritage Branch for endorsement and for reimbursement of funds for the heritage advisory service (see **Attachment 1**).

3.0 SUSTAINABILITY ASSESSMENT

3.1 Supporting & Connecting our Community (Social)

- 3.1.1 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 delivery accurate, timely and efficient heritage advice to the general public i.e. development applications.

3.2 Valuing & Caring for our Natural Environment (Environmental)

- 3.2.1 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)

- 3.3.1 On the 21 October 2010 Pittwater Council received an email and a letter 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*". This Heritage Funding will provide the monetary means to help manage Heritage within the Pittwater LGA for the next 3 years by allowing Council to provide a heritage advisory service to the local community. Council can re-apply for this funding for each of the three years of the duration of the Pittwater Heritage Report.

3.4 Leading an Effective & Collaborative Council (Governance)

- 3.4.1 N/A

3.5 Integrating our Built Environment (Infrastructure)

- 3.5.1 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.

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 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"*.
- 4.4 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) by 30 May each financial year.
- 4.5 On the 21 October 2010 Pittwater Council received an email and a letter 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".
- 4.6 It is noted that there has been a change made to the funding formula used for this program commencing with the 2011-2014 program grant funding will be reimbursed as \$1 for \$2. A maximum grant of \$7,500 has been approved to continue Council's heritage advisor position for 2011-14.
- 4.7 It is a recommendation of this report that Council adopt both the Pittwater Heritage Report and the Annual Report and forward both of them onto the NSW Heritage Branch for endorsement and for reimbursement of funds for the heritage advisory service.

RECOMMENDATION

1. That the information provided in the report be noted.
2. That the attached "Pittwater Heritage Report" and "Annual Report" be adopted.
3. That Council resolve to forward the Pittwater Heritage Report and Annual Report to the NSW Heritage Branch.

Report prepared by
Karen Chapman, Senior Strategic Planner

Lindsay Dyce
MANAGER, PLANNING AND ASSESSMENT



1. INTRODUCTION

This document has been prepared to meet the requirements of the NSW Heritage Branch, funding agreement to support local government heritage management in NSW.

The Pittwater area is within the Guringai homeland. Guringai people have lived in the area for thousands of years. The diverse flora and fauna, rock overhangs, sandstone outcrops, large trees and other natural features provide for the spiritual and physical requirements of the people.



Figure: Barrenjoey Headland, Pittwater.

Pittwater Council was proclaimed on 1 May 1992 following its separation from neighbouring Warringah Council. It was the first New South Wales Council to be created by secession since Lane Cove Council was similarly established in 1895. Pittwater Council commenced its operations as a Provisional Council, and the first elected Council came to office some six months later.

Pittwater Local Government Area is situated on the northern fringe of the Sydney Metropolitan area. Pittwater's boundaries are Narrabeen Lakes and Deep Creek in the south, Palm Beach and Barrenjoey Headland in the north, Coal and Candle Creek in the west and Garigal National Park to the south west. Pittwater covers approximately 109 square km including a large part of Ku-ring-gai Chase National Park (46 square km), 18 square kilometres of waterways, and 9 coastal beaches.

Pittwater comprises 43% National Park, residential/urban use, 9% commercial, 6% recreational open space reserves and 1% light industrial. Bushland is a feature of the residential and reserves areas, as well as a number of islands, bays and semi-rural settlements.

Pittwater lies along a peninsula of hilly terrain making infrastructure provision difficult and costly and access and building difficult. The three main roads in and out of the area are Mona Vale Road, Pittwater Road, and the Wakehurst Parkway leading out of the peninsula to pinch-points at the Spit and Roseville bridges. Public transport is limited to buses primarily using Pittwater and Barrenjoey Roads. This lack of public transport has resulted in a high rate of car ownership and usage.

In 2001 the estimated residential population of Pittwater was 56 897 persons. Approximately one quarter of the population is aged 55+ years, with 24.3% of Pittwater residents aged 0-17 years.

2. HERITAGE IN PITTWATER

Pittwater contains a number of highly significant National, State and Local heritage items. Pittwater manages over 150 heritage items including 6 conservation areas.

Several of these items are owned or managed by Pittwater Council. In addition there are a number of significant Pre-European and Post contact indigenous sites within the council area relating to the Guringai People.

In some instances, individual built or landscape items are not listed, but rather a Heritage Conservation Area is identified and listed.



Figure: 111 Whale Beach Road Whale Beach-
"Loggan Rock"- State Listed Heritage item

In the Pittwater area there are currently six identified Heritage Conservation Areas, these being:-

- Barrenjoey Heritage Conservation Area
- Sunrise Hill Heritage Conservation Area
- Florida Road Heritage Conservation Area
- Ruskin Rowe Heritage Conservation Area
- Ocean Road Heritage Conservation Area
- Currawong Heritage Conservation Area

Each conservation area is important for different reasons and therefore any changes which are proposed must take into account the nature of the heritage significance of the particular area (embodied in its statement of significance).

The nature of the heritage of Pittwater is diverse and unique. Every area has a heritage which is unique and has specific importance to the locality.

From looking at the various heritage studies which have been prepared for the Pittwater area, certain characteristics are evident.

Given the relative isolation of the Pittwater peninsula in the 19th century, very little development occurred in this period. As a result, the majority of heritage evidence in Pittwater dates from the 20th century, mainly in the form of standing structures and features such as buildings, jetties, roads and houses.

Of the built items identified, domestic houses predominate, given the largely residential character of the Pittwater area.

Man-made redevelopment in the 20th century, along with natural factors such as fire, erosion, land slip etc. has extensively, if not completely removed traces of earlier settlement - including archaeological evidence.

The architectural heritage of the area is characterised by the house form which, in Pittwater, evolved as a structure subordinate to the landscape and which utilised natural materials to harmonise with the surroundings and lessen their visual impact.

The notable house form in Pittwater was that of the "holiday house" which reflected the development and use of the area in the early 20th century.

Local Councils

Local councils are responsible for the identification and protection of items of heritage significance.

The provisions of the Environmental Planning & Assessment Act, 1979, as amended, enable a Council to identify heritage items in a local zoning instrument (Local Environmental Plan or LEP) and in doing so, include statutory heritage provisions to protect the items.

Additionally, the Council has demolition control under the provisions of the Local Government Act, 1993.

Clause 89 of this Act, lists those matters to be considered by Council in the determination of any application for demolition or building. These considerations include "any items of cultural and heritage significance which might be affected".

Role of Local Council in protecting heritage

Council's role in protecting heritage is two-fold. Firstly, it has a responsibility to identify items of heritage significance and to provide protection by statutory listing.

Secondly, it has a responsibility to consider heritage issues in the assessment of development applications under the Environmental Planning and Assessment Act, 1979 and in the assessment of applications for demolition and building under the Local Government Act, 1993.

In relation to the identification and listing of heritage items in a zoning document (LEP), Council must first have a Heritage Study prepared for its area.

A Heritage Study includes a thematic history outlining the history of development in the particular area along with an inventory of heritage items and areas of significance, formulated from a field survey of the area. It also provides recommendations as to what actions should be undertaken to conserve the heritage identified.

A number of heritage studies have been prepared which relate to the Pittwater local government area, they being:

Barrenjoey Peninsula & Pittwater Heritage Study, prepared by McDonald McPhee Pty Ltd in 1989. This applied to all land generally north of Mona Vale Road;

Ingleside/Warriewood Urban Land Release Heritage Study, prepared by Tropman & Tropman Architects in 1993. This applied specifically to the urban release area of Ingleside/Warriewood;

Warringah Heritage Study, prepared by Hughes Trueman Ludlow. This applies to that part of Pittwater generally south of Mona Vale Road, being that area not included in the Barrenjoey Peninsula and Pittwater Heritage Study.

All these studies have been prepared to identify items of heritage importance within the Pittwater Council area, and they provide the base information required by the Council to introduce statutory heritage controls and guidelines to conserve the items identified.

As mentioned above, Pittwater's heritage also contains important landscape elements or items of heritage, such as individual or groups of trees, important gardens, landscape features such as stone retaining walls as well as the natural elements such as the headlands, bushland and water bodies.

Controlling change to these items is more difficult to quantify in guidelines, especially as they are, in many instances living, evolving items.

Rather than specific guidelines, it is the qualities that these landscape items impart and the "specialness of place" which exists in the Pittwater area, which should be of paramount concern is assessing any applications for change to landscape items of heritage.

CURRAWONG

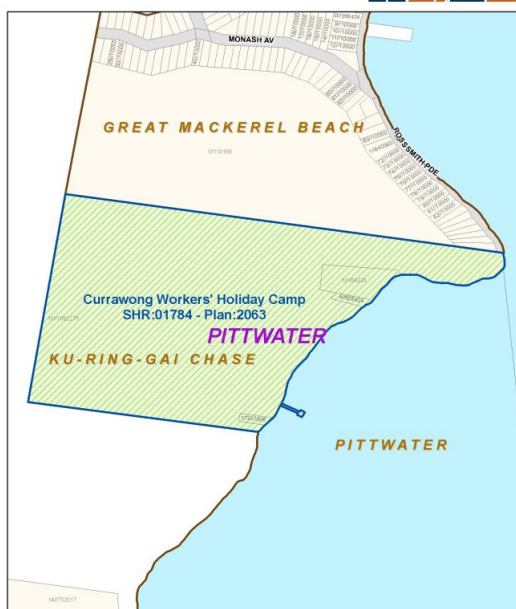
The place known as "Currawong" is located on the western foreshores of Pittwater, between Coasters Retreat (The Basin) and Great Mackerel Beach. It is surrounded by Ku-ring-gai Chase National Park and its only access is from the water.

Currawong History

Currawong has a long and varied history. The land was originally part of the traditional lands of the Garigal and Cannagal peoples and was used by Aboriginal people until the early 1800's. The existing Currawong land parcel was created as early as 1823 when the land was selected. A formal land grant was then made in 1836 to Martin Burke.

From this time until the 1940's the land was used by various owners and families as farming land. Only one of the original farm homesteads remain from this period, being the heritage listed "Midholme", which was constructed about 1910 and remains as one of the oldest buildings on the western foreshores.

Heritage Council of New South Wales



State Heritage Register

Gazetted Date: 12 May 2009

0 25 50 100 150 200 Metres

Scale: 1:5,200

Produced by: Naomi Nelson

Legend
SHR Curtilage
LGAs
Suburbs
Land Parcels
Water
Roads
Railways
NSW Reserves

Figure: Map of Currawong

Source: www.heritage.nsw.gov.au

The next important phase of the history of Currawong begun in 1949 when the land was purchased by the Labor Council of NSW (now Unions NSW). The Labor Council purchased the site specifically to provide inexpensive holiday accommodation for union members and their families. The majority of the ten (10) camp cabins were constructed between 1949 and 1953. The first one built was called "Kenny's cabin" after J.D.Kenny, the Assistant Secretary of the Labor Council at the time of



Figure: Picture of Currawong Beach Cottages.
Source: www.heritage.nsw.gov.au

purchase of Currawong, and the main instigator of the development of the union holiday camp. The next eight (8) cabins were built up behind Kenny's cabin, following the escarpment and connected by pathways. These cabins are significant as they were built to plans by the Vandyke Brothers, using their new "Sectionit" prefabricated system of construction.

A good summary of the history of Currawong can be seen on the State Inventory sheet prepared by the NSW Heritage Branch.

Heritage Significance



Figure: Picture of Coastline of Currawong Beach including Wharf.
Source: www.heritage.nsw.gov.au

Currawong is a unique site of State historical significance, as it is the most intact remaining example of a mid-twentieth century, union-organised workers' holiday camp in NSW and probably Australia. It also has State significance for its historical associations with the post-war union movement. There are strong associations with Jim Kenny and Labor premier Jim McGirr, as well as with the Vandyke brothers

Currawong is a local landmark, as a local holiday camp, surrounded by natural bushland and adjoining the National Heritage listed Ku-ring-gai National Park. It is also of local significance as it provides evidence of its history, from the early land grant, through the farming phase evidenced by "Midholme" to its use as a low-cost union holiday camp for over 50 years. Although there is no road access or services, Currawong has a reputation of being an idyllic workers' paradise, a haven for native wildlife and an example of unspoilt bushland with indigenous significance.



Figure: Picture of Currawong Beach Cottages sign
Source: www.heritage.nsw.gov.au

Heritage Status

The farmhouse "Midholme" and the Currawong Heritage Conservation Area are listed in Schedule 9 of Pittwater Local Environmental Plan 1993.

The Currawong site was listed on the State Heritage Register as an item of State heritage significance on 12 May 2009.

Pittwater Council also nominated the Currawong site for listing on the National Heritage List, but this was rejected by the Federal Government.



Figure: Picture of Midholme- State Listed Heritage item.
Source: www.heritage.nsw.gov.au

Development Situation

In 2007, Unions NSW decided to sell the Currawong site to a company called Eco Villages Pty Limited. Eco Villages proposed to develop the Currawong site for private residential development.

In September 2007, Eco Villages requested that the Minister for Planning declare the site as being of State Significance and for their

proposal to be dealt with as a Major Project under Part 3A of the Environmental Planning and assessment Act, 1979. The Minister agreed to this request, which essentially meant that Council would no longer be the consent authority for the proposed development.

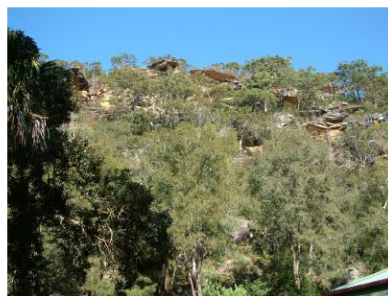


Figure: Picture of Escarpment Surrounding Currawong Beach
Source: www.heritage.nsw.gov.au



Figure: Picture of Currawong Beach Wharf
Source: www.heritage.nsw.gov.au

The Project Application for development by Eco Villages was exhibited for public comment in April/May 2008. It proposed subdivision of the site to enable the development of 25 private dwellings with associated communal facilities such as pools, a gym and open space.

To assist with the assessment process, the then NSW Planning Minister Frank Sartor, appointed a panel of 3 independent experts. The Panel conducted public hearings in June 2008 to listen to public submissions on the proposal. As well as assessing the Project Application itself, the Panel was also given the task of reviewing the recommendation

from the NSW Heritage Office that the Currawong site should be listed on the NSW State Heritage Register.

Pittwater Council made a detailed submission to the Panel objecting to the proposed development and calling for its refusal based on the compelling environmental constraints, planning, heritage and infrastructure issues which exist. There was also significant community opposition to it being developed, as evidenced by the number of submissions made to the Panel hearing. Council's submission also called for the site to be listed immediately on the State Heritage Register.

The Panel has finalised its report and the Minister for Planning has made their determination.

Planning Minister Refuses Currawong Residential Subdivision

On Wednesday the 29th April 2009 The Planning Minister refused the proposal for a residential development at Currawong and the entire site will be State Heritage listed, and any future proposals for the site will go before Pittwater Council.

The [Department of Planning](#) have released the determination and associated documents.

[Council's submission](#) to the Department of Planning on the Eco-Villages proposal.

Currawong Sale Finalised

Pittwater Council announced that the sale of Currawong to the NSW Government was finalised, Friday 8 April 2011. With the finalisation of the sale, an historic agreement between the Council and the government to create a new state park has been confirmed.

Mayor Harvey Rose said that six months of bipartisan negotiations between the government and the Council will result in Currawong and other key reserves forming Pittwater State Park. Mayor Rose hailed the sale of Currawong as 'a great day for the people of Pittwater and New South Wales.' Mackerel Beach Reserve which adjoins Currawong, Pittwater Park at Palm Beach and its ferry wharf, Governor Phillip Park at Palm Beach, Barrenjoey Beach, North Palm Beach and McKay Reserve will also become part of the Pittwater State Park.



Figure: Picture of Currawong Beach inlet
Source: www.heritage.nsw.gov.au

State parks provide camping and caravan sites, bungalows and cabins, plus a range of recreational activities such as picnicking, bushwalking, swimming and watersports, cycling and fishing.

The expansion of residential development into the open and rural spaces as outlined in the North East Subregional strategy, and also an increasing recognition of the significance of Pittwater in indigenous and migrant history, presents both challenges and opportunities in heritage management into the future.

Pittwater Council has established a heritage advisory program and now for the first time is preparing a Heritage Report to help manage heritage in the Pittwater LGA. The Heritage Report will be reviewed annually to assist and guide future directions for heritage management in Pittwater with the Heritage Annual Report to be prepared by Council's Heritage Advisor and submitted to the NSW Heritage Branch.



Figure: Barrenjoey Lighthouse and two cottages- State Listed Heritage Items.

This document identifies the strategies Pittwater Council is employing to guide heritage management for the financial years 2009-2010. The nine (9) recommendations of the NSW Heritage Branch publication Recommendations for Local Council Heritage Management have been reviewed and utilised in the preparation of this Report.



Figure: 394 and 396 Barrenjoey Road, Newport- Newport Surf Lifesaving club- Heritage Item.

The Pittwater Heritage Report has not covered all of the recommendations as outlined in the "Template for Heritage Annual Report 2009-2010". The recommendations covered include 2, 3, 4, 7, 8 & 9. Recommendations 1, 5 & 6 were not included in this report as they were either not achievable or not relevant to Pittwater Council.

3. HERITAGE REPORT

RECOMMENDATION NO. 2:

Identify the heritage items in Pittwater and list them in the local environmental plan.

OUTCOME 2: (Knowing and valuing our heritage)

Increased knowledge and proactive management of heritage in Pittwater.

ACTIONS TO MEET KEY PERFORMANCE INDICATORS:

KEY PERFORMANCE INDICATORS (KPI'S)	ACTIONS/AIMS
Community based heritage study completed	Completed
Aboriginal heritage study completed	Completed
Heritage items included in existing LEP heritage schedule	<ul style="list-style-type: none">• Continue to investigate potential items identified by local Historical Societies and community representatives and include newly identified heritage items on the current Local Environmental Plan (LEP) as appropriate.• Review various Heritage Studies carried out since the 1993 Pittwater Heritage Study and incorporate key recommendations of these reports into the listing program.
Council has gazetted a principal LEP with model heritage provisions in accordance with Standard Instrument (LEPs) Order.	<ul style="list-style-type: none">• Complete a comprehensive review of all heritage items, including new items proposed for inclusion in the heritage schedule after consultation with the local Historical Societies, toward the establishment of an updated heritage schedule and heritage map for the new comprehensive LEP (scheduled for completion after 2011).• New PLEP- Amendment 81- heritage conservation was gazetted in June 2009, this introduced 35 new heritage items and 1 new conservation area to Councils PLEP 1993 schedule 9 and well as updating Council's heritage provisions in PLEP 1993.• Currawong listed as a State Listed Heritage Item on the State Heritage Register dated 5 June 2009 after 3 years of lobbying the State Government by Council.• Liaise with the State Government agencies in regard to management of heritage items on land affected by State Environmental Planning Policies.

Pittwater Heritage Report 2011-2014

	<ul style="list-style-type: none">• Investigate the potential creation of new urban and residential Conservation Areas where appropriate.
Statement of significance for all heritage items in existing LEP.	<ul style="list-style-type: none">• Update all State Heritage (SHI) forms for existing and proposed heritage items to bring them into accordance with current listing practice.• Review listing and promotional potential of heritage items relating to the current priority themes of the NSW Heritage Council. Pittwater has the potential to contain a number of items relating to all 5 themes.

RECOMMENDATION NO. 3:

Appoint a heritage and urban design advisor to assist the council, the community and owners of listed heritage items.

OUTCOME3: (Caring for our heritage)

Increased community participation and proactive heritage and urban design management in the Pittwater LGA.

ACTION TO MEET KEY PERFORMANCE INDICATORS:

KEY PERFORMANCE INDICATORS (KPI'S)	ACTIONS/AIMS
Undertake site visits	<ul style="list-style-type: none">• Continue the appointment of a consultant Heritage Advisor to Pittwater Council.• The Heritage Advisor is to undertake site visits with heritage owners to give heritage or technical advice.
Heritage/urban design advice given	<ul style="list-style-type: none">• The Heritage Advisor is to assist Council with assessment of Development Applications (DA) affecting heritage items;
Pre DA advice given on heritage/urban design issues	<ul style="list-style-type: none">• The Heritage Advisor is to provide technical and pre-DA advice to owners of heritage items.
Advice to Council DAs provided on heritage/urban design projects.	<ul style="list-style-type: none">• The Heritage Advisor is to assist in the review and preparation of the heritage schedule and heritage map for the Comprehensive LEP, and all other updating of the register as noted above; and• The Heritage Advisor is to assist in liaising with State Government agencies in regard to management of heritage items on land affected by State Environmental Planning Policies.

RECOMMENDATION NO. 4:

Manage local heritage in a positive manner.

OUTCOME 4: (Caring for our heritage)

Proactive heritage and urban design management in the Pittwater LGA.

ACTION TO MEET KEY PERFORMANCE INDICATORS:

KEY PERFORMANCE INDICATORS (KPI'S)	ACTIONS/AIMS
Heritage DCP	<ul style="list-style-type: none">• Completed• Investigate the potential for possible new Conservation Areas where appropriate.• Encourage best practice heritage conservation through providing a convenient and user friendly heritage advisory service, as well as the training of relevant staff.• Council will maintain and prepare web pages with information about heritage listings, Council's heritage advisory service, Council owned heritage properties and local history.
Urban design DCP	<ul style="list-style-type: none">• 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 DA fees	<ul style="list-style-type: none">• If circumstances arise, consideration may be given to waiving of fees.
Adopt a flexible approach to planning and building requirements	<ul style="list-style-type: none">• Continue to manage and promote the use of Pittwater Council owned heritage items.

RECOMMENDATION NO. 7:

Present educational and promotional programs.

OUTCOME 7: (Valuing our heritage)

Increased awareness and appreciation of heritage by the Council, owners and community in the local area.

ACTION TO MEET KEY PERFORMANCE INDICATORS:

KEY PERFORMANCE INDICATORS (KPI'S)	ACTIONS/AIMS
Heritage information available for LGA (e.g. brochures, website, guidelines etc).	<ul style="list-style-type: none">• Maintain current website information and updated relevant heritage pages.• Provide advisory service to public.
No. of Heritage promotional events held (e.g. National Trust Heritage Festival, local heritage festivals, heritage awards scheme, main street festivals etc)	<ul style="list-style-type: none">• Council does not hold heritage events, however, Council works in conjunction with the local Historical Society (Manly Warringah Historical Society) which holds information nights for the public, talks by authors in the libraries, and whom participate in the National Trust Heritage Festival annually.
Local/regional heritage tourism strategy completed	-
Heritage trail completed.	<ul style="list-style-type: none">• Council does have a trail that goes from Palm Beach up to Palm Beach light house (which is a State Listed Heritage item) which is often used by locals and tourists.
Heritage training for staff, Councillors & workshops	<ul style="list-style-type: none">• Continue to investigate new heritage training for staff.• Several Council members have already attended heritage training.
Heritage training/workshops for local professionals-	-

RECOMMENDATION NO. 8:

Set a good example to the community by properly managing places owned or operated by the Council.

OUTCOME 8: (Caring for our heritage)

Council proactively conserves and manages its heritage assets.

ACTION TO MEET KEY PERFORMANCE INDICATORS:

KEY PERFORMANCE INDICATORS (KPI'S)	ACTIONS/AIMS
Council has an asset management plans with action plans her heritage assets	<ul style="list-style-type: none">• Continue the current program of upgrading and securing appropriate uses of heritage properties owned by Council.
CMPs/CMS prepared for state significant heritage assets.	<ul style="list-style-type: none">• Continue with the development of Feasibility Studies, Conservation and Operational Management Plans, and implementation of restoration programs for all heritage assets.
Annual works budget secured for heritage asset maintenance and repairs.	<ul style="list-style-type: none">• Ongoing maintenance, repair and security of Council owned heritage properties.• Review management procedures in relation to Council owned heritage assets.

RECOMMENDATION NO. 9:

Promote sustainable development as a tool for heritage conservation.

OUTCOME 9: (Caring for our heritage)

Proactive heritage and sustainable development in the Pittwater LGA.

ACTION TO MEET KEY PERFORMANCE INDICATORS:

KEY PERFORMANCE INDICATORS (KPI'S)	ACTIONS/AIMS
Heritage Development Application approvals for adaptive reuse works.	<ul style="list-style-type: none"> Encourage the reuse and adaptation of heritage buildings as a means of reusing resources. Actively promote reuse of heritage items by continuing to provide heritage incentives as contained within the LEP to provide for the retention and conservation of heritage properties.
Development Application approvals for regeneration and urban design works.	<ul style="list-style-type: none"> Investigate the potential to provide incentives for the retention of larger lot sizes and large treed areas and parks around heritage items.
Heritage Development application approvals for infill and/or additions works.	<ul style="list-style-type: none"> Council actively promotes the reuse of heritage items by providing incentives as contained within the LEP to provide for the retention and conservation of heritage properties especially in infill and/additions works.
No. of Pre DA advice and advice given on sustainable and energy efficient modifications (power, water, waste, carbon neutral).	<ul style="list-style-type: none"> Continue the promotion and protection of significant heritage and green belt landscapes in the Pittwater LGA including the protection of and promotion of the coastline, flood plains, riparian networks and regional parks etc. Pittwater Sustainability Principles & Checklist are currently under preparation for residential development. The "Draft Pittwater Sustainability Principles & Checklist (Part A & B) - Single Dwellings, Alterations & Additions and New Homes" 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.
Sustainability and heritage awareness courses for councillors, council staff, heritage owners and community	Ongoing

RECOMMENDATIONS THAT WERE NOT ADDRESSED IN THIS HERITAGE REPORT:

RECOMMENDATION	OUTCOME	REASON FOR EXCLUSION FROM REPORT
RECOMMENDATION 1- Establish a heritage committee to deal with heritage matters in your area	OUTCOME 1- Increase community awareness, and appreciation of heritage in Pittwater.	Council needs to consider the establishment of a heritage committee. At this stage it is not a priority.
RECOMMENDATION 5- Introduce a local heritage incentives fund to provide small grants to encourage local heritage projects.	OUTCOME 5- Increased community participation and proactive conservation and management of heritage in Pittwater.	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 financial constraints.
RECOMMENDATION 6- Run a heritage main street program.	OUTCOME 6- Council owners and the community actively participate in attractive and well managed heritage main streets.	Council does not have a main street heritage program.

Council Meeting

12.0 Adoption of Governance Committee Recommendations

13.0 Adoption of Planning an Integrated Built Environment Committee Recommendations

14.0 Councillor Questions

Committee of the Whole

15.0 Confidential Items

Pittwater Council is committed to, and has fostered, the practice of open local government. Some matters, however, are of a sensitive nature and are dealt with in Closed Session. The nature of such matters are contained within Section 10A(2) of the Local Government Act, 1993, the text of which is recorded within the recommendation hereunder.

Recommendation

- (i) That in the public interest, and pursuant to Section 10A(2) of the Local Government Act, 1993, the Council convene into Committee of the Whole to consider Item C15.1.
- (ii) That pursuant to Section 10A(2) of the Local Government Act, 1993, the press and public be excluded from the proceedings of the Committee of the Whole on the basis that the items to be considered are of a confidential nature, which includes:
 - 1.
 - (a) personnel matters concerning particular individuals (other than Councillors);
 - (b) the personal hardship of any resident or ratepayer;
 - (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting business or proposes to conduct business.
 - (d) Commercial information of a confidential nature that would, if disclosed:-
 - prejudice the commercial position of the person who supplied it; or
 - confer a commercial advantage on a competitor of the Council; or
 - reveal a trade secret.
 - (e) information that would, if disclosed, prejudice the maintenance of the law;
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property.
 - (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
 - (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land
 - 2. The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.
 - 3. A person (whether a Councillor or another person) is not entitled to be present at a meeting if expelled from the meeting by a resolution of the meeting.
- (iii) That the correspondence and reports relevant items considered in Closed Session be withheld from access to the press and the public.
- (iv) That upon resumption of the Council meeting in Open Session the General Manager (or nominee) report those resolutions made by the Committee of the Whole.

Mark Ferguson
GENERAL MANAGER

C15.1	Confidential Report - 23-27 Warriewood Road and 2 Macpherson Street Warriewood
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Meeting: Council

Date: 16 May 2011

STRATEGY: Land Use & Development

ACTION: Coordinate land use planning component of land release

CONFIDENTIAL CLAUSE

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Local Government Act 1993, which permits the Council to close the meeting to the public for business relating to the following: -

- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
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PURPOSE OF REPORT

To inform Council of the status of representations made regarding the Major Project Declaration on the subject property. This report also seeks council resolution to commence legal action regarding the Major Project Declaration by 27 May 2011.

1.0 BACKGROUND

- 1.1 Council was notified on 8 March 2011 that, on 28 February 2011 the then Minister for Planning declared the proposal for 305 dwellings on 23-27 Warriewood Road and 2 Macpherson Street Warriewood a Major Project under Part 3A of the Environmental Planning and Assessment Act (the "Act").

The Minister's Declaration was granted ahead of a "Comprehensive Strategic Study" of all undeveloped lands in Warriewood Valley has been commenced/completed jointly by the Department of Planning and Council as determined by the Minister's appointed Planning Assessment Commission in regard to a Part 3A application on another property in the vicinity.

- 1.2 At its meeting of 4 April 2011, Council resolved

"That the following be dealt with as a matter of an urgent nature:

- 1) That the report and legal advice be noted.*
- 2) That the General Manager write to the Minister and Department of Planning in the terms of the advice.*
- 3) That action be taken in the Land and Environment Court as per Section 4 of this report if appropriate."*

- 1.3 On 8 April 2011, the Director-General of the Department of Planning & Infrastructure wrote to Council advising of his intention not to issue the Director-General's Requirements for the Major Project on the subject site *"until there is greater clarity on the directions of the joint strategic study."*

- 1.4 Council officers have made representations to Hon. Brad Hazzard MP, Minister for Planning and Infrastructure to have:
- (a) the Major Project Declaration for this site revoked under Section 75B of the Act, or
 - (b) in the event that legislative reforms are introduced relating to Part 3A of the Act, that the declaration for this site should not have any savings and transitional provisions applied to it as this proposal cannot be progressed because:
 - The Director-General's Requirements have not been issued
 - The Strategic Study has not commenced
 - Notification of this proposal as a Major Project is not on the Department's website.

2.0 ISSUES

- 2.1 The deadline for lodging legal action against the Minister's Declaration of the Major Project is 27 May 2011.
- 2.2 Elsewhere in tonight's Agenda is a report seeking Council's agreement to commence a Strategic review of all undeveloped lands in Warriewood Valley, a joint project undertaken with the Department of Planning and Infrastructure (DoPI).

If Council agreed to undertaking the Strategic review with DoPI, it is anticipated the review would be completed by October-November 2011, and the outcomes of the Strategic Review being reported to Council shortly thereafter.

3.0 CONCLUSION

- 3.1 To date, no formal response has been received regarding Council's request to have the Major Project Declaration revoked under Section 75B of the Act, or whether any savings and transitional provisions would be applied to this proposal.
- 3.2 Given the uncertainty with the legislative reform process surrounding Part 3A and the as-yet commenced Strategic Review of all undeveloped lands in Warriewood Valley, it is plausible that this proposal may continue to be processed by the Department as a Major Project.
- 3.3 Under the circumstances, it is recommended that Council's Solicitors be instructed to prepare an appeal in the Land and Environment Court for lodgement on 27 May 2011 if the Major Project Declaration is not revoked by that date.

4.0 SUSTAINABILITY ASSESSMENT

4.1 Supporting & Connecting our Community (Social)

- 4.1.1 The Major Project Declaration again erodes the community's expectations of what was to be developed on this site and the level of infrastructure as based on publicised and accepted Planning framework documents for the Warriewood Valley Release Area

4.2 Valuing & Caring for our Natural Environment (Environmental)

- 4.2.1 The Major Project Declaration proposal must be carefully analysed to ensure the protection and rehabilitation of the natural environment, as based on publicised and accepted Planning framework documents for the Warriewood Valley Release Area.

4.3 Enhancing our Working & Learning (Economic)

- 4.3.1 The Major Project Declaration undermines the orderly and planned development process implemented for Warriewood Valley by Council based on the Warriewood Valley Framework. The proposal for more dwellings in the Valley, without consideration for additional employment opportunities or increased public transport/alternative transport provision does little in assisting Council to achieve employment containment (Closer to home target, as set by the NSW Government).

4.4 Leading an Effective & Collaborative Council (Governance)

- 4.4.1 The former Minister's decision to issue a Major Project Declaration, under Part 3A, again raises concern with the lack of transparency.

4.5 Integrating our Built Environment (Infrastructure)

- 4.5.1 The Major Project Declaration proposal may effects the amenity of residents, due to the scale of development proposed on the site, inconsistent with planning outcomes and vision for a sustainable community.

RECOMMENDATION

1. That the report be noted.
2. That Council's Solicitors be instructed to prepare an appeal in the Land and Environment Court for lodgement on 27 May 2011 if the Major Project Declaration for 23-27 Warriewood Road and 2 Macpherson Street Warriewood is not revoked by that date.

Report prepared by
Liza Cordoba, Principal Officer Land Release

Lindsay Dyce
MANAGER, PLANNING AND ASSESSMENT

Council Meeting

16.0	Adoption of the Committee of the Whole Recommendation
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Confidential Advice

Audit Tender - Confidential Commercial Advice

CONFIDENTIAL COMMERCIAL ADVICE

Item No: C10.6
Matter: Audit Tender - Confidential Commercial Advice
From: Christy Ratnakumar – Acting Chief Financial Officer
Meeting: Council
Date: 16 May 2011

The abovementioned matter as listed as Item No. C10.6 is in Open Session in the Agenda.

Tender Assessment:

The summary of results pertaining to the above criteria is shown below:

Tenderers	Capacity	Quality	Audit Plan	Price	Referees	Total	Ranking
Alliot Hanrick Hall	73	50	23	100	30	276	4
Hill Rogers Spencer	98	83	30	76	35	322	1
Pitcher Partners	89	69	30	61	31	280	3
UHY Haines Norton	93	65	33	48	32	271	5
PriceWaterhouse	96	76	30	64	36	302	2

As indicated above, Hill Rogers Spencer Steer Chartered Accountants did not offer the cheapest tender in terms of total cost over the six year period, but have offered the best price on an effective per hour basis (inclusive of relevant staff time).

Other Tenderers proposed hours to complete the required Audit functions that were considerably less than Hill Rogers Spencer Steer Chartered Accountants (with the exception of Alliot Hanrick Hall). Accordingly, when factoring in effective cost to Council in conjunction with the other criteria above it was deemed Hill Rogers Spencer Steer Chartered Accountants offered Council the most efficient Audit Services based upon Council's needs.

Summary of each Tender:

As a result of the tender process the following summation can be made about each provider on the provision of required services for Council:

- Hills Rogers Spencer Steer Chartered Accountants are a small to mid size firm currently auditing 32 NSW City and Country Councils, including other SHOROC Councils. They also specialise in tax, computer audits, FBT, GST, budgeting, financial modelling and other business matters. They have nominated 2 partners as the principals for Council's Audit; both with over 30 years professional experience and both are members of the Institute of Chartered Accountants of Australia. They intend to spend 380 hours annually on Council's Audit requirements including 3 site visits, the most of all Tenderers. The Managers that will conduct the majority of Council's requirements are also qualified, each having 6 years experience with the Company. Additional services are to be charged at \$400 per hour for the Partner and \$225 per hour for the Managers.

- Pitcher Partners are a mid size firm that are part of a global network. They currently audit 11 NSW Councils and provide internal audit work for a few Councils. They also specialise in tax, computer audits, FBT, GST, budgeting, financial modelling and other business matters. They have nominated 2 partners as the principals for Council's Audit, with a combined professional experience of over 45 years and both are members of the Institute of Chartered Accountants of Australia. They intend to spend 297 hours annually on Council's Audit requirements including 2 site visits. The Managers that will conduct the majority of Council's requirements are also qualified with each having between 10 and 15 years experience with the Company. Additional services to be charged were not given in the tender document.
- PriceWaterhouseCoopers are a large size firm currently auditing 24 NSW City and Country Councils. They also specialise in tax, computer audits, FBT, GST, budgeting, financial modelling and other business matters. They have nominated 1 partner as the principal for Council's Audit who has over 30 year's professional experience and he is a member of the Institute of Chartered Accountants of Australia. They intend to spend 300 hours annually on Council's Audit requirements including 2 site visits. The Manager that will conduct the majority of Council's requirements is also qualified and has 25 years experience with the Company. Additional service charge out rates were not specified.
- UHY Haines Norton is a medium size firm currently auditing 100 entities across Australia, mainly Country Councils within Western Australia. They also specialise in tax, computer audits, FBT, GST, budgeting, financial modelling and other business matters. They have nominated 1 partner as the principal for Council's Audit, comprising over 30 years professional experience and he is a member of the Institute of Chartered Accounts of Australia. They intend to spend 234 hours annually on Council's Audit requirements including 2 site visits. The Manager that will conduct the majority of Council's requirements is also qualified and has 25 years experience with the Company.
- Alliot Hanrick Hall is a small size firm with no Council audit experience. They also specialise in tax, computer audits, FBT, GST, budgeting, financial modelling and other business matters with the main focus on commercial entities. They have nominated one partner as the principal for Council's Audit, comprising over 30 years professional experience and he is a member of the Institute of Chartered Accounts of Australia. They intend to spend 482 hours annually on Council's Audit requirements including 2 site visits.

Christy Ratnakumar
ACTING CHIEF FINANCIAL OFFICER