



PITTWATER COUNCIL

# Agenda

## Council Meeting

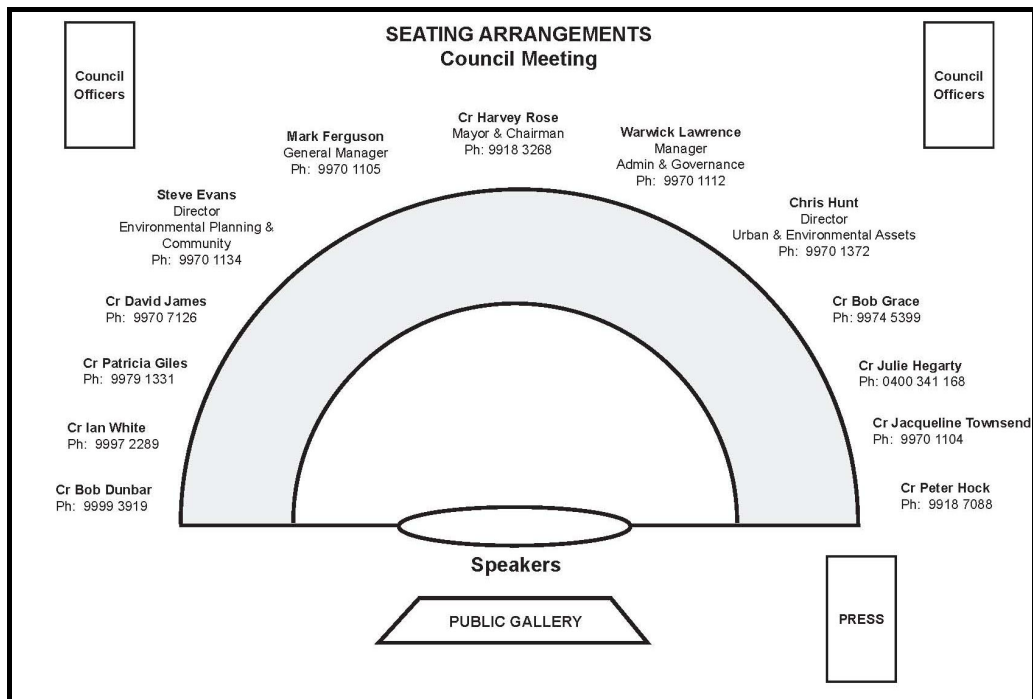
Notice is hereby given that a Council Meeting of Pittwater Council will be held at Mona Vale Memorial Hall on

***21 November 2011***

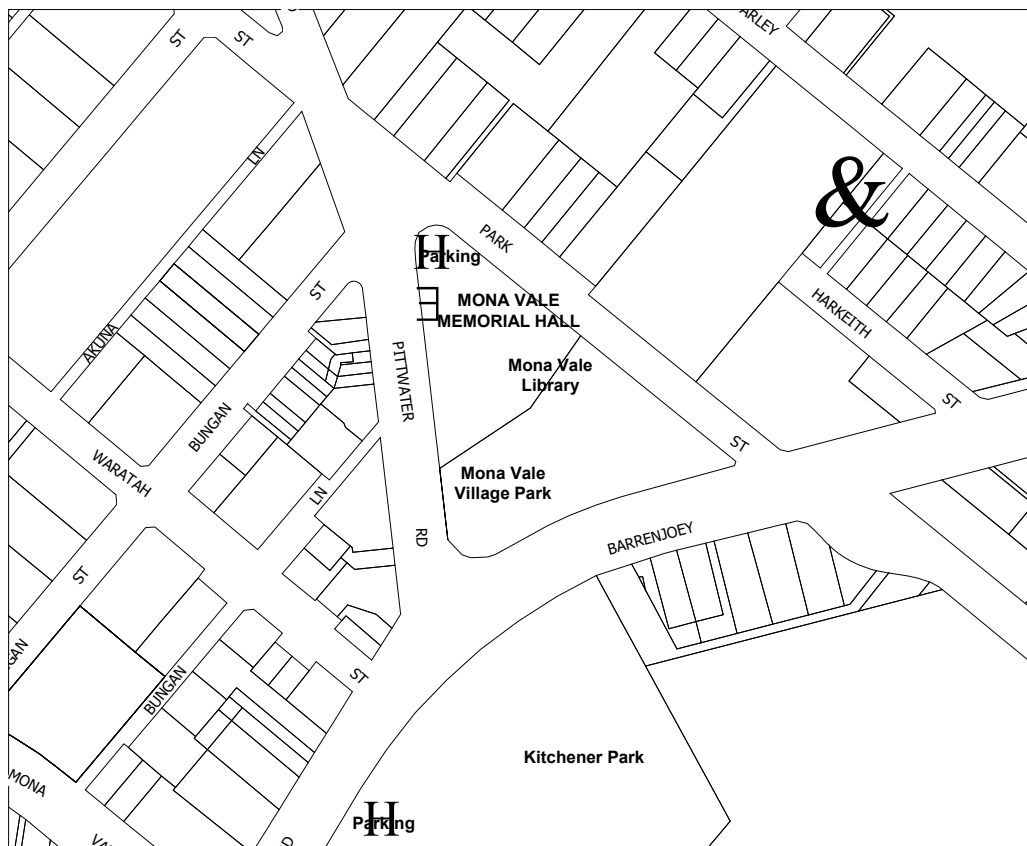
Commencing at 6.30pm for the purpose of considering the items included on the Agenda.

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](http://www.pittwater.nsw.gov.au)

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



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## Council Meeting

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### 1.0 Public Forum

#### 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

### 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.

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## **2.0 Resident Questions**

### **Objective**

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

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

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

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## **3.0 Apologies**

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

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

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

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

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

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

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

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

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

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## 5.0 Confirmation of Minutes

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

Minutes of the Council Meeting held on 7 November 2011.

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## **6.0 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.*

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<b>7.0</b>	<b>Mayoral Minutes - Nil</b>
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<b>8.0</b>	<b>Business by Exception (All items on the Agenda)</b>
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Items that are dealt with by exception are items where the recommendations contained in the reports in the Agenda are adopted without discussion.

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<b>9.0</b>	<b>Council Meeting Business - Nil</b>
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## **Governance Committee**

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### **10.0 Governance Committee Business**

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<b>C10.1</b>	<b>Quarterly Budget Review Statement for the Quarter Ending 30 September 2011</b>
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**Meeting:** Governance Committee

**Date:** 21 November 2011

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**STRATEGY:** Business Management

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

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## **PURPOSE OF REPORT**

To provide Council with the financial results for the quarter ending 30 September 2011 of the 2011/2012 Financial Year, as per Local Government (General) Regulations Clause 203. These Reports are to be produced and reported, *"No later than 2 months after the end of each quarter (except the June quarter), and the Responsible Accounting Officer of a Council must prepare and submit to the council a budget review statement."*

### **1.0 BACKGROUND**

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

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

As a part of Council's ongoing Quarterly Reporting, the majority of information that is now required under the QBRs Reporting Standards has been reported to Council. Accordingly, only minor changes are required to ensure Council's compliance with the above standards.

For the information of Council and the Community, the Original 2011/2012 Budget was adopted by Council as part of the 2011-2015 Delivery Program & Budget on 18 April 2011. The Revised 2011/12 Budget including revotes was adopted by Council on 15 August 2011, and has been transferred to the Revised Budget column in this report.

- 1.2 Council's reporting structure undertakes a dual format of both financial and strategic information which includes:
- Budget Review Statement
  - Performance Indicators
  - Summary of Financial Statements
  - Financial Statements (Consolidated, Operating, Cash flow, Reserve Balance, Balance Sheet, Capital Budget Review)
  - Loan Liability

- Special Rates Variation Levy and Stormwater Management Service Charge
- Developer Contribution Plans
- Consultancy and Legal Expenses
- Key Directions and Associated Strategies

## 2.0 ISSUES

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

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

“It is my opinion as the Chief Financial Officer that the Quarterly Budget Review for Pittwater Council for the quarter ended 30/09/11 indicates that Council’s projected financial position at 30/6/12 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.”

*Mark Jones - Chief Financial Officer (2/11/11)*

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

#### **Investment Statement**

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

Such restricted funds amount to \$22.684 million and form part of Council's total funds invested that amount to \$31.228 million as at 30th September 2011 (as per Council's September Investment Report).

#### **Cash (Bank) Statement**

The Responsible Accounting Officer (ROA) certifies that Council's Bank Statement has been reconciled up to and including the 30th September 2011 and the closing balance of cash of \$30.299 million forms part of Council's Current Assets on Council's Balance Sheet.

#### **Reconciliation Statement**

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

#### **Cash & Investment Reconciliation as at 30th September 2011**

Total Cash on Hand	8,359
Council's Bank Account Ledger	(937,263)
Investments	31,228,157
<b>Total Cash &amp; Investments</b>	<b>30,299,253</b>



## 2.2 Performance Indicators

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

#	Performance Indicator	2011/12 <i>Budget Sept Review</i>	2010/11 Actual	2009/10 Actual	Local Government Bench Mark
1	Operating Result (before Capital amounts)	\$27,000 Surplus	\$669,000 Surplus	\$2.128m Surplus	Surplus
2	Consolidated Result	\$50,000 Surplus	\$196,000 Surplus	\$278,000 Surplus	N/A
3	Unrestricted Current Ratio	3.45:1	3.47:1	3.81:1	>100% or 1:1
4	Debt Service Ratio	2.47%	2.20%	2.71%	<10%
5	Rates and Annual Charges Coverage ratio	62.83%	59.16%	63.01%	>50%
6	Rates and Annual Charges Outstanding %	5.00%	5.23%	4.95%	<5%
7	Building and Infrastructure Renewals Ratio	0.63:1	0.75:1	0.64:1	>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 \$3.45 (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

### 2011-12 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)	73,388
Total indirect income (Including transfer from Reserves)	35,259
<b>Total income</b>	<b>108,647</b>
Total direct Expenditure ( Operating & Capital Expenditure)	82,729
Total indirect Expenditure ( Including transfers to Reserves)	25,868
<b>Total Expenditure</b>	<b>108,597</b>
<b>Increase in Council Funds (Includes Operating Results before Capital of \$27,000)</b>	<b>50</b>

### 2011-12 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	70,678
Operating Expenditure	70,651
<b>Operating Results before Capital</b>	<b>27</b>
Capital Income (Grants and Contributions)	4,299
<b>Changes in Net Assets – Resulting from Operations</b>	<b>4,326</b>

### 2011-12 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	72,625
Cash outflows	74,370
<b>NET Inflows/(Outflows)</b>	<b>-1,745</b>
Funds Carried Forward from Prior year	24,261
<b>Total General Fund</b>	<b>22,516</b>

### 2011-12 Budgeted **Balance Sheet**

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

	(\$ '000)
Current Assets (Includes Cash Assets of <b>\$22,516</b> )	31,693
Non Current Assets	1,298,993
<b>Total Assets</b>	<b>1,330,686</b>
Current Liabilities	9,718
Non Current Liabilities	7,214
<b>Total Liabilities</b>	<b>16,932</b>
<b>Net Community Assets</b>	<b>1,313,754</b>
Balance at Beginning of the year	1,309,428
Net results	4,326
<b>TOTAL COMMUNITY EQUITY</b>	<b>1,313,754</b>

## 2.4 Consolidated Financial Statement

<b>Pittwater Council</b> <b>Budget review for the quarter ended - 30 September 2011</b> <b>Consolidated Statement</b>						
	Original Budget	Approved Changes	Revised Budget	\$000's *Sept 2011 Variations	Projected Budget	YTD Actual
Direct Income						
User Fees	10,529	0	10,529	431	10,960	3,002
Regulatory Fees	1,709	0	1,709	0	1,709	345
Regulatory Fines	2,576	0	2,576	-6	2,570	458
Operating Grant Transfers	3,343	0	3,343	439	3,782	662
Capital Grant Transfers	902	416	1,318	349	1,667	336
Capital Contributions	5,032	0	5,032	0	5,032	78
Operating Contributions	475	0	475	100	575	385
Rates Income	32,868	0	32,868	0	32,868	7,819
Domestic Waste Charges	10,987	0	10,987	0	10,987	2,661
Return on Investments & Other Interest Income	1,355	0	1,355	-100	1,255	310
Rebates Income	290	0	290	12	302	0
Other Income	252	0	252	75	327	211
Capital Sales	1,355	0	1,355	0	1,355	260
<b>Total Direct Income</b>	<b>71,671</b>	<b>416</b>	<b>72,088</b>	<b>1,300</b>	<b>73,388</b>	<b>16,528</b>
Indirect Income						
Plant Hire Recovery	2,661	0	2,661	0	2,661	666
Notional Rental Income	3,389	0	3,389	0	3,389	847
Service Agreement Income	427	0	427	0	427	154
Overhead Recovery	7,484	0	7,484	0	7,484	1,870
Contract Internal Income	2,097	0	2,097	0	2,097	476
Transfer From Reserve-Depreciation	7,960	0	7,960	-50	7,910	1,990
Transfer From Reserve-S94	2,672	388	3,060	-159	2,901	169
Transfer From Reserve-Other	6,984	1,097	8,081	310	8,391	555
<b>Total Indirect Income</b>	<b>33,673</b>	<b>1,485</b>	<b>35,157</b>	<b>101</b>	<b>35,259</b>	<b>6,728</b>
Direct Expenditure						
Salaries & Wages	20,374	0	20,374	-102	20,272	4,981
Other Employee Costs	6,844	0	6,844	55	6,899	1,704
Materials	1,823	0	1,823	-183	1,640	363
Stores	231	0	231	3	234	97
Minor Plant Purchases	45	0	45	0	45	43
Plant & Equipment	2,218	0	2,218	7	2,225	776
Contract Services External	16,097	1,780	17,877	557	18,434	2,835
Depreciation Expense	7,960	0	7,960	-50	7,910	1,975
Interest Expense	618	0	618	0	618	117
Professional Expenses	3,120	68	3,188	729	3,917	800
Legal Expenses	950	0	950	0	950	140
Bad & Doubtful Debts	219	0	219	0	219	85
Leases/Rentals/Hire/Licences	516	0	516	5	520	245
Public Utilities	1,513	0	1,513	0	1,513	378
Communications	271	0	271	100	371	95
Advertising	398	0	398	-30	368	77
Insurance	1,026	0	1,026	-92	934	257
Banking	170	0	170	0	170	66
Other Expenses	611	0	611	-19	592	104
Office Expenses	355	0	355	0	355	142
Sundry Services/Waste Disposal	4,958	0	4,958	3	4,961	1,131
Memberships	91	0	91	23	114	81
Levies/Contributions/Subsidies	3,004	0	3,004	238	3,242	968
Capital Purchases/Payments	5,951	53	6,004	222	6,226	843
<b>Total Direct Expenditure</b>	<b>79,362</b>	<b>1,901</b>	<b>81,263</b>	<b>1,466</b>	<b>82,729</b>	<b>18,305</b>
Indirect Expenditure						
Corporate Development Overhead	1,409	0	1,409	0	1,409	352
IT Services Overhead	1,494	0	1,494	0	1,494	373
Financial Services Overhead	1,703	0	1,703	0	1,703	426
Accommodation Overhead	3,389	0	3,389	0	3,389	847
Insurance Overhead	1,089	0	1,089	0	1,089	272
Records Overhead	870	0	870	0	870	217
Customer Service Overhead	918	0	918	0	918	229
Plant Hire Charge Internal	2,661	0	2,661	0	2,661	666
Contract Services Internal Expense	2,097	0	2,097	0	2,097	476
Service Agreement Expense	392	0	392	0	392	146
Transfer To Reserve-S94	2,783	0	2,783	286	3,070	78
Transfer To Reserve-Other	7,095	0	7,095	-319	6,776	1,043
<b>Total Indirect Expenditure</b>	<b>25,900</b>	<b>0</b>	<b>25,900</b>	<b>-33</b>	<b>25,868</b>	<b>5,126</b>
<b>Increase/(call) on Council Funds</b>	<b>82</b>	<b>0</b>	<b>82</b>	<b>-32</b>	<b>50</b>	<b>-174</b>

As indicated in the above columns:

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

## 2.5 Consolidated Financial Statement Recommended Changes

As a result of the September Quarterly Review, the projected financial position shows a surplus in uncommitted funds of \$50,000, a decrease of \$32,000 from the previously adopted budget of \$82,000.

<b>Budgeted Consolidated Result as per the Adopted Budget - Y/E 30 June 2012 Increase of Council Funds \$</b>		<b>82</b>
<b>Recommended Changes to Revised Budget</b>		<b>\$000's</b>
<b>INCOME</b>		
Additional User fees mainly relating to Currawong State Park, Parking machine & Road Reserve Sales Income	\$	431
Additional Operating Grant Transfers mainly relating to Fee Relief Grant, additional Flood Mapping Bushland Mgmt & WW Wetlands Works	\$	439
Additional Capital Grant Transfers mainly relating to additional Works Program such as Church Point, Careel Bay Wharf & Dunbar Park Works	\$	349
Additional Operating Contributions mainly relating to Restorations Income	\$	100
Reduced Return on Investments & Other Interest Income mainly relating to CDO's	-\$	100
Additional Other Income mainly relating to Copyright & other Contributions	\$	75
Reduced Transfers from Reserve - S94 mainly relating to the Works Program such as Narrabeen Creek Cycleway	-\$	159
Additional Transfers from Reserve - Other mainly relating to additional funding to parking machine purchase, Dinghy Storage, Tennis Courts Resurface and Road Reserve works	\$	310
<b>EXPENDITURE</b>		
Reduced Salaries, Wages & On costs	\$	47
Additional Materials, Stores & Contract Services External mainly relating to additional works such as Pavements/Restorations, Church Point, Careel Bay Wharf, Road Reserve works	-\$	384
Additional Professional Expenses relating to Currawong State Park Mgmt, Dinghy Storage, Parking Control, Sustainability & Flood Study works	-\$	729
Reduced Other Expenditure mainly relating to Insurance & Advertising	\$	49
Additional Levies/Contributions/subsidies mainly relating to an increase Fee relief FDC Newport & Narrabeen Lagoon Restorations works	-\$	238
Additional Capital Purchases/Payments mainly relating to Parking Machine & IT Equipment	-\$	222
<b>SEPT Review - NET Changes</b>	<b>-\$</b>	<b>32</b>
<b>Projected Budget Consolidated Result year ending 30 June 2012 - Increase of Council Funds</b>		<b>\$ 50</b>

## 2.6 Operating Statement

<b>Pittwater Council</b> <b>Budget review for the quarter ended - 30 September 2011</b> <b>Operating Statement</b>						
	\$000's					
	Original Budget	Approved Changes	Revised Budget	*Sept 2011 Variations	Projected Budget	YTD Actual
Direct Income						
User Fees	10,529	0	10,529	431	10,960	3,002
Regulatory Fees	1,709	0	1,709	0	1,709	345
Regulatory Fines	2,576	0	2,576	-6	2,570	458
Operating Grant Income	3,343	0	3,343	439	3,782	695
Operating Contributions	475	0	475	100	575	385
Rates Income	32,868	0	32,868	0	32,868	7,819
Domestic Waste Charges	10,987	0	10,987	0	10,987	2,661
Return on Investments & Other Interest Income	1,355	0	1,355	-100	1,255	310
Rebates Income	290	0	290	12	302	0
Other Income	252	0	252	75	327	211
Profit / (Loss) on Sale of Assets	160	0	160	0	160	16
Gain from Joint Venture Assets	0	0	0	0	0	0
<b>Total Direct Income</b>	<b>64,543</b>	<b>0</b>	<b>64,543</b>	<b>951</b>	<b>65,494</b>	<b>15,903</b>
Indirect Income						
Plant Hire Recovery	2,661	0	2,661	0	2,661	666
Service Agreement Income	427	0	427	0	427	154
Contract Internal Income	2,097	0	2,097	0	2,097	476
<b>Total Indirect Income</b>	<b>5,184</b>	<b>0</b>	<b>5,184</b>	<b>0</b>	<b>5,184</b>	<b>1,297</b>
Direct Expenditure						
Salaries & Wages	19,784	0	19,784	-102	19,681	4,869
Other Employee Costs	6,613	0	6,613	55	6,668	1,654
Materials	798	0	798	22	820	289
Stores	231	0	231	3	234	82
Minor Plant Purchases	45	0	45	0	45	34
Plant & Equipment	2,218	0	2,218	-29	2,189	725
Contract Services External	9,705	0	9,705	83	9,788	2,133
Depreciation Expense & Ammortisation	8,101	0	8,101	-50	8,051	2,010
Interest Expense	618	0	618	0	618	117
Professional Expenses	2,443	0	2,443	758	3,202	689
Legal Expenses	950	0	950	0	950	139
Bad & Doubtful Debts	219	0	219	0	219	85
Leases/Rentals/Hire/Licences	516	0	516	3	518	209
Public Utilities	1,513	0	1,513	0	1,513	378
Communications	271	0	271	100	371	95
Advertising	398	0	398	-30	368	77
Insurance	1,026	0	1,026	-92	934	257
Banking	170	0	170	0	170	66
Other Expenses	611	0	611	-19	592	104
Office Expenses	355	0	355	0	355	142
Sundry Services/Waste Disposal	4,958	0	4,958	3	4,961	1,121
Memberships	91	0	91	23	114	81
Levies/Contributions/Subsidies	3,004	0	3,004	238	3,242	968
<b>Total Direct Expenditure</b>	<b>64,636</b>	<b>0</b>	<b>64,636</b>	<b>966</b>	<b>65,602</b>	<b>16,324</b>
Indirect Expenditure						
Plant Hire Charge Internal	2,561	0	2,561	0	2,561	642
Contract Services Internal Expense	2,097	0	2,097	0	2,097	476
Service Agreement Expense	392	0	392	0	392	141
<b>Total Indirect Expenditure</b>	<b>5,049</b>	<b>0</b>	<b>5,049</b>	<b>0</b>	<b>5,049</b>	<b>1,259</b>
<b>Operating Results before Capital</b>	<b>42</b>	<b>0</b>	<b>42</b>	<b>-15</b>	<b>27</b>	<b>-382</b>
Grants & Contributions - Capital	3,534	416	3,950	349	4,299	558
Material Public Benefits - S94	0	0	0	0	0	0
<b>Change in Net Assets - from Operations</b>	<b>3,576</b>	<b>416</b>	<b>3,992</b>	<b>334</b>	<b>4,326</b>	<b>176</b>

As indicated in the above columns:

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

## 2.7 Operating Financial Statement Recommended Changes

The Projected Operating Result before Capital for the financial year 2011/2012 is a surplus of \$27,000, a variance of \$15,000 compared to the previously adopted budget of \$42,000 surplus.

<b>Budgeted Operating Results before Capital as per Adopted Budget for the year ending 30/6/12</b>	<b>\$</b>	<b>42</b>
<b>Recommended Changes to Revised Budget</b>		<b>\$000's</b>
<b>INCOME</b>		
Additional User fees mainly relating to Currawong State Park, Parking machine & Road Reserve Sales Incom	\$	431
Additional Operating Grant Transfers mainly relating to Fee Relief Grant, additional Flood Mapping Bushland Mgmt & WW Wetlands Works	\$	439
Additional Operating Contributions mainly relating to Restorations Income	\$	100
Reduced Return on Investments & Other Interest Income mainly relating to CDO's	-\$	100
Additional Other Income mainly relating to Copyright & other Contributions	\$	75
<b>EXPENDITURE</b>		
Reduced Salaries, Wages & On costs	\$	47
Additional Materials, Stores & Contract Services External mainly relating to additional works such as Pavements/Restorations & Road Reserve works	-\$	79
Additional Professional Expenses relating to Currawong State Park Mgmt, Dinghy Storage, Parking Control, Sustainability & Flood Study works	-\$	758
Additional Levies/Contributions/subsidies mainly relating to an increase FDC & Narrabeen Lagoon Works	-\$	238
Reduced Other Expenditure mainly relating to Insurance & Advertising	\$	68
<b>SEPT Review - NET Changes</b>	<b>-\$</b>	<b>15</b>
<b>Projected Operating Results before Capital for the year ending 30 June 2012 Surplus</b>	<b>\$</b>	<b>27</b>

## 2.8 Cash Flow Statement and Reserves Balances

The projected total General Fund for the year ended 30 June 2012 stands at \$22.516 million. Compared to the previously adopted budget, this amount is a decrease of \$453,000.

The actual result for the period ended 30 September 2011 is a net inflow of \$6.038 million.

<b>Pittwater Council</b> <b>Budget review for the quarter ended - 30 September 2011</b> <b>Cash Flow Statement</b>						
	\$000's					
	Original Budget	Approved Changes	Revised Budget	*Sept 2011 Variations	Projected Budget	YTD Actual
<b>Cash Inflows</b>						
Rates & Garbage	43,746	0	43,746	-119	43,627	17,325
Grants	4,245	0	4,245	668	4,913	1,176
User Charges	10,529	0	10,529	431	10,960	3,792
Regulatory Fees & Fines	4,285	0	4,285	-6	4,279	779
Contributions & Donations	475	0	475	100	575	385
Return on Investments & Other Interest Income	1,355	0	1,355	-100	1,255	322
Sale of Assets (Excluding Land)	1,355	0	1,355	0	1,355	260
Sale of Land	0	0	0	0	0	0
Other	542	0	542	87	629	233
S94 Contributions Received	2,632	0	2,632	0	2,632	78
Proceeds from loan	2,400	0	2,400	0	2,400	0
GST Net Inflow	0	0	0	0	0	269
<b>Total Inflows</b>	<b>71,562</b>	<b>0</b>	<b>71,562</b>	<b>1,063</b>	<b>72,625</b>	<b>24,619</b>
<b>Cash Outflows</b>						
Employee Salary & Wages	20,374	0	20,374	-102	20,272	5,605
Employee Other Costs	6,395	0	6,395	55	6,450	1,615
Insurance Claims/Premiums	1,026	0	1,026	-92	934	1,112
Levies & Contributions	3,004	0	3,004	163	3,167	766
Materials/Stores/Contracts	32,635	1,848	34,483	1,270	35,753	8,572
Legal Expenses	950	0	950	0	950	140
Loan Interest Repayments	618	0	618	0	618	5
Loan Principal Repayments	949	0	949	0	949	65
Purchase Of Assets	5,002	53	5,055	222	5,277	702
<b>Total Outflows</b>	<b>70,953</b>	<b>1,901</b>	<b>72,854</b>	<b>1,516</b>	<b>74,370</b>	<b>18,581</b>
Net Inflows/(Outflows)	609	-1,901	-1,292	-453	-1,745	6,038
Funds Carried Forward from Prior Year	20,629	3,632	24,261	0	24,261	24,261
<b>Total General Fund</b>	<b>21,238</b>	<b>1,731</b>	<b>22,969</b>	<b>-453</b>	<b>22,516</b>	<b>30,299</b>

The above Total General Fund Results as at the Quarter Ending 30 September 2011 are made up of Externally Restricted, Internally Restricted and Available Cash as outlined in the Reserve Balances (Cash & Investments Budget Review Statement) below:

**Pittwater Council**  
**Budget review for the quarter ended - 30 September 2011**  
**Reserve Balances**  
**(Cash & Investments Budget Review Statement)**

	Original Budget	Approved Changes	Revised Budget	*Sept 2011 Variations	Projected Budget	YTD Actual
<b>Externally Restricted</b>						
Section 94	5,380	2,550	7,930	445	8,376	8,116
Domestic Waste Management	1,103	-92	1,011	0	1,011	811
Grants	800	0	800	0	800	789
<b>Total Externally Restricted</b>	<b>7,283</b>	<b>2,458</b>	<b>9,741</b>	<b>445</b>	<b>10,186</b>	<b>9,716</b>
<b>Internally Restricted</b>						
Avalon Golf Course	33	0	33	-10	23	23
Bus Shelter Reserve	29	0	29	0	29	29
Capital Works Reserve	0	0	0	0	0	76
Caravan Park Capital Works	307	0	307	0	307	314
Cemetery Reserve	1529	-105	1423	326	1749	1261
Church Point Carpark	88	227	316	0	316	291
Commercial Centres Outdoor Seating	88	96	184	0	184	136
Community Centre Trusts	47	70	118	0	118	118
Election Reserve	225	0	225	0	225	150
Employee Leave Entitlement	1234	35	1270	0	1270	1270
Environmental Infrastructure Levy	100	43	144	0	144	676
Environmental Levy (Escarpment)	0	52	52	0	52	1733
General Reserve	4584	-186	4399	-868	3530	3649
IT Reserve	18	4	22	-22	0	5
Kitchener Park Telco Tower	0	160	160	0	160	128
Lagoon Entrance Clearing	150	0	150	0	150	125
Marine Infrastructure	83	18	101	-11	90	90
Other	1150	-516	634	-44	590	641
Plant Replacement	20	0	20	0	20	20
Restoration Reserve	190	0	190	0	190	115
Road Reserve	580	-87	493	58	551	619
Special Rates Variation	0	0	0	0	0	377
Sportsfield Contributions	0	173	173	0	173	173
Strategic Property Rationalisation Reserve	98	3	101	-8	93	128
Stormwater Levy	45	-15	30	0	30	152
Tennis Liason Trust Fund	223	-28	194	-50	144	153
Trust and Bonds (eg. Tree and Footpath)	597	-68	529	0	529	516
<b>Total Internally Restricted</b>	<b>11,420</b>	<b>-125</b>	<b>11,295</b>	<b>-629</b>	<b>10,666</b>	<b>12,968</b>
<b>Total Restricted</b>	<b>18,703</b>	<b>2,332</b>	<b>21,035</b>	<b>-183</b>	<b>20,852</b>	<b>22,684</b>
Available Cash	2,535	-601	1,934	-270	1,664	7,615
<b>Total General Fund (Cash Flow Statement)</b>	<b>21,238</b>	<b>1,731</b>	<b>22,969</b>	<b>-453</b>	<b>22,516</b>	<b>30,299</b>

As indicated in the above columns:

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

<b>Revised Restricted Reserve Balance for the year ending 30/6/12</b>	<b>\$ 21,035</b>
<b>Recommended Changes to Revised Budget</b>	<b>\$000's</b>
Additional Externally restricted Reserve mainly relating to S94 Reserve Interest Income, and changes to the works program such as Narrabeen Creek Corridor B Cycleway	\$ 445
Additional Internally Restricted Reserve Cemetery mainly relating to Additional Interest relating to trust	\$ 326
Reduced Internally Restricted Reserve General mainly relating to Interest on Cemetery & S94 Reserves	-\$ 868
Reduced Internally Restricted Reserve Other mainly relating to Tennis Liason and IT Reserves with associated expenditure on IT Purchases and Mona Vale Tennis Court works	-\$ 86
<b>Projected Restricted Reserve Balance for the year ending 30/6/2012</b>	<b>\$ 20,852</b>



## 2.9 Balance Sheet

Council's Projected total increase in equity for the year ending 30 June 2012 is \$4.326 million (net change in assets resulting from operations). This will increase the total equity to \$1.314 billion.

<b>Pittwater Council</b> <b>Balance Sheet</b> <b>For Period 3 Ending 30 September 2011</b>			
<b>Actual</b> <b>30/09/2011</b> <b>\$'000's</b>		<b>Projected</b> <b>30/06/2012</b> <b>\$'000</b>	<b>Actual</b> <b>30/06/2011</b> <b>\$'000</b>
<b>CURRENT ASSETS</b>			
16,171	Cash Assets	1,376	1,994
14,128	Investments	21,140	22,267
3,416	Receivables	4,192	4,546
56	Inventories	60	57
989	Other	300	300
4,625	Non Current Assets held for sale	4,625	4,625
<u>39,385</u>	<b>TOTAL CURRENT ASSETS</b>	<u>31,693</u>	<u>33,789</u>
<b>NON-CURRENT ASSETS</b>			
0	Investments	0	0
0	Receivables	870	870
0	Inventories	0	0
1,280,163	Infrastructure Property, Plant and Equipment	1,287,787	1,281,024
5,494	Investments Accounted for using the Equity Method	5,494	5,494
1,750	Investment Property	1,750	1,750
3,199	Intangible Assets	3,092	3,234
<u>1,290,606</u>	<b>TOTAL NON-CURRENT ASSETS</b>	<u>1,298,993</u>	<u>1,292,372</u>
<u><u>1,329,991</u></u>	<b>TOTAL ASSETS</b>	<u><u>1,330,686</u></u>	<u><u>1,326,161</u></u>
<b>CURRENT LIABILITIES</b>			
7,728	Payables	2,415	3,791
1,562	Interest Bearing Liabilities	975	881
6,173	Provisions	6,328	6,191
<u>15,463</u>	<b>TOTAL CURRENT LIABILITIES</b>	<u>9,718</u>	<u>10,863</u>
<b>NON-CURRENT LIABILITIES</b>			
0	Payables	0	0
4,759	Interest Bearing Liabilities	7,054	5,715
165	Provisions	160	155
<u>4,924</u>	<b>TOTAL NON-CURRENT LIABILITIES</b>	<u>7,214</u>	<u>5,870</u>
<u><u>20,387</u></u>	<b>TOTAL LIABILITIES</b>	<u><u>16,932</u></u>	<u><u>16,733</u></u>
<u><u>1,309,604</u></u>	<b>NET ASSETS</b>	<u><u>1,313,754</u></u>	<u><u>1,309,428</u></u>
<b>EQUITY</b>			
1,309,604	Accumulated Surplus/ ( Deficit )	1,313,754	1,309,428
	Asset Revaluation Reserve		
<u><u>1,309,604</u></u>	<b>TOTAL EQUITY</b>	<u><u>1,313,754</u></u>	<u><u>1,309,428</u></u>

## 2.10 Capital Budget Review Statement

Total Capital Expenditure (including revotes) under the previously adopted 2011/2012 Delivery Program amounted to \$16.868 million as indicated in the Revised Budget Column shown below. The program has now been amended to \$17.368 million to reflect \$500,000 of recommended budgetary changes within the September Quarterly Review.

<b>Pittwater Council</b> <b>Budget review for the quarter ended - 30 September 2011</b> <b>Capital Budget Review Statement</b>						
	Original Budget	Approved Changes	Revised Budget	*Sept 2011 Variations	Projected Budget	YTD Actual
<b>Capital Funding</b>						
Rates & Other Untied Funding	2,534	228	2,762	-25	2,737	234
Capital Grants & Contributions	902	416	1,318	349	1,667	336
Reserves:						
- External Restrictions/Reserves	2,258	388	2,646	-159	2,487	169
- Internal Restrictions/Reserves	5,536	869	6,405	335	6,740	310
New Loans	2,400	0	2,400	0	2,400	0
Receipts from Sale of Assets	0	0	0	0	0	0
- Plant & Equipment	1,355	0	1,355	0	1,355	260
- Land & Buildings	0	0	0	0	0	0
Other Funding	0	0	0	0	0	0
<b>Total Capital Funding</b>	<b>14,985</b>	<b>1,901</b>	<b>16,887</b>	<b>500</b>	<b>17,386</b>	<b>1,310</b>
<b>Capital Expenditure</b>						
New Assets						
- Plant & Equipment	0	0	0	0	0	0
- Land & Buildings	1,691	0	1,691	0	1,691	0
- Other	310	0	310	0	310	41
Renewal Assets (Replacement)						
- Plant & Equipment	3,574	53	3,627	117	3,744	539
- Land & Buildings	4,641	1,272	5,913	211	6,123	585
- Roads, Bridges, Footpaths	3,802	576	4,377	172	4,550	638
Loan Repayments (Principal)	949	0	949	0	949	0
Other Expenditure	0	0	0	0	0	0
<b>Total Capital Expenditure</b>	<b>14,966</b>	<b>1,901</b>	<b>16,868</b>	<b>500</b>	<b>17,368</b>	<b>1,803</b>
<b>Net Capital Funding</b>	<b>19</b>	<b>0</b>	<b>19</b>	<b>0</b>	<b>19</b>	<b>-493</b>

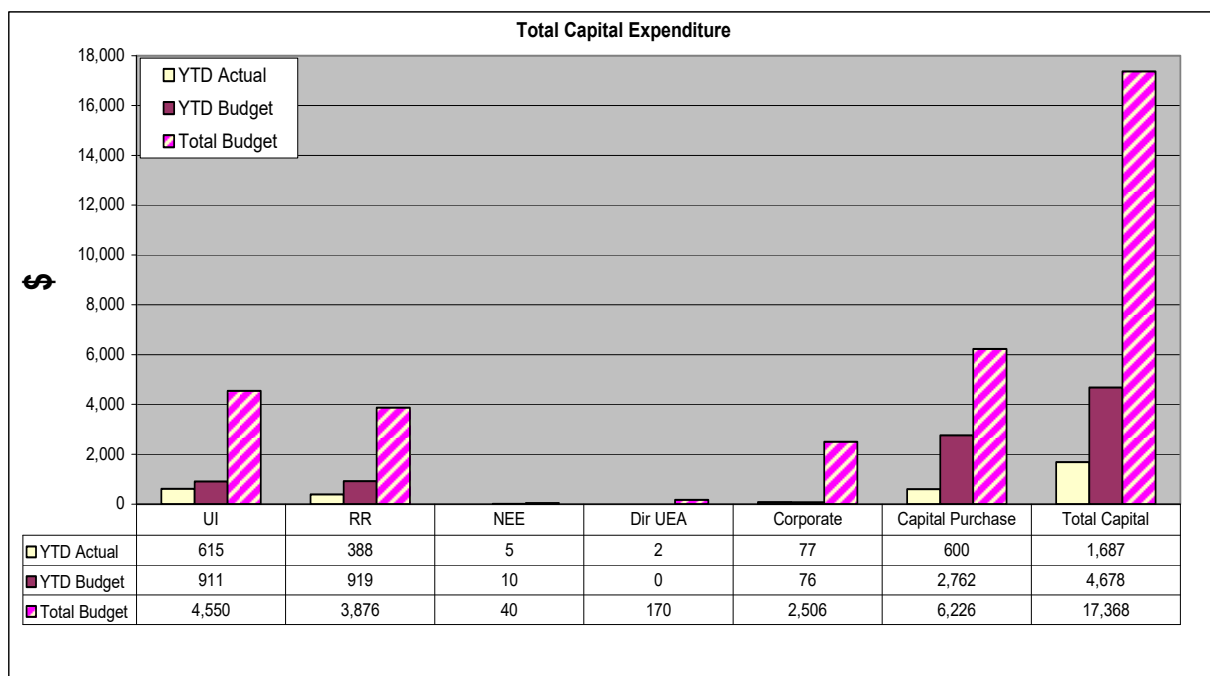
As indicated in the above columns:

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

<b>Budgeted Capital Results as per Adopted Budget for the year ending 30/6/12</b>	<b>\$ 16,868</b>
<b>Recommended Changes to Revised Budget</b>	<b>\$000's</b>
Additional Plant and Equipment Expenditure mainly relating to Parking Machine Purchase with a increase in General Reserve Funding	\$ 117
Additional Land & Buildings Expenditure mainly relating to Careel Bay Playing fields & Dinghy Storage Facilities Works with a matching increase in Grant and Reserves funding	\$ 211
Additional Roads, Bridges, Footpaths Expenditure mainly relating to Halesmith Rd MV Kerb & Gutter RTA Funded Road, & Deep Creek Bridge works with a matching increase in grants and Contributions	\$ 172
<b>Projected Capital Results for the year ending 30 June 2012</b>	<b>\$ 17,368</b>

In addition to the categorisation of Capital Expenditure by type of expenditure (as indicated in the tables above), capital expenditure has also been summarised by Business Unit and by the Top Ten Major Projects for the Financial Year for the information of Council and the Community.

### Capital Expenditure Summary by Business Unit



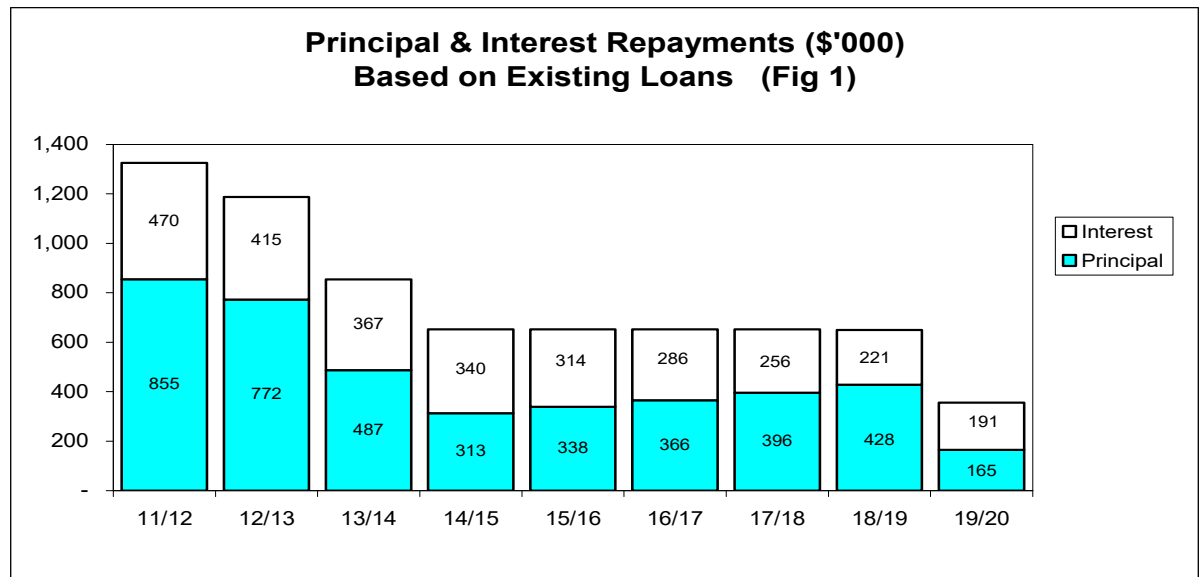
### Major Projects for 2011/12

2011/2012 MAJOR PROJECTS		Revised	Projected	Gross	Percentage
PERIOD ENDING 30th September 2011		Total	Total	Exp	Complete
TOP TEN JOBS BY PROJECTED BUDGET	Comment	Budget	Budget	Actual	%
Sydney Lakeside Upgrade Cabins	Lakeside Cabins Purchase	1,400,000	1,400,000	-	0%
Narrabeen Creek - Corridor B - Stage 1	S94 WWV Funded Project	895,000	895,000	-	0%
Deep Creek Pedestrian Bridge - Construction	RTA/Warringah/Pittwater Joint Funded	476,360	476,360	285,216	60%
Woorak Reserve	Grant, Marine Reserve Funded	478,150	412,150	151,714	37%
Regional Playground Sector 8	S94 WWV Funded Project	300,000	300,000	-	0%
PB Ferry Wharf	Grant, Marine Reserve Funded	256,521	256,521	-	0%
RTA Funding Traffic Signs & Linemarking	Ongoing Road Works	190,000	207,507	32,431	16%
Sydney Lakeside Improvements	Ongoing Works	207,065	207,065	-	0%
Elanora Commercial Centre upgrade	S94 Plan 19 Funded Project	150,000	150,000	-	0%
S/W Quality Treatment Device Improvements	Stormwater Management Service Charge	120,000	130,000	23,239	18%

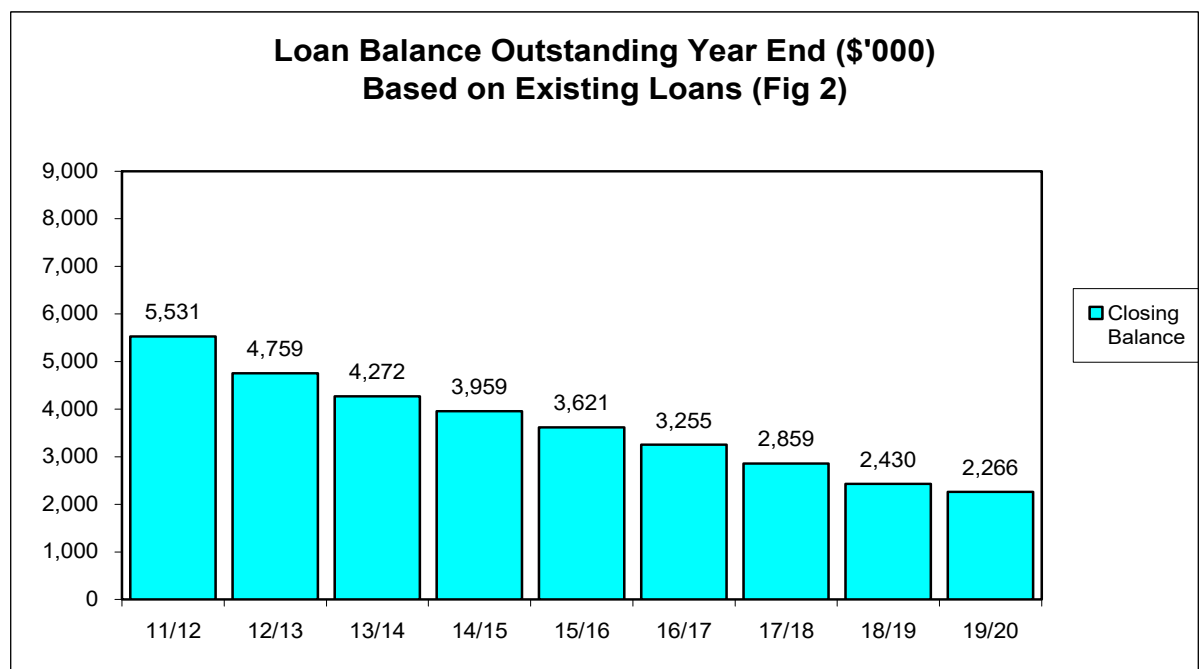
## 2.11 Loan Liability

Council's outstanding loan position as at 30 September 2011 was \$6.386 million.

As shown in Figure 1 below, total loan repayments in 2011/2012 amount to \$1.325 million. These repayments are made up of principal repayments totalling \$855,000 and interest repayments totalling \$470,000.



As shown in Figure 2 below, Council's outstanding loan balance will decrease to \$4.759 million as at 30 June 2012. (These figures are based on current loan levels, and are subject to review).



Councils Debt Service Ratio currently stands at 2.47% based on Borrowings as at 30 September 2011.

## 2.12 Special Rates Variation Levy

In order for Pittwater Council to remain a strong, independent and sustainable Council in 2011 an application was submitted to IPART for a Special Variation to Council's rates. This application was subsequently approved in full allowing for a cumulative growth in Council's rates of 7.8% in 2011/12, 7% in 2012/13 and 6% in 2014/15 (including CPI increases).

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

The 2011/12 list of funds and SRV works are shown below. .

<b>Opening Reserve Balance as at 01/07/11</b>	-
Budget Income 2011/2012	1,522,892
Budget Expenditure 2011/2012 (as shown below)	1,522,892
<b>Projected Budget Reserve Balance for the year ended 30 June 2012 (restricted)</b>	-

<b>Special Rates Variation Works</b>	<b>Budget</b>	<b>YTD Actuals</b>
Gladstone Street, Newport - Woolcott Street to Bishop Street	37,500	-
Attunga Road, Newport - No 52 to turning circle	24,500	-
Dolphin Crescent, Avalon - Dolphin Loop to No 33	62,000	-
Koorangi Avenue, Elanora Heights - Lumeah Avenue to Canungra Pl	67,100	-
Samuel Street, Mona Vale - No 32 to Whitney Street	34,100	-
Elvina Avenue, Newport - Prince Alfred Parade to turning circle	14,500	-
Irrawong Road, North Narrabeen - Inala Place to Epworth Place	34,100	-
Jeanette Avenue, Mona Vale - Marie Crescent to right hand bend	36,300	-
Old Barrenjoey Road, Avalon - Dress Circle Road to Sanders Lane	124,819	4,126
Prince Alfred Parade, Newport - No 28 to No 60	79,700	-
Irrawong Avenue, North Narrabeen - No 35 to No 47	100,000	-
Attunga Road, Newport - No 51 to blind curve	70,000	-
Bellevue Avenue, Avalon - Dress Circle Road (North)	45,000	-
Narroy Avenue, North Narrabeen - Lido Avenue to Nareen Parade	45,000	180
Anana Road, Elanora - Adjacent to Nos. 13, 17 and 33	49,000	-
Neptune Avenue, Newport - Ocean Road to No. 6	20,032	-
Narrabeen Park Parade, Mona Vale - Melbourne Avenue to Hunter St	40,000	-
Scotland Island Stage 1 - Pits Construction	69,000	-
Scotland Island Sector 1 - Surveys	11,000	-
Scotland Island Sector 1 - Trunk Drainage Design	20,000	-
North Narrabeen Rock Pool Carpark (Landscape & Upgrade)	55,500	-
Church Point Seawall	223,857	-
Bicentennial Coastal Walkway upgrades	60,000	-
Stapleton Park, Avalon	65,000	-
Bushfire Asset Protection Zones	80,000	-
Risk Management - Bushland	54,884	-
<b>Total Special Rates Variation Works</b>	<b>1,522,892</b>	<b>4,307</b>

## 2.13 Stormwater Management Service Charge

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

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

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

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

<b>Opening Reserve Balance as at 01/07/11</b>	<b>54,383</b>
Budget Income 2011/2012	530,487
Budget Expenditure 2011/2012 (as shown below)	554,815
<b>Projected Budget Reserve Balance for the year ended 30 June 2012 (restricted)</b>	<b>30,055</b>

<b>Stormwater Management Service Charge</b>	<b>Budget</b>	<b>YTD Actuals</b>
Plateau Rd Bilgola Plateau	30,000	-
Pipeline Adjustments	30,000	-
Grandview Parade Newport	25,000	-
Crescent Rd Newport	20,000	-
Mona Vale Golf Course Catchment	35,000	-
Narrabeen Creek Catchment	45,000	-
Careel Creek Catchment	45,000	-
Woorarra Ave Elanora Heights	45,000	-
The Knoll Avalon	15,000	-
Park St MV Road Drainage Stage 2	34,815	42,700
S/W Harvesting & Re-use	40,000	-
S/W System Water Quality Monitoring Programme	25,000	-
Community & Industry S/W Pollution Education	25,000	-
S/W Quality Treatment Device Improvements	130,000	23,239
S/W Mapping	10,000	-
<b>Total Stormwater Management Service Charge</b>	<b>554,815</b>	<b>65,939</b>

## 2.14 Developer Contribution Plans

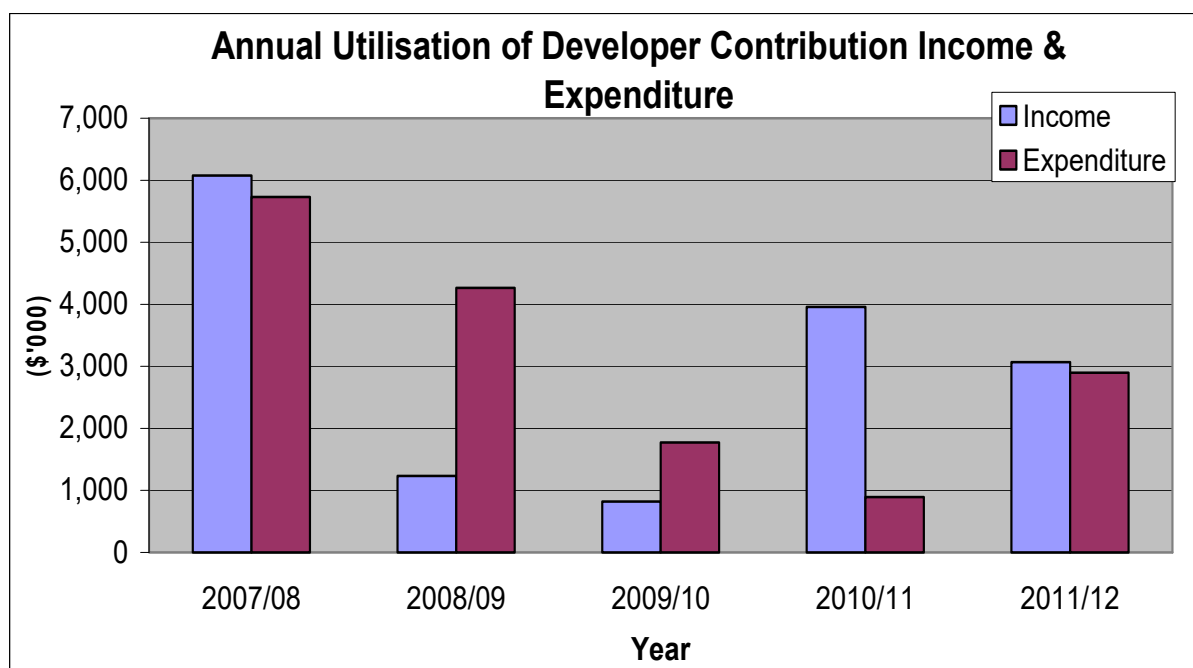
Developer Contributions are monetary contribution levied on developers at the development applications stage to pay for a proposed increase in demand for public services, such as roads and parks.

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

DEVELOPER CONTRIBUTION PLANS	Plan Balance as at 30/06/11	Expenditure for 2011/12	Income for 2011/12	Plan Balance as at 30/06/12	Plan Balance as at 30/9/11
Community Service Facilities	\$ 152,803	\$ 166,512	\$ 168,072	\$ 154,363	\$ 166,803
Mona Vale Car Parking	\$ 3,357,889	\$ 68,078	\$ 181,532	\$ 3,471,343	\$ 3,295,346
Newport Car Parking	\$ 90,234	\$ -	\$ 4,979	\$ 95,213	\$ 90,234
Open Space	\$ 592,122	\$ 807,000	\$ 557,940	\$ 343,062	\$ 569,233
Village Streetscape	\$ 336,470	\$ 396,512	\$ 313,241	\$ 253,199	\$ 310,790
Public Libraries	\$ 203,110	\$ 110,000	\$ 110,656	\$ 203,766	\$ 211,110
Warriewood Valley	\$ 3,474,240	\$ 1,352,886	\$ 1,733,333	\$ 3,854,687	\$ 3,472,098
<b>Totals</b>	<b>\$ 8,206,867</b>	<b>\$ 2,900,988</b>	<b>\$ 3,069,754</b>	<b>\$ 8,375,633</b>	<b>\$ 8,115,613</b>

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

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



## 2.15 Consultancy and Legal Expenses

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

Expenditure	Expenditure TYD	Budgeted (Y/N)
<b>Consultancies</b>	\$800,238	Yes - within Quarterly Budget Review – See Note below.
<b>Legal Fees</b>	\$154,516	Yes - within Quarterly Budget Review - See Note below.

An increase in the September Quarterly Budget Review associated with Consultancies has occurred. The budget has been increased from \$3.188M to \$3.917M to incorporate additional costs associated with Currawong State Park, Flood Mapping, Community Planning Strategic Initiatives, Parking Control, Employee Wellness Program and Records Management.

No increase in the September Quarterly Budget Review associated with Legal Fees has occurred. The actuals are in line with the current budget.

## Contracts and Other Expenses

As a part of Council's Quarterly Budget Review Statement, a list of Contracts that **exceed \$50,000** and that have been entered into during the September 2011 Quarter and have yet to be fully performed are to be disclosed (*excluding contracts selected from Council's preferred supplier list and those associated with employment*). Accordingly, a list of such Contractors is as follows:

### Contracts entered into in the September 2011 Quarter (exceeding \$50,000)

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

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

### Contracts entered into in the September 2011 Quarter that gave rise to a increase in the Budget.

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



### 3.0 KEY DIRECTIONS AND ASSOCIATED STRATEGIES

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

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

Accordingly, in an effort to assist Council's Strategic Plan and associated vision the 2011/12 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 2011/12 budget for this key direction is a cost of \$5.355 million.

This net cost includes:	
Operating Expenditure	\$9.744 million
Capital Expenditure	\$2.119 million
Income	(\$4.273) million
Transfer from Reserve*	(\$2.502) million
Transfer to Reserve*	\$685,000
Net Cost to Council	\$5.772 million

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

3.2.1 The net impact of the 2011/12 budget for this key direction is a cost of \$4.359 million.

This net cost includes:	
Operating Expenditure	\$16.462 million
Capital Expenditure	\$2.379 million
Income	(\$12.004) million
Transfer from Reserve*	(\$3.218) million
Transfer to Reserve*	\$961,000
Net Cost to Council	\$4.582 million

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

3.3.1 The net impact of the 2011/12 budget for this key direction is a cost of \$976,000.

This net cost includes:	
Operating Expenditure	\$4.819 million
Capital Expenditure	\$1.190 million
Income	(\$3.911) million
Transfer from Reserve*	(\$1.535) million
Transfer to Reserve*	\$564,000
Net Cost to Council	\$1.126 million

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

3.4.1 The net impact of the 2011/12 budget for this key direction is income of \$15.981 million.

This net income includes:	
Operating Expenditure	\$20.273 million
Capital Expenditure	\$7.690 million
Income	(\$44.951) million
Transfer from Reserve*	(\$6.159) million
Transfer to Reserve*	\$6.021 million
Net Income to Council	(\$17.126) million

### 3.5 Integrating our Built Environment (Infrastructure)

3.5.1 The net impact of the 2011/12 budget for this key direction is a cost of \$5.228 million.

This net cost includes:	
Operating Expenditure	\$14.028 million
Capital Expenditure	\$3.989 million
Income	(\$8.249) million
Transfer from Reserve*	(\$5.786) million
Transfer to Reserve*	\$1.614 million
Net Cost to Council	\$5.596 million

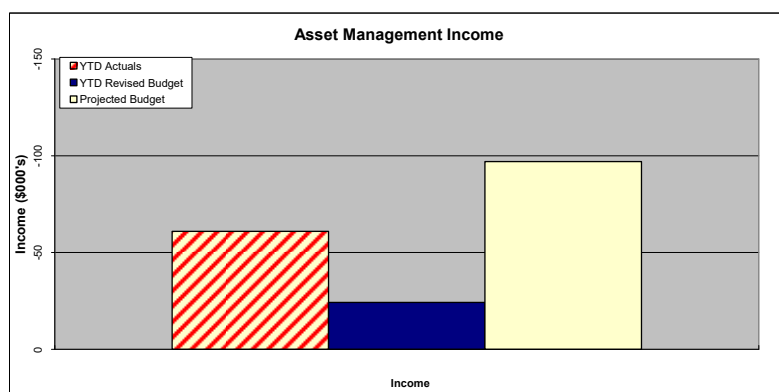
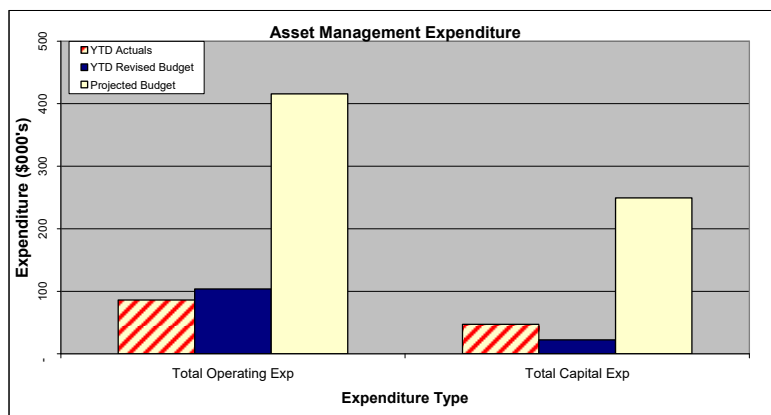
*\*Note: Transfers to and from Reserve represent funds acquired in the current and/or prior financial years but are utilised or placed into reserve in the current financial year.*

## 20 Strategies - Net Budget Position:

### ASSET MANAGEMENT

STRATEGY			
Asset Management Coordination			
Operating Expenditure	YTD	YTD	Total
	Actuals	Revised	Projected
	-\$000's	Budget	Budget
		-\$000's	-\$000's
Salaries and Wages	58	75	299
Other Employee Costs	20	27	109
Materials and Contracts	0	(0)	(0)
Depreciation	0	0	0
Interest	0	0	0
Other Costs	7	2	9
<b>Total Operating Exp</b>	<b>86</b>	<b>104</b>	<b>416</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	47	23	250
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>47</b>	<b>23</b>	<b>250</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(58)	(14)	(55)
Fees and Charges	0	0	0
Grant Transfers	0	0	0
Contributions	(3)	(10)	(42)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(1)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(61)</b>	<b>(24)</b>	<b>(97)</b>
<b>Transfers from Reserves</b>	<b>(1)</b>	<b>0</b>	<b>(9)</b>
<b>Transfers to Reserves</b>	<b>3</b>	<b>10</b>	<b>42</b>
<b>Net Cost* / (Income)</b>	<b>75</b>	<b>112</b>	<b>602</b>

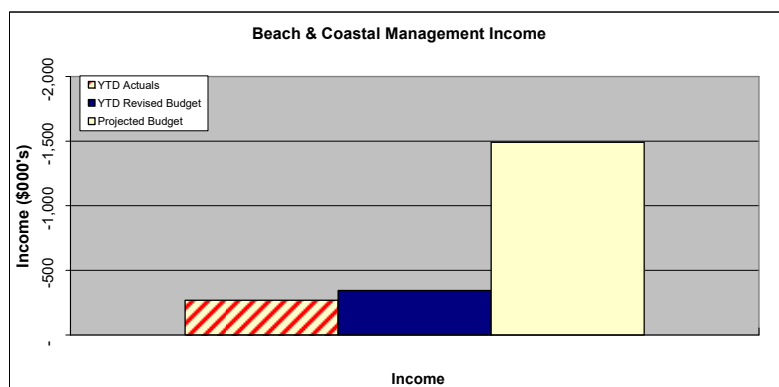
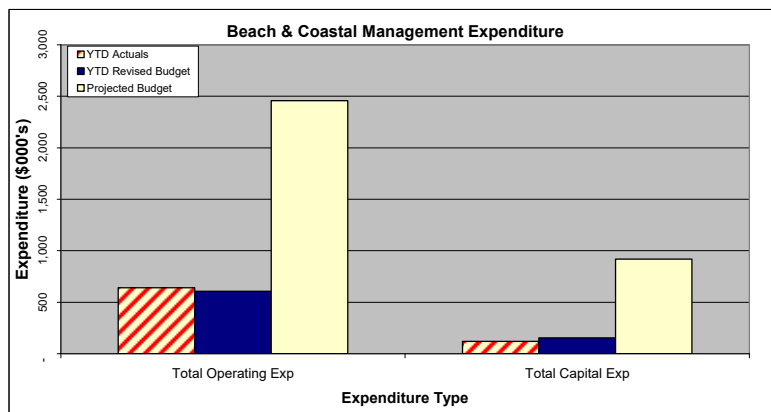
\* Net Cost Funded By Rates



### BEACH & COASTAL MANAGEMENT

STRATEGY			
Beach & Coastal Management			
Operating Expenditure	YTD	YTD	Total
	Actuals	Revised	Projected
	-\$000's	Budget	Budget
		-\$000's	-\$000's
Salaries and Wages	128	116	464
Other Employee Costs	44	42	167
Materials and Contracts	321	286	1,201
Depreciation	29	29	116
Interest	0	0	0
Other Costs	119	135	507
<b>Total Operating Exp</b>	<b>641</b>	<b>607</b>	<b>2,457</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	20	261
Capital Works Programs	121	133	658
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>121</b>	<b>153</b>	<b>919</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(235)	(296)	(1,287)
Fees and Charges	0	0	0
Grant Transfers	(28)	(28)	(120)
Contributions	(6)	(21)	(84)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(1)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(269)</b>	<b>(345)</b>	<b>(1,492)</b>
<b>Transfers from Reserves</b>	<b>(80)</b>	<b>(345)</b>	<b>(799)</b>
<b>Transfers to Reserves</b>	<b>22</b>	<b>50</b>	<b>204</b>
<b>Net Cost* / (Income)</b>	<b>435</b>	<b>120</b>	<b>1,289</b>

\* Net Cost Funded By Rates

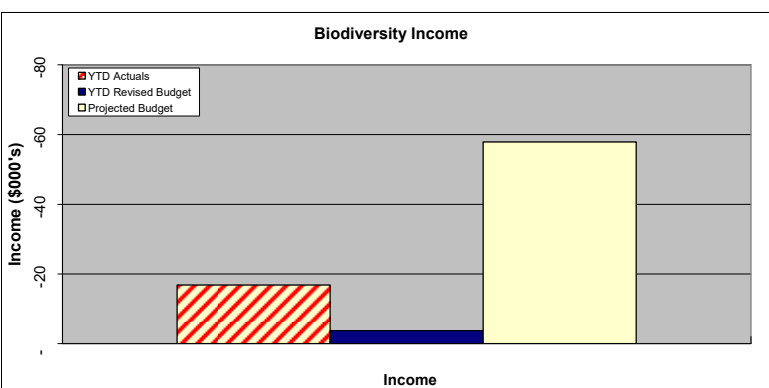
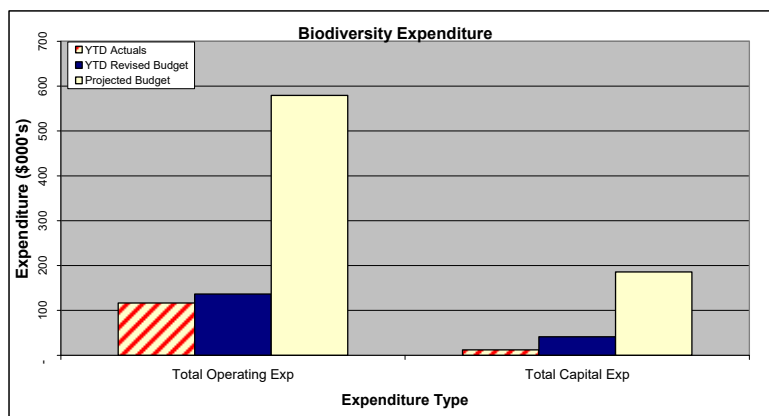


## BIODIVERSITY

### STRATEGY Biodiversity

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	54	60	225
Other Employee Costs	20	21	80
Materials and Contracts	30	51	238
Depreciation	0	0	0
Interest	0	0	0
Other Costs	13	5	36
<b>Total Operating Exp</b>	<b>116</b>	<b>136</b>	<b>579</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	12	41	186
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>12</b>	<b>41</b>	<b>186</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	0	0	0
Fees and Charges	(2)	(2)	(10)
Grant Transfers	(3)	(1)	(36)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(12)	0	(12)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(17)</b>	<b>(4)</b>	<b>(58)</b>
<b>Transfers from Reserves</b>	<b>(9)</b>	<b>(45)</b>	<b>(191)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>102</b>	<b>128</b>	<b>516</b>

\* Net Cost Funded By Rates

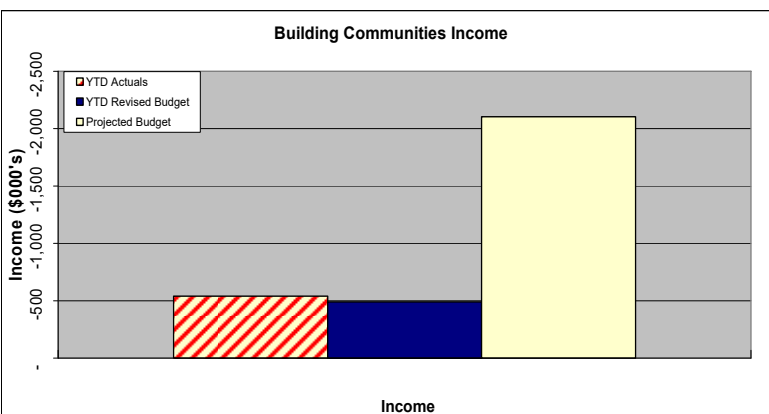
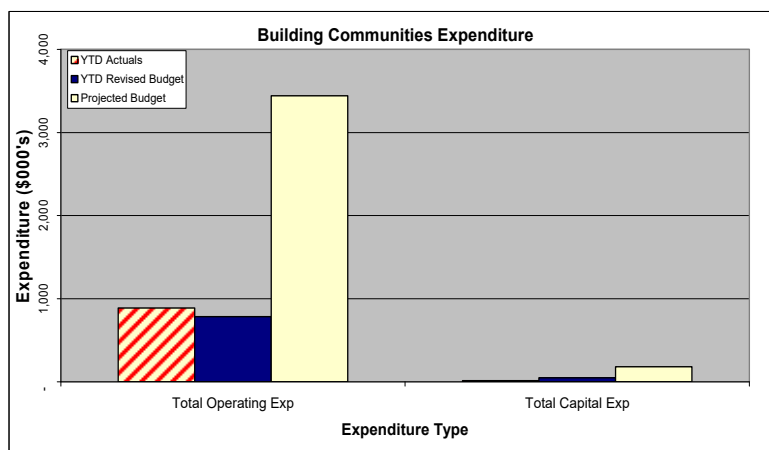


## BUILDING COMMUNITIES

### STRATEGY Building Communities

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	468	439	1,764
Other Employee Costs	129	124	492
Materials and Contracts	48	56	288
Depreciation	0	0	1
Interest	0	0	2
Other Costs	243	163	894
<b>Total Operating Exp</b>	<b>887</b>	<b>782</b>	<b>3,441</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	12	47	181
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>12</b>	<b>47</b>	<b>181</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(259)	(253)	(1,012)
Fees and Charges	(9)	(13)	(53)
Grant Transfers	(239)	(210)	(979)
Contributions	(5)	(12)	(50)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(25)	(2)	(10)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(539)</b>	<b>(490)</b>	<b>(2,104)</b>
<b>Transfers from Reserves</b>	<b>(7)</b>	<b>(71)</b>	<b>(154)</b>
<b>Transfers to Reserves</b>	<b>3</b>	<b>13</b>	<b>53</b>
<b>Net Cost* / (Income)</b>	<b>356</b>	<b>282</b>	<b>1,417</b>

\* Net Cost Funded By Rates



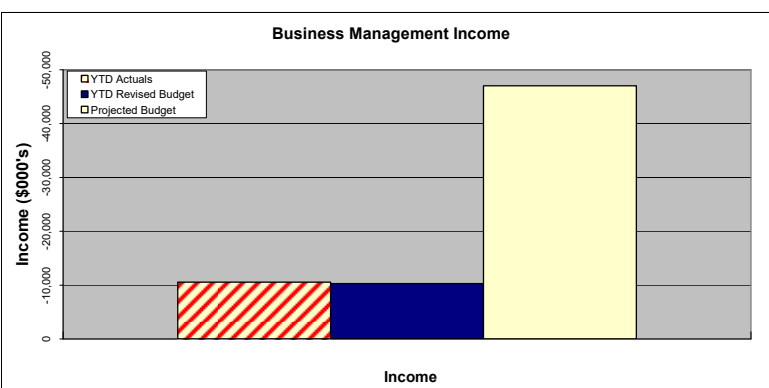
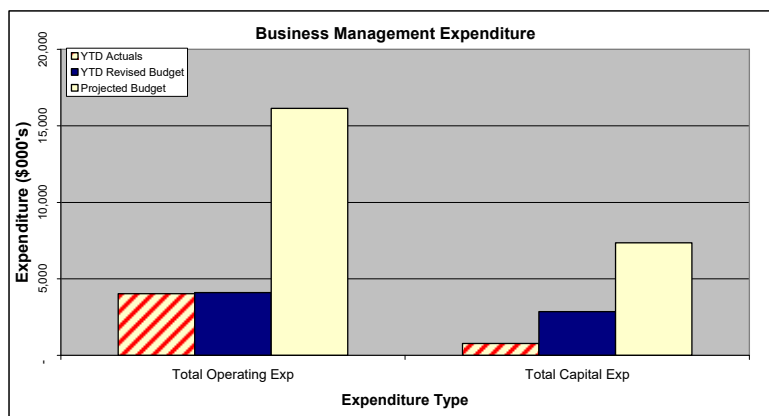
## BUSINESS MANAGEMENT

### STRATEGY

#### Business Management

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	1,092	1,106	4,400
Other Employee Costs	435	400	1,683
Materials and Contracts	474	697	2,200
Depreciation	480	460	1,842
Interest	117	150	602
Other Costs	1,422	1,286	5,409
<b>Total Operating Exp</b>	<b>4,019</b>	<b>4,100</b>	<b>16,136</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	521	2,345	4,316
Capital Works Programs	21	279	2,085
Capital Material Public Benefits	0	0	0
Loan Repayments	230	230	949
<b>Total Capital Exp</b>	<b>772</b>	<b>2,854</b>	<b>7,350</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(1,653)	(1,108)	(6,085)
Fees and Charges	(55)	(76)	(303)
Grant Transfers	(334)	(525)	(2,246)
Contributions	(3)	(10)	(2,442)
Rates Income	(7,819)	(7,779)	(32,868)
Domestic Waste Charge	0	0	0
Return on Investments & Other I	(310)	(339)	(1,255)
Other Income	(102)	(101)	(467)
Capital Assets Disposals	(260)	(339)	(1,355)
<b>Total Income (Op &amp; Cap)</b>	<b>(10,536)</b>	<b>(10,277)</b>	<b>(47,021)</b>
<b>Transfers from Reserves</b>	<b>(333)</b>	<b>(2,111)</b>	<b>(5,191)</b>
<b>Transfers to Reserves</b>	<b>922</b>	<b>573</b>	<b>6,403</b>
<b>Net Cost* / (Income)</b>	<b>(5,155)</b>	<b>(4,861)</b>	<b>(22,323)</b>

\* Net Cost Funded By Rates



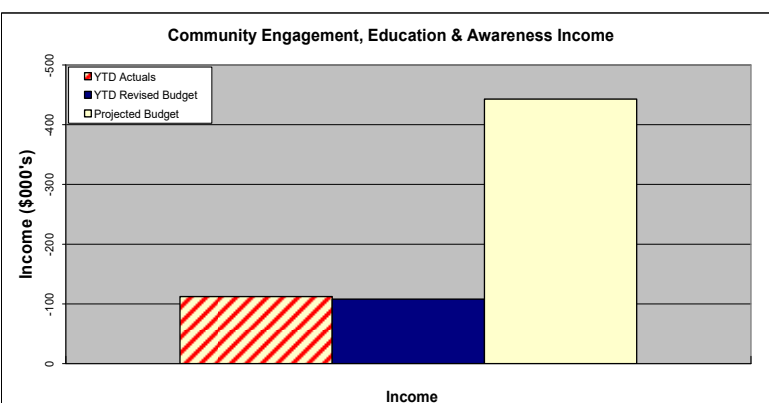
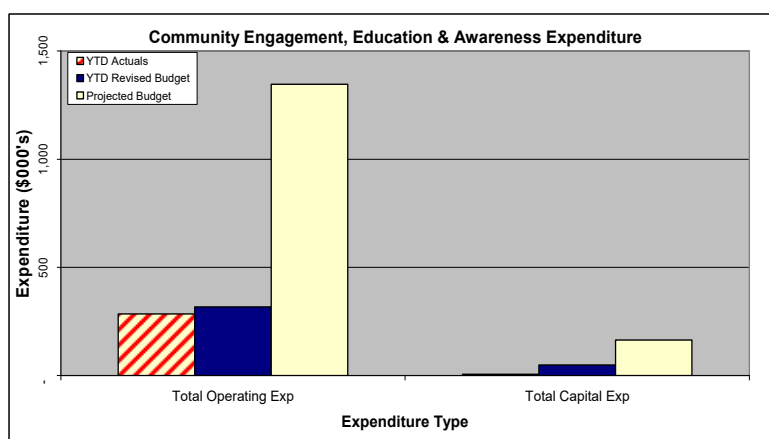
## COMMUNITY ENGAGEMENT, EDUCATION & AWARENESS

### STRATEGY

#### Community Engagement, Education & Awareness

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	131	137	544
Other Employee Costs	38	40	157
Materials and Contracts	27	41	228
Depreciation	0	0	0
Interest	0	3	14
Other Costs	90	96	404
<b>Total Operating Exp</b>	<b>285</b>	<b>318</b>	<b>1,346</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	2	9	36
Capital Works Programs	4	39	129
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>6</b>	<b>48</b>	<b>165</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(86)	(74)	(296)
Fees and Charges	(5)	(10)	(41)
Grant Transfers	(2)	(11)	(53)
Contributions	(4)	(12)	(48)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(15)	(1)	(5)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(113)</b>	<b>(108)</b>	<b>(443)</b>
<b>Transfers from Reserves</b>	<b>(1)</b>	<b>(38)</b>	<b>(119)</b>
<b>Transfers to Reserves</b>	<b>4</b>	<b>12</b>	<b>48</b>
<b>Net Cost* / (Income)</b>	<b>182</b>	<b>233</b>	<b>997</b>

\* Net Cost Funded By Rates



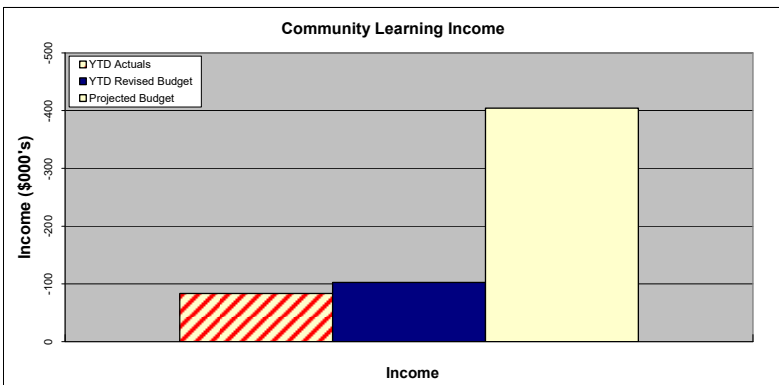
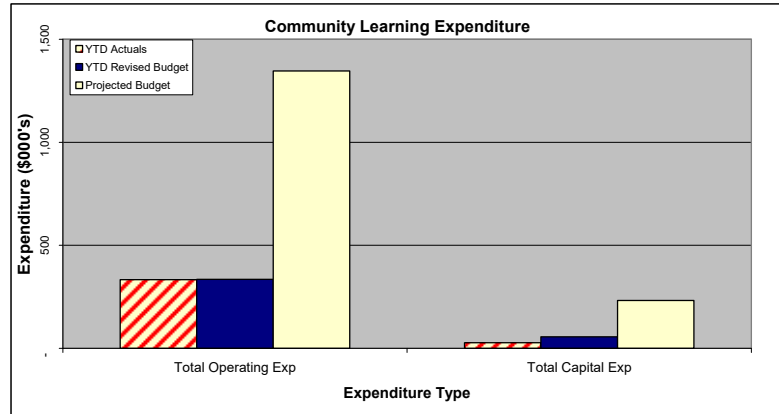
## COMMUNITY LEARNING

### STRATEGY

#### Community Learning

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	171	180	710
Other Employee Costs	47	51	201
Materials and Contracts	21	29	123
Depreciation	37	37	149
Interest	0	0	1
Other Costs	56	37	162
<b>Total Operating Exp</b>	<b>333</b>	<b>334</b>	<b>1,346</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	27	55	222
Capital Works Programs	0	0	11
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>27</b>	<b>56</b>	<b>233</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(46)	(46)	(183)
Fees and Charges	(6)	(7)	(24)
Grant Transfers	(20)	(22)	(89)
Contributions	(9)	(27)	(108)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(2)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(83)</b>	<b>(103)</b>	<b>(404)</b>
<b>Transfers from Reserves</b>	<b>(62)</b>	<b>(79)</b>	<b>(324)</b>
<b>Transfers to Reserves</b>	<b>9</b>	<b>27</b>	<b>108</b>
<b>Net Cost* / (Income)</b>	<b>223</b>	<b>236</b>	<b>958</b>

\* Net Cost Funded By Rates



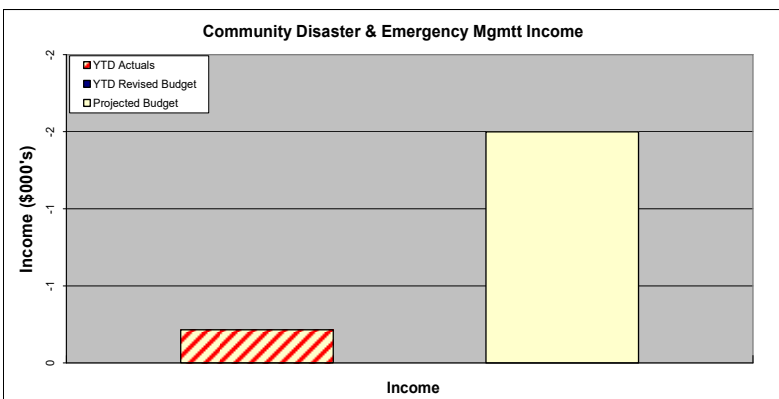
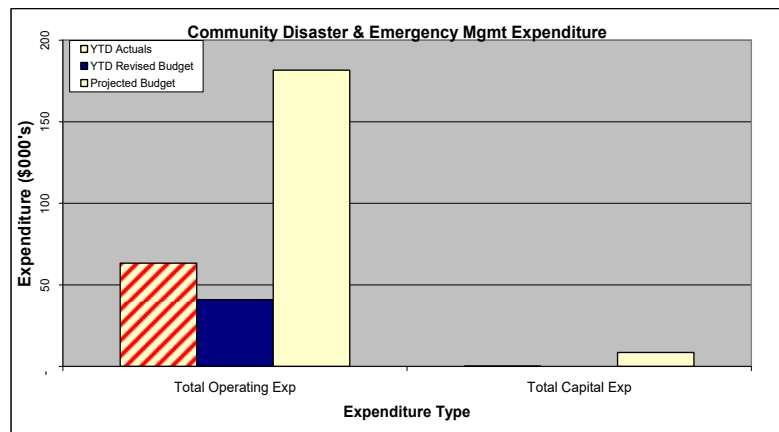
## COMMUNITY DISASTER & EMERGENCY MANAGEMENT

### STRATEGY

#### Community Disaster & Emergency Management

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	25	10	40
Other Employee Costs	6	3	14
Materials and Contracts	1	1	7
Depreciation	0	0	0
Interest	0	0	0
Other Costs	31	26	120
<b>Total Operating Exp</b>	<b>63</b>	<b>41</b>	<b>182</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	0	0	9
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>0</b>	<b>0</b>	<b>9</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	0	0	0
Fees and Charges	0	0	0
Grant Transfers	0	0	(1)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(0)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(0)</b>	<b>0</b>	<b>(1)</b>
<b>Transfers from Reserves</b>	<b>(1)</b>	<b>0</b>	<b>(9)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>63</b>	<b>41</b>	<b>180</b>

\* Net Cost Funded By Rates



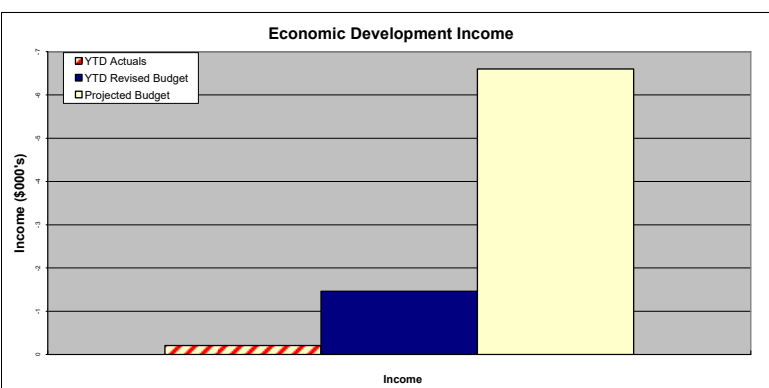
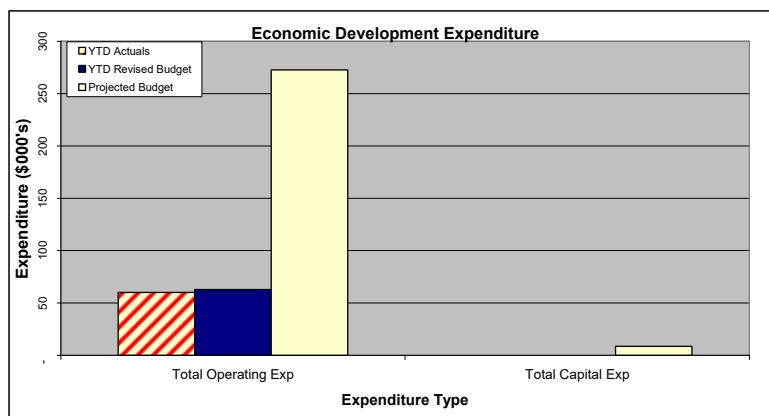
## ECONOMIC DEVELOPMENT

### STRATEGY

#### Economic Development

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	28	29	117
Other Employee Costs	9	9	35
Materials and Contracts	1	2	8
Depreciation	0	0	0
Interest	0	0	0
Other Costs	23	23	113
<b>Total Operating Exp</b>	<b>60</b>	<b>63</b>	<b>273</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	0	0	9
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>0</b>	<b>0</b>	<b>9</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	0	0	0
Fees and Charges	0	(2)	(7)
Grant Transfers	0	0	0
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(0)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(0)</b>	<b>(1)</b>	<b>(7)</b>
Transfers from Reserves	(1)	0	(9)
Transfers to Reserves	0	0	0
<b>Net Cost* / (Income)</b>	<b>59</b>	<b>61</b>	<b>266</b>

\* Net Cost Funded By Rates



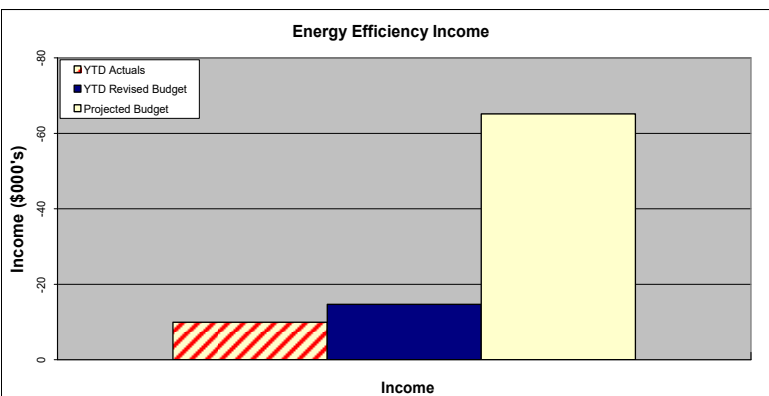
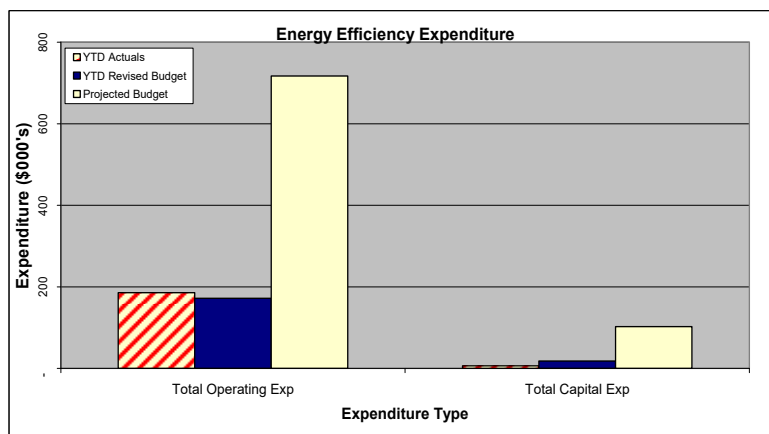
## ENERGY EFFICIENCY

### STRATEGY

#### Energy Efficiency

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	38	40	161
Other Employee Costs	14	15	61
Materials and Contracts	20	18	85
Depreciation	42	42	168
Interest	0	0	0
Other Costs	72	57	243
<b>Total Operating Exp</b>	<b>186</b>	<b>172</b>	<b>717</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	6	18	103
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>6</b>	<b>18</b>	<b>103</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(6)	(4)	(16)
Fees and Charges	0	(0)	(2)
Grant Transfers	0	(0)	(6)
Contributions	(3)	(10)	(42)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(1)	0	(0)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(10)</b>	<b>(15)</b>	<b>(65)</b>
Transfers from Reserves	(45)	(8)	(210)
Transfers to Reserves	3	17	67
<b>Net Cost* / (Income)</b>	<b>140</b>	<b>184</b>	<b>612</b>

\* Net Cost Funded By Rates



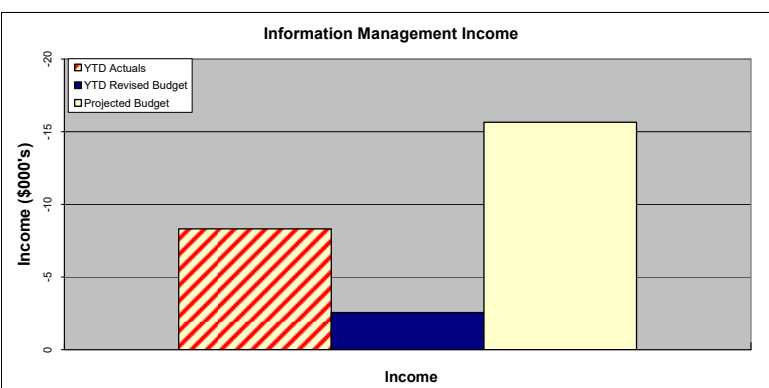
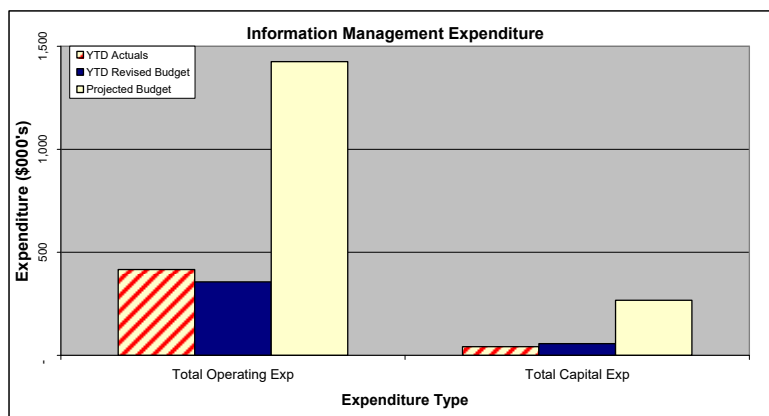
## INFORMATION MANAGEMENT

### STRATEGY

#### Information Management

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	161	164	635
Other Employee Costs	47	48	185
Materials and Contracts	111	74	314
Depreciation	34	34	136
Interest	0	0	0
Other Costs	63	36	156
<b>Total Operating Exp</b>	<b>417</b>	<b>356</b>	<b>1,426</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	42	57	241
Capital Works Programs	0	0	26
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>42</b>	<b>57</b>	<b>267</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(3)	(2)	(10)
Fees and Charges	(0)	(0)	(1)
Grant Transfers	0	0	0
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(6)	0	(5)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(8)</b>	<b>(3)</b>	<b>(16)</b>
<b>Transfers from Reserves</b>	<b>(76)</b>	<b>(91)</b>	<b>(386)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>374</b>	<b>320</b>	<b>1,291</b>

\* Net Cost Funded By Rates



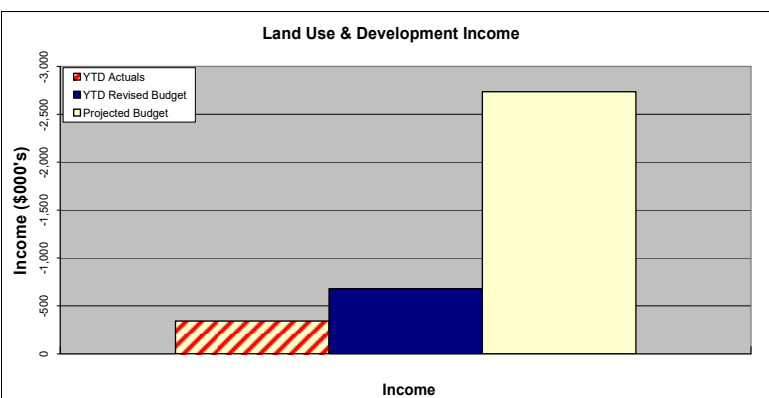
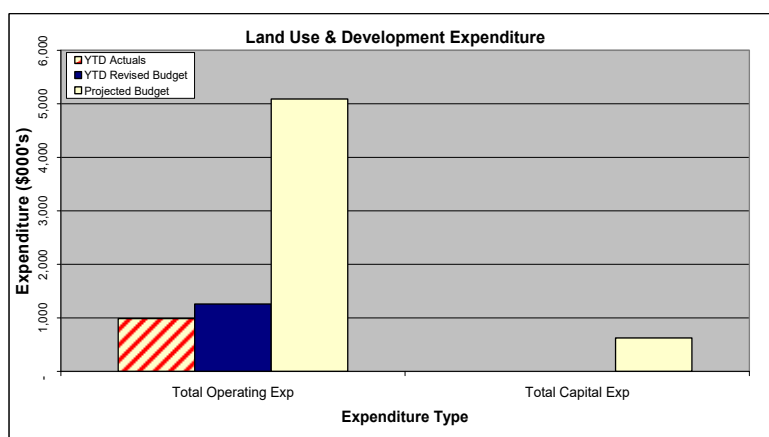
## LAND USE & DEVELOPMENT

### STRATEGY

#### Land Use & Development

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	625	710	2,825
Other Employee Costs	179	202	806
Materials and Contracts	16	22	122
Depreciation	6	6	24
Interest	0	0	0
Other Costs	159	319	1,313
<b>Total Operating Exp</b>	<b>985</b>	<b>1,259</b>	<b>5,091</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	1	1	624
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>1</b>	<b>1</b>	<b>624</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(51)	(47)	(187)
Fees and Charges	(280)	(388)	(1,553)
Grant Transfers	0	(5)	(37)
Contributions	0	(230)	(919)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(11)	(10)	(40)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(342)</b>	<b>(679)</b>	<b>(2,736)</b>
<b>Transfers from Reserves</b>	<b>(1)</b>	<b>(0)</b>	<b>(617)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>232</b>	<b>927</b>
<b>Net Cost* / (Income)</b>	<b>643</b>	<b>812</b>	<b>3,288</b>

\* Net Cost Funded By Rates





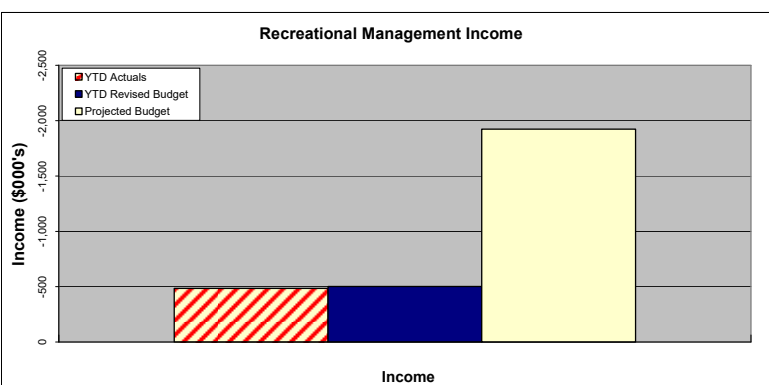
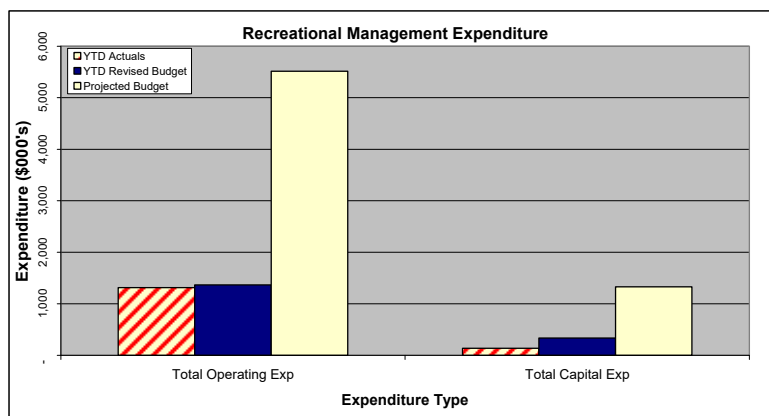
## RECREATIONAL MANAGEMENT

### STRATEGY

#### Recreational Management

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	497	534	2,126
Other Employee Costs	189	205	818
Materials and Contracts	274	267	1,119
Depreciation	236	236	943
Interest	0	0	0
Other Costs	118	125	509
<b>Total Operating Exp</b>	<b>1,313</b>	<b>1,367</b>	<b>5,515</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	19	45	201
Capital Works Programs	116	292	1,127
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>135</b>	<b>337</b>	<b>1,328</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(349)	(329)	(1,263)
Fees and Charges	(42)	(56)	(222)
Grant Transfers	(51)	(55)	(187)
Contributions	(33)	(62)	(248)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(10)	0	(3)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(485)</b>	<b>(502)</b>	<b>(1,923)</b>
<b>Transfers from Reserves</b>	<b>(321)</b>	<b>(452)</b>	<b>(1,801)</b>
<b>Transfers to Reserves</b>	<b>24</b>	<b>76</b>	<b>312</b>
<b>Net Cost* / (Income)</b>	<b>666</b>	<b>827</b>	<b>3,431</b>

\* Net Cost Funded By Rates



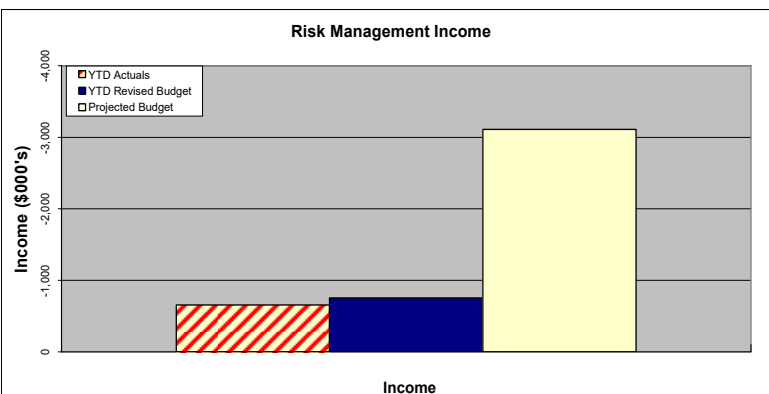
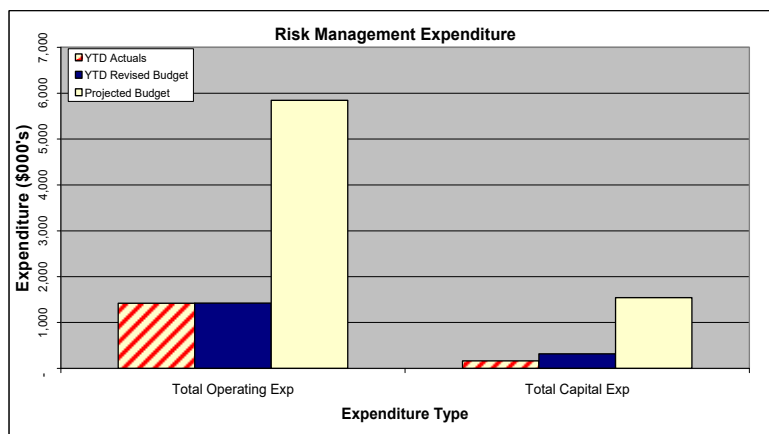
## RISK MANAGEMENT

### STRATEGY

#### Risk Management

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	487	484	1,932
Other Employee Costs	169	169	676
Materials and Contracts	290	265	1,177
Depreciation	104	104	416
Interest	0	0	0
Other Costs	372	399	1,645
<b>Total Operating Exp</b>	<b>1,421</b>	<b>1,422</b>	<b>5,846</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	164	319	1,542
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>164</b>	<b>319</b>	<b>1,542</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(130)	(100)	(307)
Fees and Charges	(281)	(372)	(1,489)
Grant Transfers	(97)	(119)	(622)
Contributions	(130)	(144)	(605)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(16)	(21)	(86)
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(654)</b>	<b>(755)</b>	<b>(3,109)</b>
<b>Transfers from Reserves</b>	<b>(153)</b>	<b>(225)</b>	<b>(1,268)</b>
<b>Transfers to Reserves</b>	<b>47</b>	<b>126</b>	<b>536</b>
<b>Net Cost* / (Income)</b>	<b>825</b>	<b>886</b>	<b>3,547</b>

\* Net Cost Funded By Rates



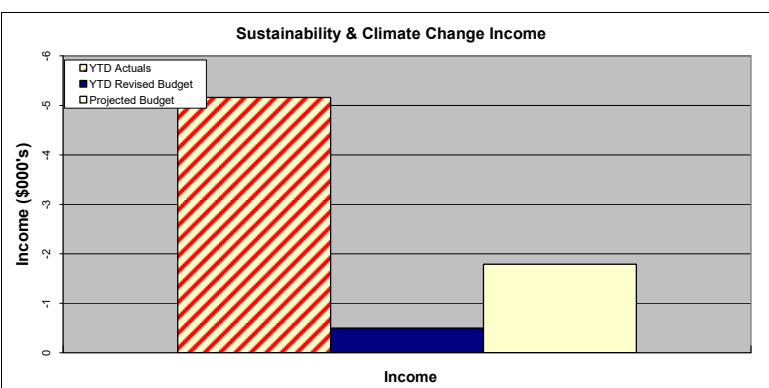
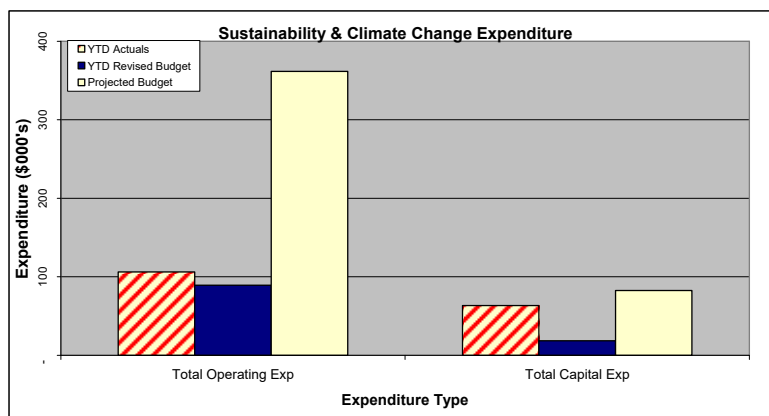
## SUSTAINABILITY & CLIMATE CHANGE COORDINATION

### STRATEGY

#### Sustainability & Climate Change Coordination

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	72	63	248
Other Employee Costs	21	19	73
Materials and Contracts	1	0	5
Depreciation	0	0	0
Interest	0	0	0
Other Costs	11	7	35
<b>Total Operating Exp</b>	<b>106</b>	<b>89</b>	<b>362</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	63	19	83
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>63</b>	<b>19</b>	<b>83</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(0)	0	0
Fees and Charges	0	(0)	(2)
Grant Transfers	0	(0)	(0)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(5)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(5)</b>	<b>(0)</b>	<b>(2)</b>
<b>Transfers from Reserves</b>	<b>(1)</b>	<b>(17)</b>	<b>(9)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>164</b>	<b>90</b>	<b>433</b>

\* Net Cost Funded By Rates



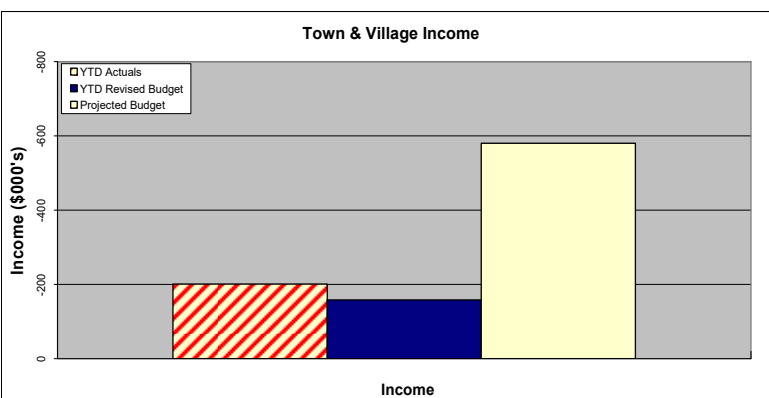
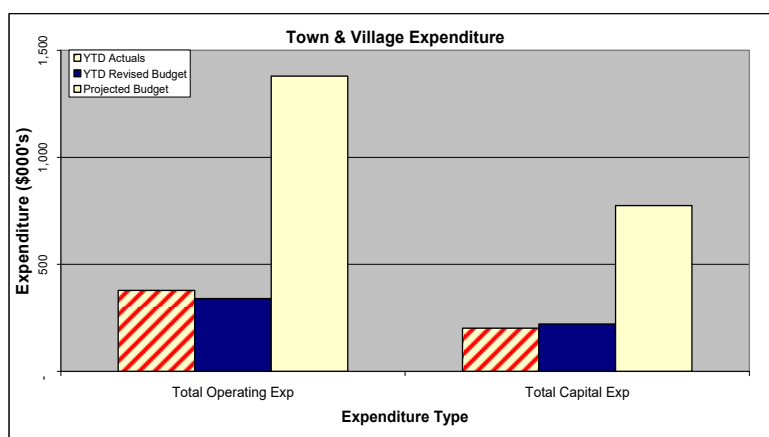
## TOWN & VILLAGE

### STRATEGY

#### Town & Village

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	185	189	756
Other Employee Costs	71	72	286
Materials and Contracts	52	28	134
Depreciation	10	9	38
Interest	0	0	0
Other Costs	62	42	165
<b>Total Operating Exp</b>	<b>379</b>	<b>341</b>	<b>1,380</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	202	221	775
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>202</b>	<b>221</b>	<b>775</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(71)	(37)	(150)
Fees and Charges	(6)	(4)	(17)
Grant Transfers	(77)	(75)	(237)
Contributions	(44)	(41)	(176)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(2)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(201)</b>	<b>(158)</b>	<b>(580)</b>
<b>Transfers from Reserves</b>	<b>(108)</b>	<b>(140)</b>	<b>(461)</b>
<b>Transfers to Reserves</b>	<b>76</b>	<b>67</b>	<b>276</b>
<b>Net Cost* / (Income)</b>	<b>348</b>	<b>331</b>	<b>1,389</b>

\* Net Cost Funded By Rates



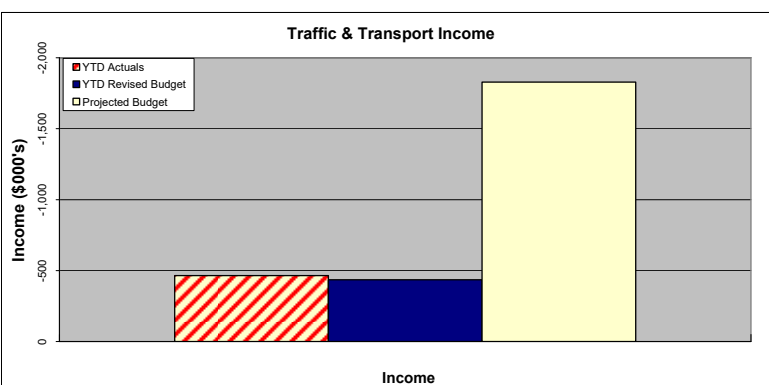
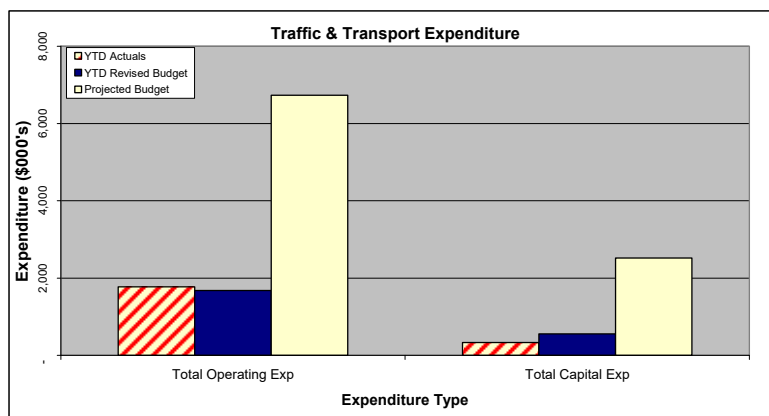
## TRAFFIC & TRANSPORT

### STRATEGY

#### Transport & Traffic

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	275	322	1,287
Other Employee Costs	93	111	446
Materials and Contracts	207	89	432
Depreciation	1,026	1,061	4,053
Interest	0	0	0
Other Costs	170	96	515
<b>Total Operating Exp</b>	<b>1,770</b>	<b>1,679</b>	<b>6,733</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	2	0	0
Capital Works Programs	325	556	2,519
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>327</b>	<b>556</b>	<b>2,519</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(52)	(49)	(84)
Fees and Charges	(49)	(43)	(172)
Grant Transfers	(141)	(149)	(728)
Contributions	(222)	(196)	(844)
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(1)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(465)</b>	<b>(436)</b>	<b>(1,828)</b>
<b>Transfers from Reserves</b>	<b>(1,446)</b>	<b>(1,690)</b>	<b>(6,781)</b>
<b>Transfers to Reserves</b>	<b>7</b>	<b>141</b>	<b>609</b>
<b>Net Cost* / (Income)</b>	<b>193</b>	<b>249</b>	<b>1,252</b>

\* Net Cost Funded By Rates



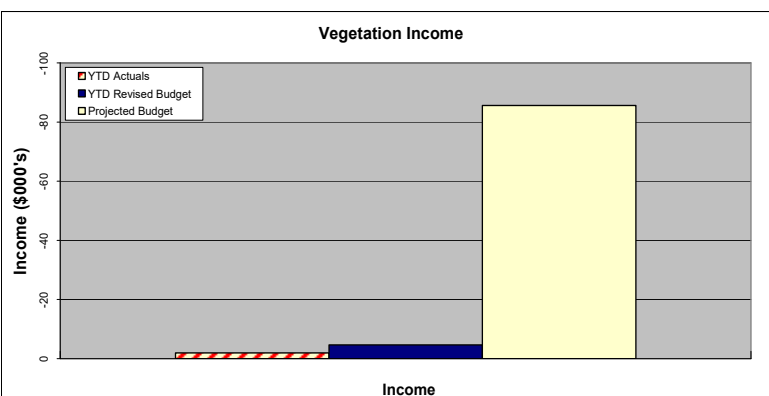
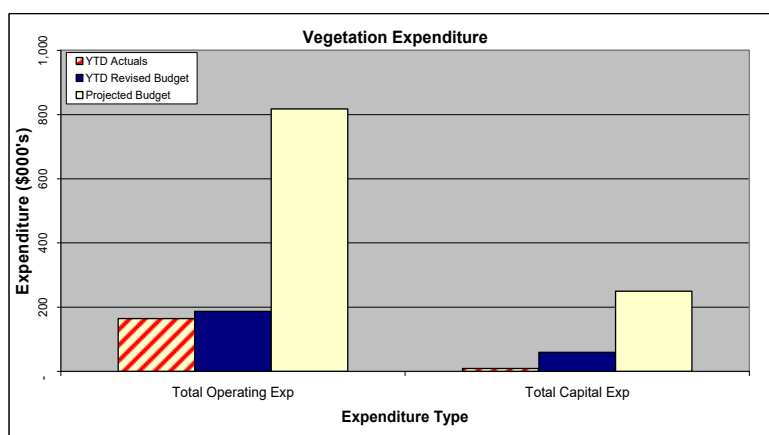
## VEGETATION

### STRATEGY

#### Vegetation

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	70	68	267
Other Employee Costs	28	27	106
Materials and Contracts	51	89	430
Depreciation	0	0	0
Interest	0	0	0
Other Costs	15	3	15
<b>Total Operating Exp</b>	<b>164</b>	<b>187</b>	<b>818</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	9	59	250
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>9</b>	<b>59</b>	<b>250</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	0	0	0
Fees and Charges	(2)	(2)	(9)
Grant Transfers	0	(2)	(77)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	0	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(2)</b>	<b>(5)</b>	<b>(86)</b>
<b>Transfers from Reserves</b>	<b>(10)</b>	<b>(77)</b>	<b>(293)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Net Cost* / (Income)</b>	<b>162</b>	<b>165</b>	<b>691</b>

\* Net Cost Funded By Rates



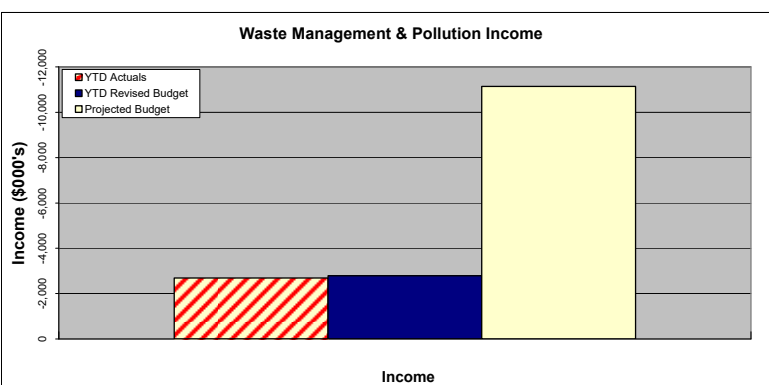
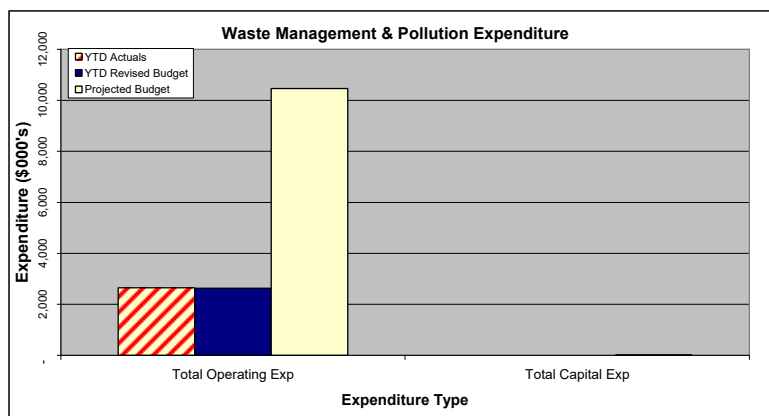
## WASTE MANAGEMENT & POLLUTION CONTROL

### STRATEGY

#### Waste Management & Pollution Control

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	151	131	526
Other Employee Costs	47	41	164
Materials and Contracts	1,239	1,237	4,914
Depreciation	1	1	2
Interest	0	0	0
Other Costs	1,209	1,215	4,861
<b>Total Operating Exp</b>	<b>2,647</b>	<b>2,624</b>	<b>10,467</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	0	0	0
Capital Works Programs	0	0	9
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>0</b>	<b>0</b>	<b>9</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(0)	(0)	(0)
Fees and Charges	(26)	(38)	(153)
Grant Transfers	0	0	0
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	(2,661)	(2,746)	(10,987)
Return on Investments & Other I	0	0	0
Other Income	(0)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(2,688)</b>	<b>(2,784)</b>	<b>(11,140)</b>
<b>Transfers from Reserves</b>	<b>(1)</b>	<b>0</b>	<b>(9)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>65</b>	<b>260</b>
<b>Net Cost* / (Income)</b>	<b>(41)</b>	<b>(94)</b>	<b>(413)</b>

\* Net Cost Funded By Rates



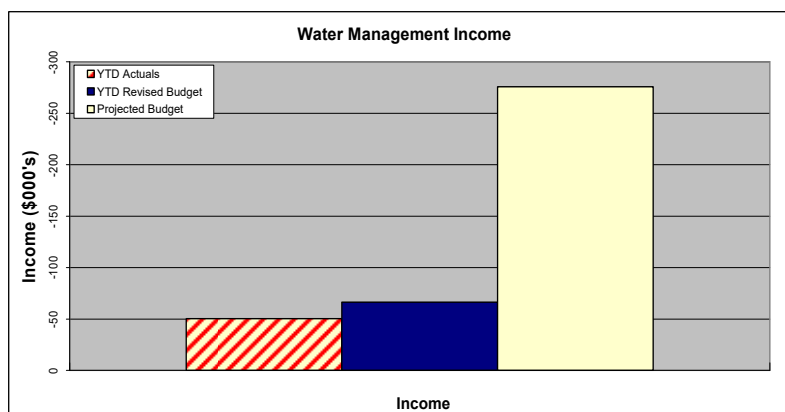
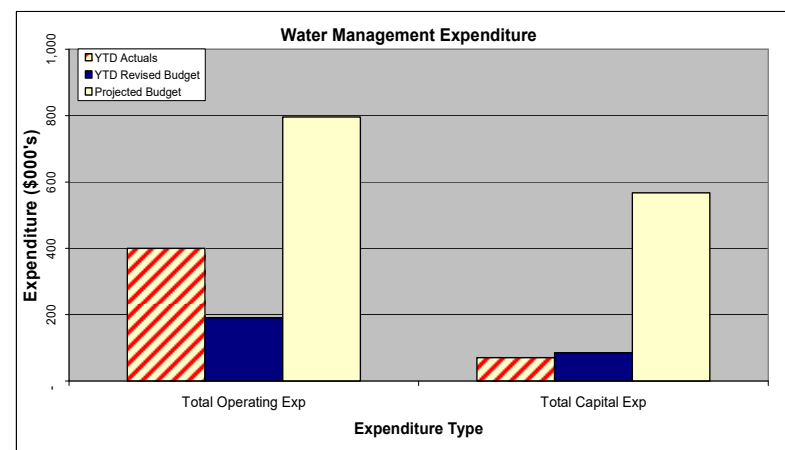
## WATER MANAGEMENT

### STRATEGY

#### Water Management

Operating Expenditure	YTD Actuals -\$000's	YTD Revised Budget -\$000's	Total Projected Budget -\$000's
Salaries and Wages	155	88	353
Other Employee Costs	50	27	109
Materials and Contracts	67	27	107
Depreciation	6	6	22
Interest	0	0	0
Other Costs	122	42	205
<b>Total Operating Exp</b>	<b>400</b>	<b>191</b>	<b>796</b>
<b>Capital Expenditure</b>			
Capital Asset Acquisitions	2	0	0
Capital Works Programs	69	85	567
Capital Material Public Benefits	0	0	0
Loan Repayments	0	0	0
<b>Total Capital Exp</b>	<b>70</b>	<b>85</b>	<b>567</b>
<b>Income (Op &amp; Cap)</b>			
User Fees	(5)	(6)	(25)
Fees and Charges	(39)	(56)	(222)
Grant Transfers	(6)	(4)	(28)
Contributions	0	0	0
Rates Income	0	0	0
Domestic Waste Charge	0	0	0
Return on Investments & Other I	0	0	0
Other Income	(0)	0	0
Capital Assets Disposals	0	0	0
<b>Total Income (Op &amp; Cap)</b>	<b>(50)</b>	<b>(66)</b>	<b>(276)</b>
<b>Transfers from Reserves</b>	<b>(59)</b>	<b>(85)</b>	<b>(563)</b>
<b>Transfers to Reserves</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Cost* / (Income)</b>	<b>362</b>	<b>124</b>	<b>525</b>

\* Net Cost Funded By Rates



---

## **4.0 EXECUTIVE SUMMARY**

4.1 In providing the Council with the financial results for the period ending 30 September 2011 the following information should be noted:

- The Projected Consolidated financial result for the year ending 30 June 2012 is an increase on Council funds of \$50,000. Compared to the previously adopted budget of \$82,000 this amounts to a decrease of \$32,000.
- The Projected Operating result before capital for the year ending 30 June 2012 is a surplus of \$27,000. Compared to the previously adopted budget of \$42,000 surplus this amounts to a decrease of \$15,000.
- The Total Capital Expenditure budget stands at \$17.368 million for 2011/12. Compared to the previously adopted budget figure of \$16.868 million this amounts to a increase of \$500,000.
- The Projected cash and investment position at 30 June 2012 is \$22.516 million. Compared to the previously adopted budget figure of \$22.969 million this amounts to a decrease of \$453,000.

---

## **RECOMMENDATION**

1. That the financial results for the period ending 30 September 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 October 2011**

---

**Meeting:** Governance Committee

**Date:** 21 November 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 October 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 October 2011:

Term deposits interest income:	\$	143,177
Tradable CDO/FRN interest income:	\$	-
Tradable CDO/FRN capital movement:	\$	<u>(36,699)</u>
Net investment income for October 2011:	\$	106,478

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

Investment return year to date October 2011:

Term deposits interest income:	\$	519,725
Tradable CDO/FRN interest income:	\$	23,050
Tradable CDO/FRN capital movement:	\$	<u>(175,401)</u>
Net investment return year to date:	\$	367,374

Projected investment return budget for financial year.      \$      1,125,000

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

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

<b>Year to</b>	<b>Net Return</b>	<b>Return on average funds invested</b>
June 2008	\$ 594,815	2.3%
June 2009	\$ 534,575	2.4%
June 2010	\$1,364,315	6.1%
June 2011	\$1,521,223	5.9%
October 2011	\$ 367,374	4.2%
Projected Budget	\$1,125,000	5.3%

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

## **2.3 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 Council's Investment Policy (No 143).

---

## **3.0 SUSTAINABILITY ASSESSMENT**

3.1 This report does not require a Sustainability Assessment.

---

## **4.0 EXECUTIVE SUMMARY**

4.1 The net investment return as at 31 October 2011 is a gain of \$ 367,374.

---

## **RECOMMENDATION**

That the information provided in the report be noted, including the 2011/12 net investment return of \$ 367,374.

Report prepared by  
Renae Wilde, Senior Project Accountant

Mark Jones  
**CHIEF FINANCIAL OFFICER**



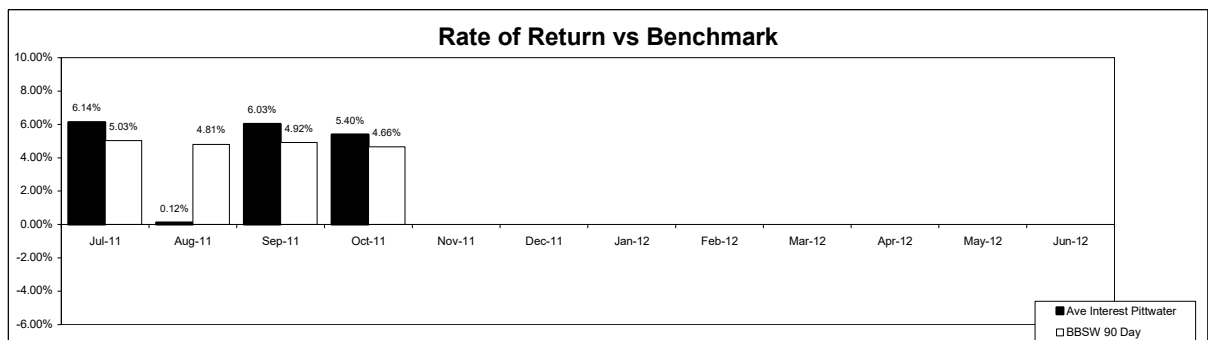
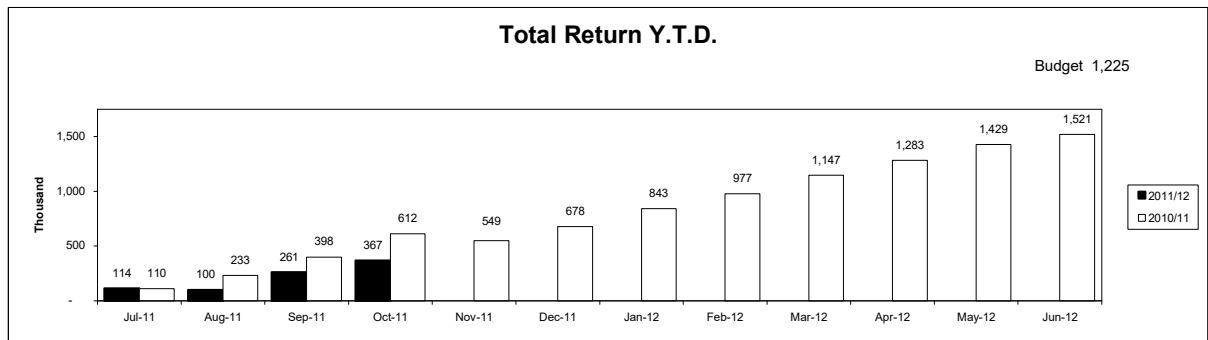
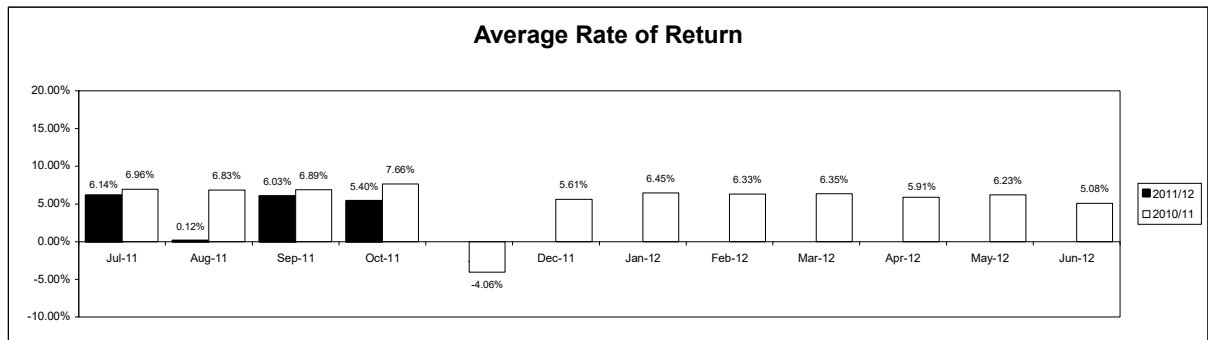
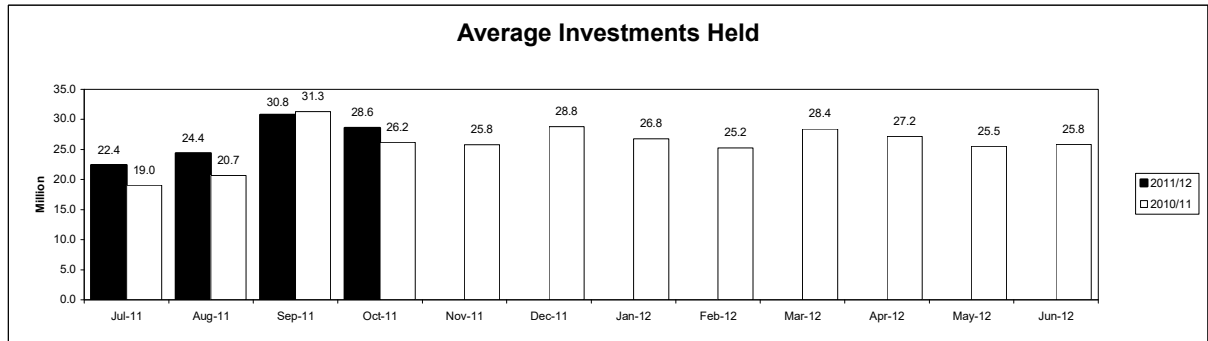
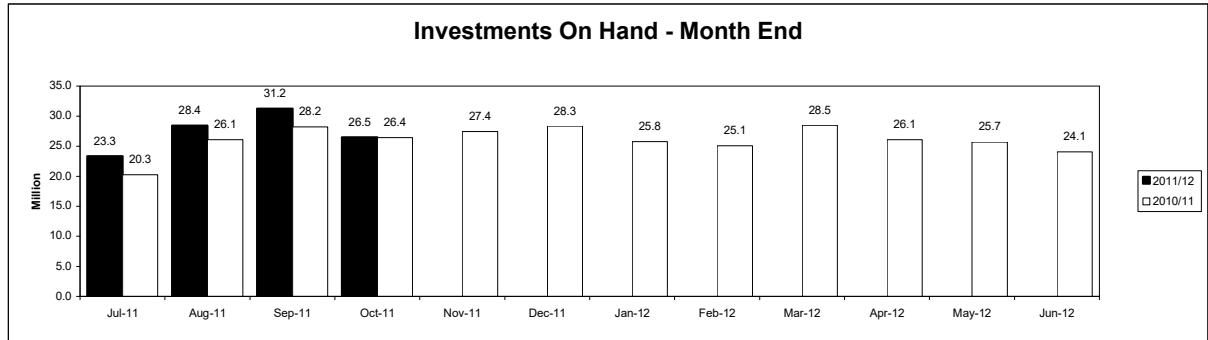
# PITTWATER COUNCIL

## INVESTMENT BALANCES

As at 31st October 2011

TYPE	INSTITUTION	Rating	AMOUNT \$	DATE INVESTED	MATURITY DATE	TERM (DAYS)	INTEREST RATE
At Call	NAB	AA	400,000.00	At Call	At Call	1	5.25%
<b>At Call Total</b>			<b>400,000.00</b>				
Term Dep	IMB Society	BBB	1,000,000.00	23-May-11	21-Nov-11	182	6.10%
Term Dep	IMB Society	BBB	750,000.00	28-Jan-11	30-Jan-12	367	6.30%
Term Dep	IMB Society	BBB	1,000,000.00	3-Aug-11	10-Jan-12	160	6.00%
<b>Investee Total</b>			<b>2,750,000.00</b>				
Term Dep	Metway	A+	1,000,000.00	30-May-11	30-Nov-11	184	6.17%
<b>Investee Total</b>			<b>1,000,000.00</b>				
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%
Term Dep	Bankwest	AA	1,000,000.00	10-Aug-11	8-Nov-11	90	5.90%
Term Dep	Bankwest	AA	1,000,000.00	10-Aug-11	8-Nov-11	90	5.90%
<b>Investee Total</b>			<b>4,000,000.00</b>				
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	1-Dec-10	1-Dec-11	365	6.25%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	15-Aug-11	14-Nov-11	91	5.95%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	29-Aug-11	28-Nov-11	91	5.91%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	6-Sep-11	5-Dec-11	90	5.85%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	6-Sep-11	6-Dec-11	91	5.85%
<b>Investee Total</b>			<b>5,000,000.00</b>				
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%
Term Dep	ING Bank	A+	1,000,000.00	30-May-11	29-May-12	365	6.31%
Term Dep	ING Bank	A+	1,000,000.00	14-Sep-11	16-Jan-12	124	5.96%
Term Dep	ING Bank	A+	500,000.00	14-Sep-11	16-Jan-12	124	5.96%
Term Dep	ING Bank	A+	1,000,000.00	28-Sep-11	30-Jan-12	124	6.00%
Term Dep	ING Bank	A+	1,000,000.00	29-Sep-11	27-Feb-12	151	5.96%
<b>Investee Total</b>			<b>6,500,000.00</b>				
Term Dep	NAB	AA	1,000,000.00	4-Aug-11	5-Mar-12	214	6.00%
Term Dep	NAB	AA	1,000,000.00	26-Aug-11	22-Nov-11	88	5.90%
Term Dep	NAB	AA	1,000,000.00	26-Aug-11	23-Nov-11	89	5.90%
Term Dep	NAB	AA	1,000,000.00	26-Aug-11	24-Nov-11	90	5.90%
Term Dep	NAB	AA	1,000,000.00	7-Sep-11	10-Feb-12	156	5.86%
Term Dep	NAB	AA	1,000,000.00	7-Sep-11	14-Feb-12	160	5.86%
<b>Investee Total</b>			<b>6,000,000.00</b>				
<b>Longreach Capital Markets</b>							
<b>Portfolio Manager</b>							
Structured Note	Citigroup (see investment information)	A+	500,000.00	28-Jun-07	28-Jun-14		0.00%
<b>Investee Total</b>			<b>500,000.00</b>				
<b>* Arranging Institution</b>							
Floating Rate CDO	* Lehman Bros	under review	76,000.00	07-Apr-08	20-Mar-13		suspended
Floating Rate CDO	* J P Morgan	CCC-	2,738.00	06-Jul-06	20-Jun-13		bbsw + 1.20%
Floating Rate CDO	* J P Morgan	CCC	58,205.00	13-Oct-05	20-Mar-14		bbsw + 1.00%
Floating Rate CDO	* Merrill Lynch	CCC-	2,160.00	25-Feb-07	23-Jun-14		bbsw + 1.30%
Floating Rate CDO	* Lehman Bros	under review	190,000.00	20-Mar-07	20-Sep-14		suspended
Floating Rate CDO	* Morgan Stanley	CCC-	12,355.00	15-Aug-06	20-Jun-15		bbsw + 2.00%
<b>Investee Total</b>			<b>341,458.00</b>				
Oct BBSW Close							4.66%
<b>TOTAL INVESTMENTS</b>			<b>\$26,491,458.00</b>				





## 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 \$465,100

---

## **C10.3 Legal Expenditure as at 31 October 2011**

**Meeting:** Governance Committee

**Date:** 21 November 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 31 October 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.

#### **2.0 ISSUES**

Gross Annual Legal Budget for 2011/12: \$ 950,000

Gross Legal Expenditure Breakdown:

- Total Solicitor Fees at 31/10/11: \$ 159,230
- Total Other Associated Expenditure at 31/10/11: \$ 62,498

Total Gross Legal Expenditure at 31/10/11: \$ 221,728

---

#### **3.0 SUSTAINABILITY ASSESSMENT**

No sustainability assessment is required.

---

#### **4.0 EXECUTIVE SUMMARY**

- 4.1 The Gross Legal Expenditure to 31 October 2011 is \$ 221,728 which is lower than the Year to Date Budget for 2011/12.
- 

### **RECOMMENDATION**

That the information provided in the report (**see Attachment 1**) be noted.

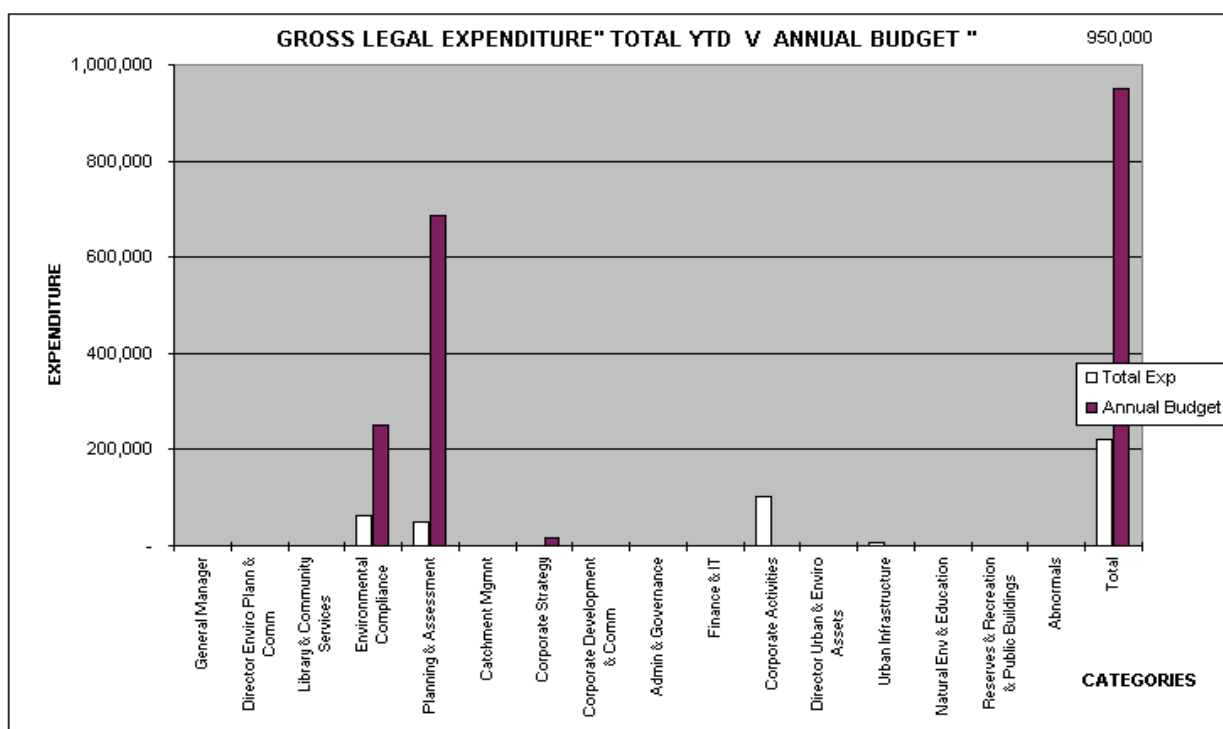
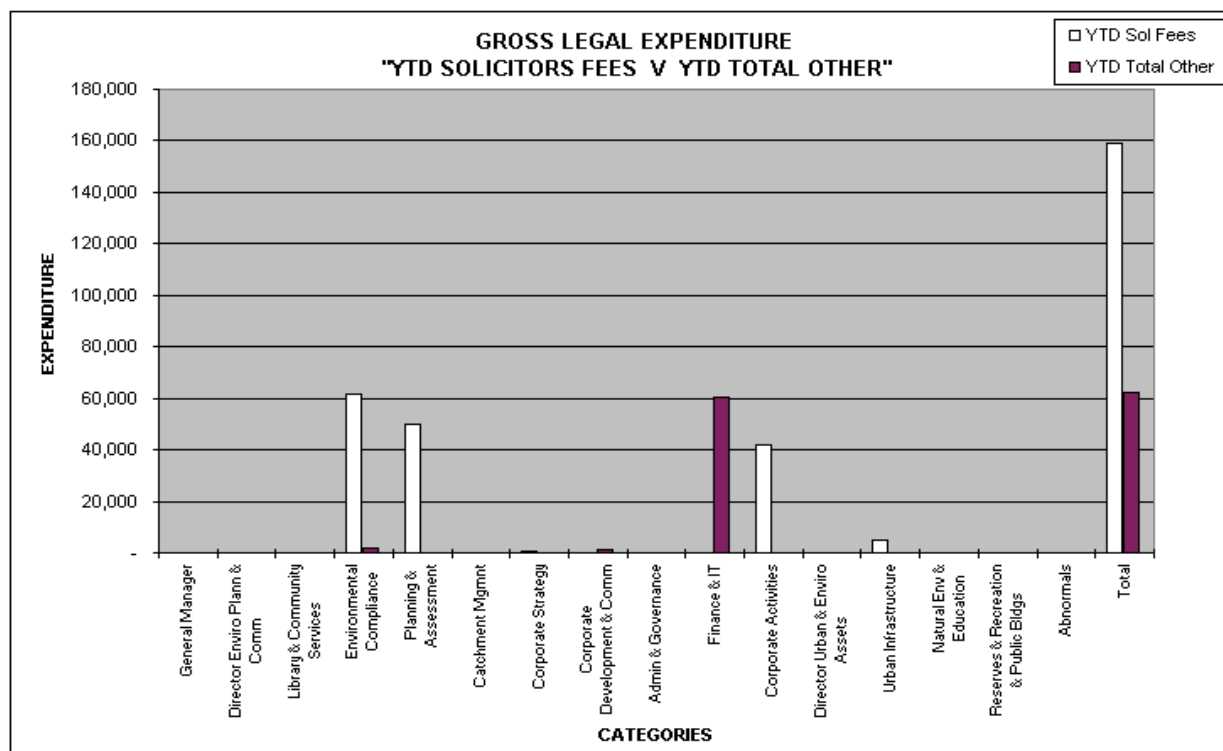
Report prepared by  
Renaë Wilde, Senior Project Accountant

Mark Jones  
**CHIEF FINANCIAL OFFICER**

## **LEGAL EXPENDITURE TOTALS AND GRAPHICAL REPRESENTATION**

*as at 31st October 2011*

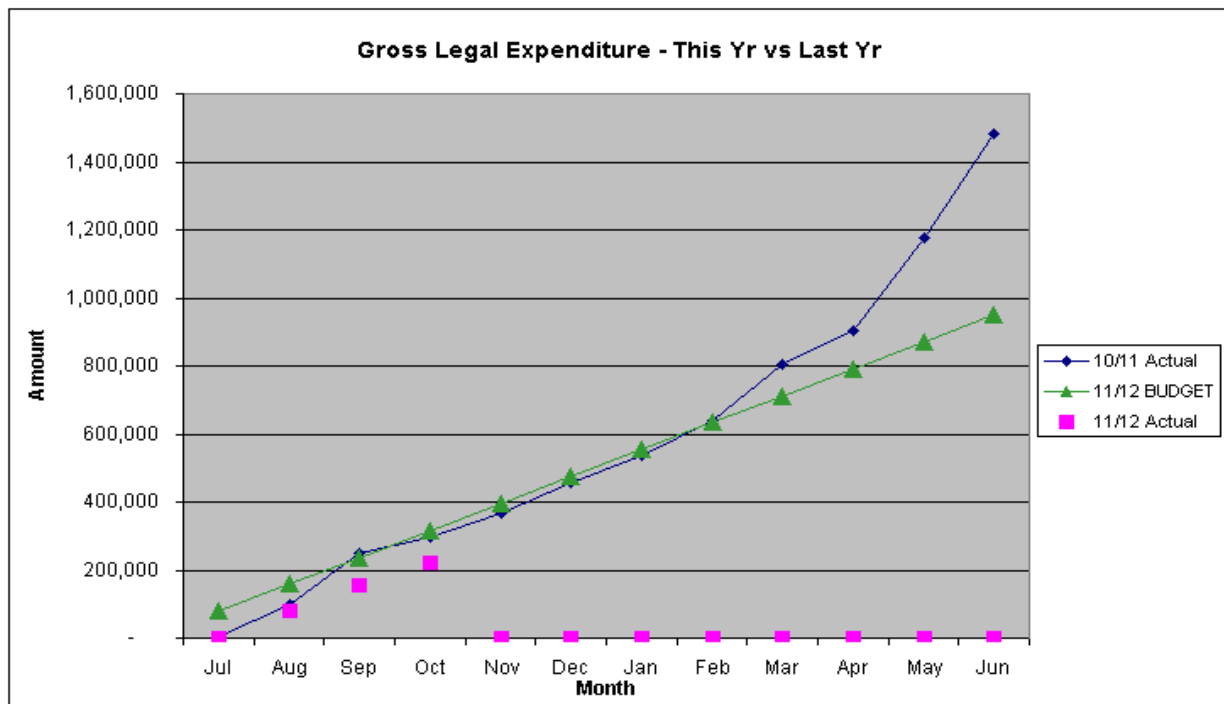
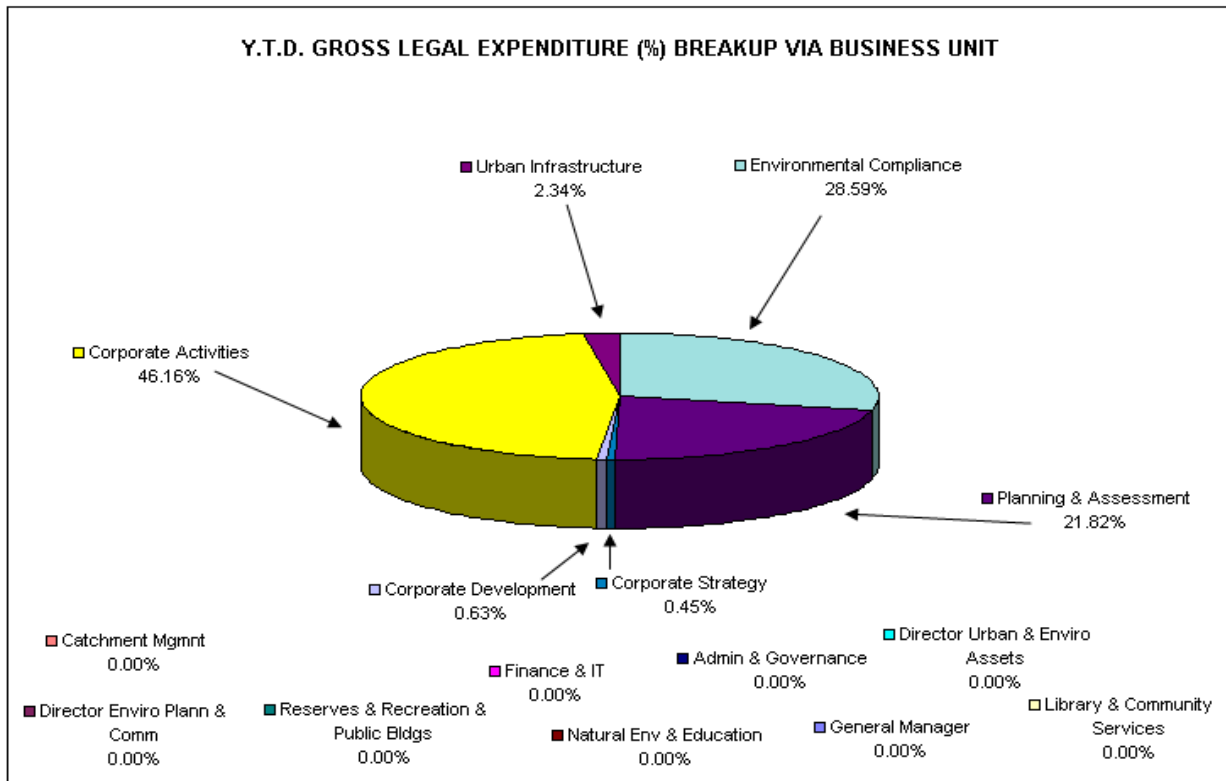
Solicitors Other Expenditure	Solicitors Fees Expenditure	Third Party Expenditure	Total Expenditure	Current Year Budget	Current Year Inc/Recov/Reversal
4,152	159,230	58,346	221,728	950,000	8,033



## **LEGAL EXPENDITURE** **TOTALS AND GRAPHICAL REPRESENTATION**

*as at 31st October 2011*

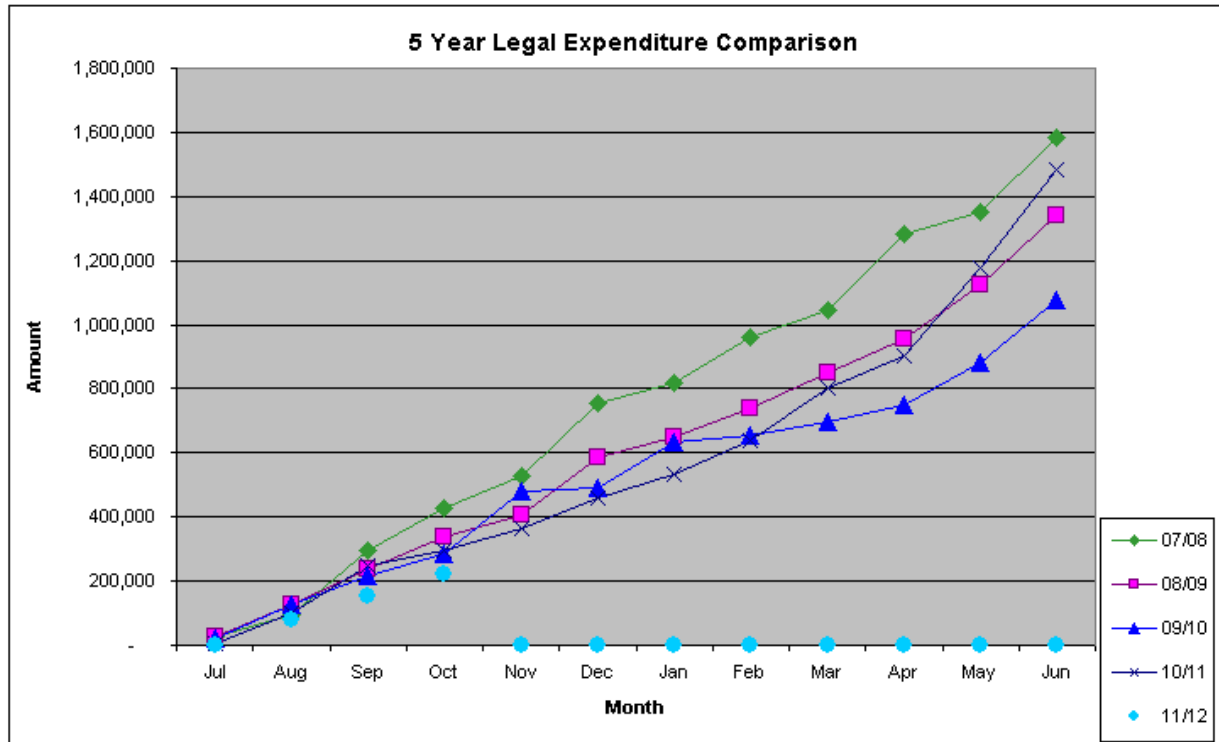
Solicitors Other Expenditure	Solicitors Fees Expenditure	Third Party Expenditure	Total Expenditure	Current Year Budget	Current Year Inc./Recov/Reversal
4,152	159,230	58,346	221,728	950,000	8,033



## **LEGAL EXPENDITURE** **TOTALS AND GRAPHICAL REPRESENTATION**

*as at 31st October 2011*

Solicitors Other Expenditure	Solicitors Fees Expenditure	Third Party Expenditure	Total Expenditure	Current Year Budget	Current Year Inc./Recov./Reversal
4,152	159,230	58,346	221,728	950,000	8,033



### **Top Ten Legal Matters by 2011/12 Expenditure**

Property	Description	2011/12 Expenditure	Prior Years Expenditure	Expenditure Life to Date All Years
Currawong Beach	ICAC Investigation	\$ 102,353	\$ 13,742	\$ 116,095
38-40 St Andrews Gate Elanora Heights	Deemed Refusal	\$ 27,211	\$ -	\$ 27,211
6 Polo Avenue Mona Vale	Contempt of Court Proceedings Unauthorised Land Use	\$ 24,320	\$ 1,441	\$ 25,761
21 Bungan Lane Mona Vale	Deemed Refusal	\$ 16,245	\$ 16,244	\$ 32,489
14 - 18 Boondah Road Warriewood*	Challenge Approval	\$ 15,616	\$ 278,778	\$ 294,394
13 Ruskin Rowe Avalon	Tree Preservation Order	\$ 5,734	\$ 2,966	\$ 8,700
61-67 Riverview Road Avalon	Interallotment Drainage Matter	\$ 4,622	\$ -	\$ 4,622
979 Barrenjoey Road Palm Beach	Appeal Against Fines Imposed Unauthorised Works	\$ 4,467	\$ -	\$ 4,467
3 Beaconsfield Street Newport	Unauthorised Use of Premises	\$ 4,335	\$ 2,866	\$ 7,201
254 Powderworks Road Ingleside	Unauthorised Land Use	\$ 2,590	\$ -	\$ 2,590
		<b>\$ 207,492</b>	<b>\$ 316,037</b>	<b>\$ 623,529</b>

\* In relation to 14-18 Boondah Road, Council on 4/10/11 resolved that a report on the costs specific to the Court case be provided. This will be provided upon final accounts being received.

---

## **C10.4 Monthly Contractors & Staff Report - September 2011**

**Meeting:** Governance Committee

**Date:** 21 November 2011

---

**Strategy:** Business Management

**Action:** Produce monthly, quarterly and annual budgets and statements

---

### **PURPOSE OF REPORT**

To report on new staff appointments and new contract engagements for the month of September 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**

This report does not require a sustainability assessment.

---

#### **4.0 EXECUTIVE SUMMARY**

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

- 5 appointments that refill existing vacancies
- 5 terminations

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

---

## **RECOMMENDATION**

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

Report prepared by

Mark Jones  
**CHIEF FINANCIAL OFFICER**



**Appointments of Council Staff in September 2011**

<b>Business Unit</b>	<b>Position</b>	<b>Status (PFT,TFT,PPT, TPT, Secondment)</b>	<b>Start Date</b>	<b>Finish Date</b>	<b>Reason for Appointment</b>
A&G	Records Officer	TFT	5/09/11		Recruitment Vacancy
EC	Companion Animals Officer	PFT	5/09/11		New Position
F&IT	Finance Officer	PFT	19/09/11		New Position
P&A	Planner – Strategic	PFT	19/09/11		Recruitment Vacancy
A&G	Records Officer	PFT	20/09/11		Recruitment Vacancy

**Terminations of Council Staff in September 2011**

<b>Business Unit</b>	<b>Position</b>	<b>Status (PFT,TFT,PP T,TPT Secondment)</b>	<b>Start Date</b>	<b>Finish Date</b>
CS	Sustainability Officer	TPT	24/01/11	8/09/11
RR&BS	Tradesperson/Gardener	PFT	4/01/11	9/09/11
A&G	Records Officer	PFT	10/09/03	16/09/11
UI	Truck Driver	PFT	7/03/83	20/09/11
UI	Ganger	PFT	23/05/77	30/09/11

**Contract Engagements**

<b>Division/Unit</b>	<b>Name of Approved Consultant/Contract or/ Agency</b>	<b>Position Type of Work</b>	<b>Terms of Engagement</b>	<b>Cost to Council</b>	<b>Term</b>
Reserves, Recreation & Building Services	Austral Monsoon	Installation of roller shutters at Pittwater Rugby Park	Quote	\$5,248	1 Month
Reserves, Recreation & Building Services	Estuary Constructions	Repair works to Mackerel Beach Wharf	Quote	\$3,000	1 Month
Reserves, Recreation & Building Services	Estuary Constructions	Repair works to Lovett Bay Wharf	Quote	\$2,500	1 Month
Reserves, Recreation & Building Services	CRC Property Services	Cleaning of gutters – various locations	Quote	\$2,660	1 Month
Reserves, Recreation & Building Services	P & J Bros Rendering	Rendering works at Newport SLSC	Quote	\$2,465	1 Month

<b>Division/Unit</b>	<b>Name of Approved Consultant/Contract or/ Agency</b>	<b>Position Type of Work</b>	<b>Terms of Engagement</b>	<b>Cost to Council</b>	<b>Term</b>
Reserves, Recreation & Building Services	Pro-active Plumbing	Plumbing works at Lakeside Caravan Park	Quote	\$2,000	1 Month
Reserves, Recreation & Building Services	Sterling Group	Spread top soil over Careel Bay fields	Contract Agreement	\$3,200	1 Month
Reserves, Recreation & Building Services	Sydney Weed and Pest	Herbicide Sportfields and Parks for bindi and broadleaf weeds	Contract Agreement	\$9,830	1 Month
Reserves, Recreation & Building Services	Synthetic grass and rubber surfaces	Lay new cricket pitch covering at Kitchener Park	Quote	\$3,250	1 Month
Reserves, Recreation & Building Services	Spring Horticultural Services pty Ltd	Spot Spraying of Parramatta grass at Lake Park	Contract Agreement	\$2,475	1 Month
Reserves, Recreation & Building Services	Spring Horticultural Services Pty Ltd	Spot spraying Parramatta grass at Careel Bay playing fields	Contract Agreement	\$2,000	1 Month
Reserves, Recreation & Building Services	Amack Pty Ltd	Earth works at Hitchcock Park	Contract Agreement	\$12,372	1 Month
Reserves, Recreation & Building Services	Utility Asset Management	Tree Maintenance Various locations	Contract Agreement	\$3,678	1 Month
Reserves, Recreation & Building Services	Plateau Tree Service	Tree Maintenance Various locations	Contract Agreement	\$6,645	1 Month
Reserves, Recreation & Building Services	Tooiljooa	Bush Regeneration at N Narrabeen Headland	Quote	\$19,057	1 Year
Reserves, Recreation & Building Services	Tooiljooa	Bush Regeneration at Turrimetta Headland	Quote	\$22,907	1 Year
Reserves, Recreation & Building Services	Dragonfly Environmental	Aquatic Weed control - Mullet Creek	Contract Agreement	\$10,148	1 Year
Reserves, Recreation & Building Services	Australian Bushland Restoration	Eungai Reserve Bush regeneration	Contract Agreement	\$5,000	1 Year

<b>Division/Unit</b>	<b>Name of Approved Consultant/Contract or/ Agency</b>	<b>Position Type of Work</b>	<b>Terms of Engagement</b>	<b>Cost to Council</b>	<b>Term</b>
Reserves, Recreation & Bldg Services	Australian Bushland Restoration	Warriewood Beach bush regeneration	Contract Agreement	\$7,000	1 Year
Urban Infrastructure	IMG	Footpaths condition assessment	Contract Agreement	\$17,262	1 Month
Urban Infrastructure	Australian Prestressing Services	Construction of Deep Creek Bridge - Progress Claim No.6	Contract Agreement	\$242,132	1 Month
Urban Infrastructure	Traffix	Traffic review for Meriton Part 3A application	Contract Agreement	\$2,087	1 Month
Urban Infrastructure	Ken Coles Excavators	Bobcat & operator to work on various sites	SHOROC	\$5,226	1 Month
Urban Infrastructure	Foster Civil Contracting & Construction	Minor concrete works in Foamcrest Ave & Coles Pde, Newport; and The Outlook, Bilgola Plateau	Contract Agreement	\$11,828	1 Month
Urban Infrastructure	Traffic Group Australia	Traffic crew with vehicle and equipment at Coles Pde, Newport	Contract Agreement	\$3,638	1 Month
Urban Infrastructure	The Australian Grinding Company	Rehabilitation works – footpath grinding in Avalon Pde & Park Ave, Avalon	Contract Agreement	\$2,565	1 Month
Urban Infrastructure	All Australian Stone Masonry	Sandstone seawall construction at 42-44 Hudson Pde, Clareville	Contract Agreement	\$5,280	1 Month
Urban Infrastructure	Veolia Water Network Services	Supply of combination unit and extras at various locations in Avalon & Newport.	SHOROC	\$22,066	1 Month
Urban Infrastructure	Foster Civil Contracting & Construction	Concrete restoration works in Foamcrest Ave, Newport	Contract Agreement	\$11,846	1 Month
Urban Infrastructure	Foster Civil Contracting & Construction	Minor concrete restoration works in Foamcrest Ave, Seaview Ave, Coles Pde, Newport	Contract Agreement	\$9,985	1 Month

<b>Division/Unit</b>	<b>Name of Approved Consultant/Contract or/ Agency</b>	<b>Position Type of Work</b>	<b>Terms of Engagement</b>	<b>Cost to Council</b>	<b>Term</b>
Urban Infrastructure	Rocco Crea Concreting	Concrete restorations – Zone 3 – Old Pittwater Road, Avalon	Contract Agreement	\$3,987	1 Month
Urban Infrastructure	Rocco Crea Concreting	Concrete restorations – at 10, 18 and 20 Fermoy Avenue, Bayview	Contract Agreement	\$3,462	1 Month
Urban Infrastructure	Rocco Crea Concreting	Concrete restorations – in Marinna Rd, Elanora Heights	Contract Agreement	\$16,777	1 Month
Urban Infrastructure	Bell Environmental Services	Clean GPT 14 in Dickson Place, Warriewood; GPT inspections, clean trash racks and litter booms, including disposal (as per monthly maintenance cleaning schedule) at various Pittwater LGA locations	Contract Agreement	\$7,982	1 Month
Urban Infrastructure	Bell Environmental Services	GPT inspections, clean trash racks and litter booms, including disposal (as per monthly maintenance cleaning schedule) at various Pittwater LGA locations	Contract Agreement	\$6,118	1 Month
Urban Infrastructure	Stabilised Pavements of Australia	Road stabilisation in Bungendore St, Ingleside	Contract Agreement	\$145,015	1 Month
Urban Infrastructure	A&J Paving	Heavy asphalt road restorations in Zones 3, 4, 5, 6, 7 & 8	Contract Agreement	\$67,191	1 Month
Corporate Development	Tempnet	Casual Parking Officers – EC	Contract Agreement	\$23,752	1 Month
Corporate Development	Tempnet	Assistant Development Officers – P&A	Contract Agreement	\$26,116	1 Month

<b>Division/Unit</b>	<b>Name of Approved Consultant/Contract or/ Agency</b>	<b>Position Type of Work</b>	<b>Terms of Engagement</b>	<b>Cost to Council</b>	<b>Term</b>
Corporate Development	Tempnet	CEC Educators – NE&E	Contract Agreement	\$19,604	1 Month
Corporate Development	Tempnet	Executive Assistant to Director – P&A	Contract Agreement	\$5,441	1 Month
Corporate Development	Tempnet	Projects Officer – NE&E + RR&BS	Contract Agreement	\$2,029	1 Month
Corporate Development	Tempnet	Administration Officers – EC	Contract Agreement	\$17,188	1 Month
Corporate Development	Tempnet	Education Officer – EC	Contract Agreement	\$9,491	1 Month
Corporate Development	Tempnet	Noxious Weeds Officer – RR&BS	Contract Agreement	\$4,269	1 Month
Corporate Development	Tempnet	Asset Systems – UI	Contract Agreement	\$7,617	1 Month

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<b>C10.5</b>	<b>Draft Coastal Erosion Emergency Action Subplan for Bilgola Beach and Mona Vale Basin Beach - Public Exhibition</b>
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**Meeting:** Governance Committee

**Date:** 21 November 2011

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**STRATEGY:** **Risk Management Co-ordination**  
Beach & Coastal Management Strategy  
Disaster & Emergency Management Strategy

**ACTION:** Provide planning, design, investigation and management of beaches, coastline and estuaries.  
Develop and implement a program to undertake natural hazard management studies in accordance with Risk Management Guideline.  
Develop, implement and review plans to mitigate/control wherever possible, risks associated with hazards.  
Develop and implement a Communication Plan for the dissemination of information before, during and after emergencies utilising all available technologies.

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## **PURPOSE OF REPORT**

To place the draft Coastal Erosion Emergency Action Subplan for Bilgola Beach and Mona Vale Basin Beach on public exhibition in accordance with the process stipulated in the NSW Government's Guidelines for Preparing Coastal Zone Management Plans (2010).

### **1.0 BACKGROUND**

- 1.1 As part of the NSW Coastal Erosion Reform Package, the former NSW Government made changes to the Coastal Protection Act 1979, the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979 as well as three regulations. The Package also included the release of "Guidelines for Preparing Coastal Zone Management Plans" (the "Guidelines") in December 2010, replacing the 1990 Coastline Management Manual (1990) and the 1992 Estuary Management Manual. In addition to the Guidelines, the "NSW Coastal Zone Management Guide Note – Emergency Action Subplans" (the "Guide Note") was released in July 2011 specifying the coastal risk management requirements of the Coastal Zone Management Plan (CZMP). The Guidelines and Guide Note aids coastal councils in developing draft CZMPs for certification to the Minister administering the *Coastal Protection Act 1979*.
- 1.2 In January 2011, the then Minister administering the *Coastal Protection Act 1979* directed Pittwater Council under section 55B of the Act to submit draft Emergency Action Subplans (EAS) for authorised locations (coastal erosion "hot spot" areas) at Bilgola Beach and Mona Vale Basin Beach by 31 July 2011. With the change in NSW Government and the release of the Guide Note, the new Minister (the Hon. Robyn Parker MLC) extended the due date for the submission to 31 October 2011.

- 1.3 With State Government grant funding assistance, Council engaged Worley Parsons to prepare the draft Coastal Erosion Emergency Action Subplan for Bilgola Beach and Mona Vale Basin Beach. However, with the delay in the release of the Guide Note, difficulties in obtaining coastal hazards information on which the subplan is reliant upon, and the time required to appropriately stage community engagement and public exhibition processes, it was recognised that the timeframe for submission could not be met, and a written request was made to the Minister seeking an extension to 30 December 2011. The Minister has acknowledged the letter, and Council is still awaiting a further response from the Minister to the request.
- 1.4 The minimum requirements of the EAS as set out in the Guide Note are to:
- describe intended emergency actions to be carried out during periods of beach erosion, such as coastal protection works for property or asset protection, other than matters dealt with in any plan made under the *State Emergency and Rescue Management Act 1989* relating to emergency response,
  - describe any site-specific requirements for landowner emergency coastal protection works, and
  - describe the consultation carried out with the owners of land affected by the subplan.
- 1.5 Whilst the EAS for the hotspot beaches is being prepared in advance of a Coastal Zone Management Plan, it will later be incorporated into the Coastal Zone Management Plan for Bilgola Beach and Mona Vale Basin Beach. [The submission of the Coastal Zone Management Plan for the hotspot beaches to the Minister is subject to a separate Ministerial direction and a later submission date.]
- 1.6 The new Minister has received numerous representations from local government (including Pittwater Council), the NSW Maritime Panel, the SCCG and effected landowners outlining difficulties in administering and implementing the emergency actions recommended in amending legislation and guidelines developed by the previous government.
- 1.7 The Minister recently announced its intention to form a Coastal Task Force made up of key agencies, stakeholders and councils to consult and recommend changes that will improve the function of amending legislation. In the interim, however, Councils are obliged to comply with the Minister's Directions as they stand.

## **2.0 ISSUES**

### **2.1 Private Properties within the Subplan Area**

The number of private properties situated in the subplan area of Bilgola Beach are limited to eight (8) beach front properties at Bilgola Beach (21 Bilgola Avenue, Bilgola and 1, 3, 5, 7, 9, 11, and 13 Allen Avenue Bilgola). Within the Basin Beach, Mona Vale subplan area, there are 16 properties (3, 5, 7, 9, 11, 13, 15, 17, 19, 23, 29, 31, 33, 35, 37, and 39 Surfview Road Mona Vale), including three properties comprising multi-unit housing.

At both these beaches, existing coastal structures provide varying degrees of protection for most of the beachfront properties. Emergency protection works would only be considered at a few properties at the northern end of Basin Beach where existing protective works do not exist. Whilst property owners are eligible to apply to undertake emergency coastal protection works, it is unlikely that a coastal authority would issue a certificate for this purpose unless the applicant provided the necessary supporting evidence from a coastal engineer that the emergency works together with the existing structure would provide greater protection than the existing structure alone.

Emergency coastal protection works in accordance with the Coastal Protection Act and the Code of Practice under that Act are restricted by design (sand-filled geotextile containers up to 1.5m high) and duration of placement (up to 12 months and once only). Such works are likely to be ineffective and cannot be relied upon for protection in a severe coastal storm, and landowners must act well in advance of a storm to consider implementing any of these works.

Alternatively, the landowner can consider longer term protective options so long as the proposed works are approved via the submission of a Development Application (DA) and environmental assessment to the NSW Coastal Panel.

The responsibility on undertaking such works is with the landowner, as Council does not have a direct role in protecting private property. However, Council may need to accommodate access to public land to enable a landowner to lawfully place emergency works.

## **2.2 Public Properties and Assets within the Subplan Area**

There are no significant public assets at risk at Basin Beach, Mona Vale. At Bilgola Beach, Bilgola Surf Life Saving Club and its adjacent car park are the key assets at risk. Further investigation of the existing protective works at Bilgola Beach will need to be undertaken to determine the level of protection provided at the site on these key assets. Until an assessment of the risk of damage is made, no erosion protection works are expected to be undertaken at the site.

Council has the role of choosing to carry out emergency protective works on public property. Any proposed emergency protective works needs to be undertaken well in advance of a storm and with the relevant environmental assessments and approval. Unless sand or sandbags are the proposed works, or only replacement, repair or maintenance of works is proposed, the NSW Coastal Panel must be notified and the Panel has 21 days to respond.

## **2.3 Other Responsibilities of Council Described in the Subplan**

There are several other actions that Council needs to undertake relating to coastal erosion emergencies, these include:

- monitoring beach erosion and weather/wave conditions and forecasts
- erecting barriers and safety signage, eg at damaged beach access points
- □□□□ providing information and advice to effected beachfront landowners and the wider community
- repairing damaged public infrastructure after storm; and
- beach scraping and/or beach nourishment (generally after storm)

## **2.4 Community Engagement Strategy**

The *Coastal Protection Act* requires that the subplan is adequately consulted and publicly exhibited for a period of at least 21 days. Due to the relatively small number of landowners at each Pittwater authorised location, Council has written to each effected landowner alerting them to:

- the proposed reporting of the draft Emergency Action Subplan to Council and the proposed public exhibition period,
- where to obtain a copy of the draft subplan,
- an invitation to book for an appointment with Council staff and consultant for a one-on-one discussion during the nominated community information session evening, and
- Council staff contact details for general enquiries.



A flyer providing “Questions and Answers” in relation to the coastal erosion protection obligations of property owners will also accompany the letter.

The community information session is proposed during the public exhibition period in late November. The session will allocate time for property owners to discuss individual matters with council staff and the consultant, as well as provide for a general information session to the general community.

It is proposed that the draft EAS be placed on public exhibition for 21 days soon after the Council meeting of 21 November 2011. Subject to the review of comments received from the community information session or during the exhibition of the draft EAS, the final draft EAS would most likely be reported to Council for endorsement in late December 2011.

The endorsed draft EAS would then be referred to the Minister by 30 December 2011 seeking approval and certification.

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### **3.0 SUSTAINABILITY ASSESSMENT**

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

3.1.1 The overarching aim of coastal risk management is to:

- increase safety for residents and businesses;
- increase the community’s resilience and reduce the social dislocation.

3.1.2 Communication of risks from natural hazards helps increase community awareness and resilience thereby reducing the potential risk to life and property.

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

3.2.1 The changes to the Coastal Protection Act are intended to safeguard beach amenity, environmental values and public access by setting strict controls on the types of coastal erosion protection works permitted, including where and when works may be placed. Long-term coastal protection works will only be permitted if the landowners who propose the works pay to maintain them and manage any erosion impacts.

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

3.2.1 The EAS is intended to facilitate operational responses to managing coastal erosion hazards by enabling the landowners to protect public and private infrastructure and assets.

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

3.4.1 In developing the EAP, Council is responding to a Ministerial Direction to coastal hazard management planning under the Coastal Protection Act 1979 and NSW Coastal Policy.

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

3.5.1 The development of the EAP assists local government and coastal communities to make informed decisions to manage existing coastal assets and infrastructure and to plan for natural hazard threats.

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#### **4.0 EXECUTIVE SUMMARY**

- 4.1 Council has been directed to submit draft Emergency Action Subplans (EAS) for authorised locations (coastal erosion “hot spot” areas) at Bilgola Beach and Mona Vale Basin Beach to the Minister administering the Coastal Protection Act 1979.
- 4.2 The draft EAS has been prepared for Pittwater Council by Worley Parsons Pty Ltd.
- 4.3 Whilst the EAS for the hotspot beaches is being prepared in advance of a Coastal Zone Management Plan, it will later be incorporated into the Coastal Zone Management Plan for Bilgola Beach and Mona Vale Basin Beach.
- 4.4 The EAS describes the intended emergency actions to be carried out during periods of beach erosion, such as coastal protection works for property or asset protection, and any site-specific requirements for landowner emergency coastal protection works.
- 4.5 At both Bilgola Beach and Basin Beach (Mona Vale), existing coastal structures provide varying degrees of protection for most of the beachfront properties, so emergency protection works are limited.
- 4.6 There are no significant public assets at risk at Basin Beach, Mona Vale.
- 4.7 Further investigation of the existing protective works at Bilgola Beach will need to be undertaken to determine the level of protection provided at the site to determine the level of risk to Bilgola Surf Life Saving Club and its adjacent car park.
- 4.8 The draft EAS has been prepared in accordance with NSW Government requirements and is recommended for public exhibition.
- 4.9 Effected landowners are being directly engaged by letter with the opportunity to attend a community information session during the proposed public exhibition period.

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#### **RECOMMENDATION**

- 1. That the draft Coastal Erosion Emergency Action Subplan for Bilgola Beach and Mona Vale Basin Beach as tabled at the meeting, be placed on public exhibition for a period of 21 days in accordance with the provisions of the Coastal Protection Act.
- 2. That the comments and feedback from the public exhibition of the draft Coastal Erosion Emergency Action Subplan for Bilgola Beach and Mona Vale Basin Beach be reported to Council at the conclusion of the exhibition and submission period.

Report prepared by

Jennifer Pang

**MANAGER, CATCHMENT MANAGEMENT & CLIMATE CHANGE**

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

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

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<b>C11.1</b>	<b>N0235/11 - 68 Hudson Parade, Clareville - Demolition of existing dwelling and construction of a two storey dwelling, double garage and driveway</b>
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**Meeting:** Planning an Integrated Built Environment Committee

**Date:** 21 November 2011

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**STRATEGY:** Development Unit

**ACTION:** To provide an effective development assessment and determination process.

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## **PURPOSE OF REPORT**

To inform the Committee of the Development Unit's recommendation following consideration of Development Application N0235/11 for the demolition of existing dwelling and construction of a two storey dwelling, double garage and driveway at 68 Hudson Parade, Clareville.

### **1.0 BACKGROUND**

- 1.1 The Development Unit, at its meeting held on Thursday, 10 November 2011 considered the Development Officer's report (**Attachment 1**) for determination of Development Application N0235/11 for the demolition of existing dwelling and construction of a two storey dwelling, double garage and driveway at 68 Hudson Parade, Clareville

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

- 2.1 It is outside the delegation of the Development Unit to approve a variation to policy relating to site cover of greater than 10%.

### **3.0 DEVELOPMENT UNIT DELIBERATIONS**

- 3.1 Neither the applicant nor any objector was present at the Development Unit meeting.
- 3.2 The Development Unit resolved to endorse the assessing officer's recommendation subject to the draft Conditions of consent.

### **4.0 ISSUES**

- Delegation
- Site Cover

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### **5.0 SUSTAINABILITY ASSESSMENT**

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

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## **6.0 EXECUTIVE SUMMARY**

- 6.1 The application was considered by the Development Unit at its meeting held on Thursday, 10 November 2011. Neither the applicant nor any objectors were present at the meeting. The Development Unit endorsed the assessing officer's recommendation but was unable to approve the application as it is outside the delegation of the Development Unit to approve a variation to policy relating to site cover of greater than 10%.

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## **RECOMMENDATION**

That the recommendation in the Development Officers Report be endorsed and Application N0235/11 - 68 Hudson Parade, Clareville (Lot 1 DP 801974) for the demolition of the existing dwelling and construction of a two storey dwelling, double garage and driveway be granted consent pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, subject to the conditions contained in the Draft Determination.

Report prepared by

Warwick Lawrence

**MANAGER ADMINISTRATION AND GOVERNANCE**

**SUBJECT: N0235/11 - 68 Hudson Parade, Clareville (Demolition of existing dwelling and construction of a two storey dwelling, double garage and driveway.**

**Determination Level:** Development Unit

**Date:** 10 November 2011

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**SUMMARY OF RECOMMENDATION**

**CONSENT WITH CONDITIONS**

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<b>REPORT PREPARED BY:</b>	Linda Rodriguez
<b>APPLICATION SUBMITTED ON:</b>	01/07/2011
<b>APPLICATION SUBMITTED BY:</b>	ANDREW COOMER & ASSOCIATES PO BOX 179 AVALON NSW 2107
<b>OWNERS:</b>	MCINTOSH, PETER (Own) MCINTOSH, SUSAN THERESE (Own)

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## 1.0 DEVELOPMENT CONTROLS

The site is zoned 2(a) Residential under the provisions of Pittwater Local Environmental Plan 1993. The proposed development being the construction of a new dwelling is permissible with consent.

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

- Pittwater Local Environmental Plan (LEP) 1993;
  - Area 1 – Dual Occupancy Prohibited
- Pittwater 21 Development Control Plan (DCP) (Amendment 6);
- State Environmental Planning Policy 71;
- Environmental Planning Policy (Building Sustainability Index: BASIX) 2004; &
- Geotechnical Risk Management Policy for Pittwater (2009).

The site is identified as the following:

- Foreshore scenic protection area;
- Land containing or adjoining Pittwater spotted gum;
- Geotechnical H1 Hazard

## 2.0 NOTIFICATIONS

Seven (7) property owners notified

One (1) submission received

## 3.0 ISSUES

- C1.23 Eaves
- D1.1 Character as viewed from a public place
- D1.6 Height - General
- D1.8 Front building line
- D1.9 Side and rear building line
- D1.11 Building envelope
- D1.14 Site coverage - Environmentally Sensitive Land

## 4.0 COMPLIANCE TABLE

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

O - Can the proposal achieve the control outcomes?

N - Is the control free from objection?

Control	Standard	Proposal	T	O	N
REF - Development Engineer					
B3.1 Landslip Hazard			Y	Y	Y
B3.7 Estuarine Hazard - Residential Development: Dwelling House, Secondary Dwelling and Dual Occupancy			Y	Y	Y
B3.22 Flood Hazard - Flood Category 3 - All Development			-	-	-
B5.4 Stormwater Harvesting			Y	Y	Y
B5.8 Stormwater Management - Water Quality - Dwelling House, Dual Occupancy and Secondary Dwellings			Y	Y	Y
B5.10 Stormwater Discharge into Public Drainage System			-	-	-

Control	Standard	Proposal	T	O	N
B5.11 Stormwater Discharge into Waterways and Coastal Areas			Y	Y	Y
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.13 Development on Waterfront Land			-	-	-
B6.1 Access Driveways and Works on the Public Road Reserve - Dwelling House and Dual Occupancy		Maintenance of existing driveway over public access reserve and new crossover has been reviewed and supported by Council's Senior Engineering Officer and is considered acceptable with working details to be provided at Construction Certificate stage.	Y	Y	Y
B6.3 Internal Driveways - Dwelling Houses and Dual Occupancy			Y	Y	Y
B6.5 Off-Street Vehicle Parking Requirements - Dwelling Houses, Secondary Dwellings and Dual Occupancy			Y	Y	Y
B8.1 Construction and Demolition - Excavation and Landfill			Y	Y	Y
B8.2 Construction and Demolition - Erosion and Sediment Management			Y	Y	Y
B8.3 Construction and Demolition - Waste Minimisation			Y	Y	Y
B8.4 Construction and Demolition - Site Fencing and Security			-	-	-
B8.5 Construction and Demolition - Works in the Public Domain			Y	Y	Y
B8.6 Construction and Demolition - Traffic Management Plan			-	-	-
REF - Health					
B5.2 Wastewater Disposal			-	-	-
B5.3 Greywater Reuse			-	-	-
C5.17 Pollution control			-	-	-
REF - Natural Resources					
B1.4 Aboriginal Heritage Significance		No apparent issues.	Y	Y	Y
B3.5 Acid Sulphate Soils		No issues. Acid Sulphate Region 5 only.	Y	Y	Y
B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community		Concern raised by the resident of no. 70 Hudson Parade regarding the welfare of an existing Spotted Gum during construction.	Y	Y	N



Control	Standard	Proposal	T	O	N
		Tree protection measures have been described as well as the presence of an arborist during excavation works. This arboricultural report and adopted conditions to ensure tree protection measures is considered acceptable. For detailed comments see Section 10 B4.7			
B4.15 Saltmarsh Endangered Ecological Community			Y	Y	Y
B4.16 Seagrass Conservation			Y	Y	Y
B4.19 Estuarine Habitat			Y	Y	Y
B4.20 Protection of Estuarine Water Quality			Y	Y	Y
C1.1 Landscaping		Council's Natural Resources Officer has provided detailed comments relating to this control in section 10 B4.7	Y	Y	Y
REF - Planner					
EPA Act Section 147 Disclosure of political donations and gifts			Y	Y	Y
3.1 Submission of a Development Application and payment of appropriate fee			Y	Y	Y
3.2 Submission of a Statement of Environmental Effects			Y	Y	Y
3.3 Submission of supporting documentation - Site Plan / Survey Plan / Development Drawings			Y	Y	Y
3.4 Notification			Y	Y	Y
3.5 Building Code of Australia			Y	Y	Y
4.5 Integrated Development: Aboriginal Objects and Places			-	-	-
4.6 Integrated Development - Protection of the Environment			-	-	-
4.7 Integrated Development - Roads			-	-	-
4.8 Integrated Development - Rivers, Streams and Foreshores			-	-	-
5.3 Referral to NSW Department of Environment and Climate Change (DECC)			-	-	-
A1.7 Considerations before consent is granted			Y	Y	Y
B1.3 Heritage Conservation – General		No submission received raising heritage concerns.	Y	Y	Y
B3.6 Contaminated Land and Potentially Contaminated Land			-	-	-
B5.2 Wastewater Disposal		Connected to existing system.	Y	Y	Y
B5.3 Greywater Reuse			-	-	-

Control	Standard	Proposal	T	O	N
B5.11 Stormwater Discharge into Waterways & Coastal Areas			-	-	-
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.13 Development on Waterfront Land			Y	Y	Y
C1.2 Safety and Security			Y	Y	Y
C1.3 View Sharing	All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	<p>The proposed new dwelling is sited predominantly within the existing building footprint, with the exception of the rear component which extends further westward.</p> <p>A restrictive covenant exists towards the rear portion of the property to ensure retention of views towards Pittwater as well as preventing development within the foreshore building line.</p> <p>The dwelling has been designed to preserve views from the adjoining properties and is not considered that there will be any view loss as result of the new dwelling.</p>	Y	Y	Y
C1.4 Solar Access	The main private open space and windows to the principal living area of the dwelling and adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.	<p>The main private open spaces of the subject and adjoining dwellings to the north and south, receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.</p> <p>Windows to the principal internal living areas of the subject and adjoining dwellings, receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21<sup>st</sup>.</p>	Y	Y	Y
C1.5 Visual Privacy	Private open space, recreation areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7m above floor level).	<p>The 6 metre wide public foreshore access reserve along the northern boundary provides for considerable spatial separation and is appropriately screened with existing vegetation (bamboo) which effectively screens the adjacent property to the north.</p> <p>Windows on the southern elevation have been minimised, utilising two highlight windows and one single standard window which only overlooks the front setback of the adjoining property, to maintain visual privacy.</p>	Y	Y	Y
C1.6 Acoustic Privacy			Y	Y	Y
C1.7 Private Open Space		A minimum area of 80m <sup>2</sup> at ground level is provided for private open space. The main area is located on the ground floor balcony directly accessible from the internal living areas and provides an area of 4m x 7m.	Y	Y	Y

Control	Standard	Proposal	T	O	N
C1.9 Adaptable Housing and Accessibility			-	-	-
C1.12 Waste and Recycling Facilities			Y	Y	Y
C1.13 Pollution Control			Y	Y	Y
C1.14 Separately Accessible Structures		The lower ground floor is considered to be separately accessible however no kitchen or bathroom facilities are proposed for this level and is not considered to be designed for separate habitation.	Y	Y	Y
C1.17 Swimming Pool Safety		A swimming pool does not form part of the proposal	-	-	-
C1.19 Incline Passenger Lifts and Stairways			-	-	-
C1.23 Eaves	450mm minimum	The contemporary design of the new dwelling does not facilitate the incorporation of eaves across all elevations  Notwithstanding, it is considered that the outcomes of the control are achieved as the dwelling design reflects the coastal heritage and character of Pittwater and the canopy roof form is optimised to ensure appropriate solar access and shading is achieved, particularly on the western elevation.  The variation is considered acceptable in this regard.	N	Y	Y
C1.24 Public Road Reserve - Landscaping and Infrastructure	The location of new landscaping (street trees) is not to hinder the future construction of a 1.5m wide footpath	Due to the construction of a new crossover and driveway and the subsequent removal of existing vegetation, additional planting is proposed within the public road reserve and is not considered to constrain the existing footpath and is in character with the streetscape.	Y	Y	Y
C1.25 Plant, Equipment Boxes and Lift Over-Run		Concern raised by the resident of no. 70 Hudson Parade regarding the noise generated by potential air conditioning units.  Air-conditioning units or the like do not represent part of the proposal.  Notwithstanding, a recommended condition of consent is adopted in the draft determination to ensure air conditioning units are integrated internally into the design fabric of the built form of the building (Cond.B20).	Y	Y	N
D1.1 Character as viewed from a public place	The bulk and scale of buildings must be minimized.	Proposed visitor parking deck above new double garage forward the building line.	N	Y	Y

Control	Standard	Proposal	T	O	N
	Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.  Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.	The rear of the new dwelling appears as a three storey development from the waterway.  Discussed further under section 10 D1.1 in the report.			
D1.5 Building colours and materials	Dark & Earthy tones	Combination of timber, sandstone and medium grey (zinc metal) wall cladding and roofing inclusive of window frames considered satisfactory and not visually prominent.	Y	Y	Y
D1.6 Height - General	8.5m	9.7m measured from natural ground level.  Discussed further under Section 10 D1.6.	N	Y	Y
D1.8 Front building line	6.5m	Nil front setback proposed for new garage and hardstand parking area  8.8m front setback to new dwelling  Discussed further under Section 10 D1.8	N	Y	Y
D1.9 Side and rear building line	2.5 at least to one side; 1.0 for other side; & Foreshore building line (FBL) applies to the rear setback	1m southern side setback  Nil northern side setback to deck  27.4m rear setback.  Discussed further under Section 10 D1.9	N	Y	Y
D1.10 Foreshore building line		The proposed works are above the FBL, further restricted by a covenant (Y813939) preventing any development seaward of this line.	Y	Y	Y
D1.11 Building envelope	Planes are to be projected at 45 degrees from a height of 3.5 metres above natural ground level at the side boundaries to the maximum height	The proposed new dwelling breaches the building envelope on both the eastern and western elevations.  Discussed further under Section 10 D1.11.	N	Y	Y
D1.14 Site coverage - Environmentally Sensitive Land	Minimum landscaped area of 60%  Maximum Site coverage of 40%	48.35% (280.43m <sup>2</sup> ) Site coverage 51.65% (299.57m <sup>2</sup> ) Landscaped Area  Variation within the clause for impermeable recreational surfaces is not applicable to this proposal.  Discussed further under Section 10 D1.14 in the report.	N	Y	Y
D1.16 Fences - Flora and Fauna Conservation Areas		Additional boundary fencing does not form part of the proposal.	-	-	-

Control	Standard	Proposal	T	O	N
D1.17 Construction, Retaining walls, terracing and undercroft areas		Concern raised by the resident of no. 70 Hudson Parade regarding the structural integrity of existing and proposed retaining walls.  The submitted geotechnical assessment report details recommendations and indicates the structural adequacy of the site to support the proposed works, inclusive of existing and proposed retaining walls. Considered acceptable.	Y	Y	N
D1.20 Scenic Protection Category One Areas	Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	The new dwelling will be visible from the public domain (Pittwater waterway and the street).  It is considered that the development has minimised visual impacts by retaining existing canopy vegetation and adopting natural materials and earthy tones which help the dwelling blend into the slope and coastal bushland surrounding the site.	Y	Y	Y
D15.9 Public foreshore access		The proposed new dwelling does not impact the existing public access to the foreshore.  Maintenance of the existing driveway over the public access way has been supported by Council's Senior Engineering Officer and is acceptable with working details to be provided at Construction Certificate stage.	Y	Y	Y
D15.11 Waterfront lighting		None proposed.	-	-	-
D15.12 Development seaward of mean high water mark		The proposed new dwelling is sited well landward of the MHW.	Y	Y	Y
SEPP No 71 Coastal Protection		The proposal is not below MHW and concurrence with the Department of Planning and Infrastructure is not required. It is considered that the proposed development achieves the relevant aims and considerations within SEPP 71.	Y	Y	Y
SEPP (Building Sustainability Index: BASIX) 2004		BASIX Cert. No. 381867S	Y	Y	Y
Other State Environmental Planning Policies (SEPPs)			-	-	-

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

## 5.0 SITE DETAILS

The site is legally identified as Lot 1 in DP 801974, known as 68 Hudson Parade, Clareville. The site is irregular (sub-rectangular) in shape with a total area of 580m<sup>2</sup>, side dimensions of 63m and rear frontage of 9.1m to the Pittwater foreshore. The subject property is located on the low western side of Hudson Parade. The site is bound by Pittwater to the west, a residential property to the south and a 6m wide public access reserve to the north. The site is constrained by an overall average slope of 14.5 degrees, equivalent to 26%, falling from the front towards the rear.

The property is currently occupied by a split one and two level weatherboard residence set behind a double garage with shared driveway to the adjoining dwelling at no.66 which intersects the public access way. A boatshed is also featured on the rear boundary.

The site is burdened by a restrictive covenant (Y813939) which restricts any development (building or structure), or the planting of trees within the portion of land towards the west of the existing house. The general streetscape of Hudson Parade features densely two storey residential dwellings amongst established canopy trees in a coastal setting.

## 6.0 PROPOSAL IN DETAIL

The subject application seeks approval for the demolition of the existing dwelling and garage and construction of a new double garage and new dwelling. The proposal includes the following:

- New double garage within similar footprint to that of the existing (retention of the existing driveway), with open parking platform above and associated driveway with new crossover;
- New split one and two storey dwelling incorporating the following improvements;
  - i. **Lower ground floor:** office/gym, laundry, lounge with rear facing deck
  - ii. **Ground floor:** Front east facing deck, bedroom 4, bathroom 2, open plan kitchen and dining with north facing deck, lounge with rear deck
  - iii. **First Floor:** bathroom 1, bedroom 3, bedroom 2/office, bedroom 1 with ensuite and small rear facing deck

## 7.0 BACKGROUND

The subject application was lodged on the 1st July 2011 and subsequently notified between 6th and 20th July. One submission was received from the adjoining resident at no. 70 Hudson Parade. The application was referred to Council's Development Engineer Natural Resource Officer and Urban Infrastructure Unit for comments. A site inspection was carried out on the 28th July, 2011.

A pre-lodgment meeting relating to the subject proposal was conducted on the 16<sup>th</sup> June, 2010.

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

The application of SEPP NO. 1 is not required.

## 9.0 EXISTING USE RIGHTS

Does the proposal rely on Existing Use Rights? No

## 10.0 DISCUSSION OF ISSUES

- **B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community**

Council's Natural Resources Officer provided the following comments in relation to the proposal;

*'The property contains a modified landscape although is located within a Pittwater Spotted Gum Forest area. The proposed works consist of demolition of the existing dwelling and construction of a new dwelling and garage, mostly within the same footprint. An arboricultural report has been supplied (Coastal Care, Geoff Burton 21/6/11) which identifies two (2) trees (an Angophora and a Spotted Gum) for retention, as they will not be adversely impacted by the works. Tree protection measures have been described as well as the presence of an arborist requested to be present during excavation works. This arboricultural report is acceptable.*

*The Angophora which is located in the rear yard adjacent to the dwelling, has recently developed a crack in the mid section of its trunk after the arborist assessment, which may require an arborist reassessment in the interests of safety if the crack increases over time. The applicant was advised of this and would need to lodge a Tree Preservation Order application if any removal or major pruning were recommended.*

*A landscape plan has been provided (Coastal Care, Geoff Burton Feb 2011, DA08a) which is acceptable and approved. There are no further natural resource issues.'*

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

Proposed visitor parking deck (open hardstand) above new double garage is forward the building line and is considered to be the dominant structure when viewed from Hudson Parade. The rear of the dwelling faces west towards Pittwater Waterway and is viewed as a three storey development.

Notwithstanding, a variation is warranted due to the steep (14.5 degree, 26% average) slope, narrow characteristics of the site and narrow constraint of the street itself, which does not facilitate for safe on street visitor parking, provided that the outcomes of the control are achieved:

To achieve the desired future character of the Locality

The desired future character of the Avalon locality is primarily low density development in a landscaped setting integrated with the landform. New developments are to maintain a height below canopy level, and minimise bulk and scale. The proposed new dwelling is technically three storeys, however is split level to conform to the sloping topography and appears as two stories from Hudson Parade and adjoining properties. The associated excavation for the basement level and the unique modulation and articulation of the built form reduce the bulk and scale of the development from Pittwater waterway which is predominantly below existing canopy level.

The existing built form character of the street is similar to that of the proposed dwelling, with multi level dwellings taking advantage of the western views to Pittwater and the proposed new dwelling is considered to be consistent with the character of the area.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment

The visible portions of the built form from Hudson Parade, inclusive of the proposed new hardstand and dwelling, are essentially at street level, with the visible portion of the parking structure and dwelling extending 750mm and 1.85m respectively, above street level. Hence, it is considered that the built form is below canopy tree level and achieves the desired future character of the Avalon locality as discussed above.

Due to the topography and desirable dwelling orientation to the west, the majority of dwellings in the vicinity of the site are multi level. As such, while the development is visible as a three storey dwelling from the waterway it will not appear out of context considering the existing built form character in the area and surrounding bushland environment.

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment

The proposed new driveway results in the removal of existing vegetation (Oleander) within the road reserve which currently screens the built form from the road. The opportunity for landscaping and screen planting to soften the built form exists within the northern and southern portions adjacent to the new driveway as demonstrated within the submitted landscape plan, and further conditioned in the draft determination (Cond. B.12).  
High quality buildings designed and built for the natural context and any natural hazards

The parking structure is sited in a similar footprint to that of the existing, and is sited forward the building line due to the steep (14.5 degree average) slope falling towards the west (rear), narrow characteristics of the site and narrow constraint of the street itself, which does not facilitate for safe on street visitor parking.

The dwelling itself is both unique and contemporary in design, adopting dark earthy tones to it's external façade's which are well articulated and conforms to the surrounding natural and coastal environment effectively and discretely.

Buildings do not dominate the streetscape and are at 'human scale'.

The bulk of the proposed garage is essentially below street level due to the nature of the slope falling from Hudson Parade, and the visitor parking is open hardstand above with associated new and separate access driveway.

As the location of the dwelling is essentially within the existing footprint, with improved performance against the setback and height controls, it is considered that the bulk and scale of the development is minimised, with additional provisions to mitigate the visual impact of the proposal by introducing additional screen planting, along the southern and eastern boundaries, as well as the use of dark and earthy materials and finishes throughout a well articulated facade.

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

In order to retain views to Pittwater from adjoining properties, the new dwelling has been located towards the east of the site as per the existing scenario. Flexibility in the siting of the building is restricted due to the slope, narrow width of the site and the restrictive covenant to the rear. No views to Pittwater are currently enjoyed from the street across the subject property, though a public access reserve to the Pittwater foreshore is located along the northern boundary and remains unobstructed by the proposal, further conditioned in the draft consent (Cond. D.7).

Summary

Upon merit assessment, strict compliance with the control would be difficult to achieve given the restrictive site constraints affected by the subject property and the non compliance concerning parking structures is considered acceptable in this regard. The overall appearance of the development from the Pittwater waterway is also considered acceptable given that the outcomes of the control are achieved.



- **D1.6 Height – General**

The majority of the dwelling is sited below the 8.5m height limit. However, due to the steep slope falling towards the west (rear) of the site, a portion of the western roofline encroaches the height control by 1.2m (9.7m measured from natural ground level at the worst point).

This merit assessment is sensitive to the fact that the steep topography, narrow width of the site and constraints imposed by the restrictive covenant across the rear of the property provide for limited siting of the new dwelling.

The existing dwelling is higher than that of the proposed with the exception of a portion of the western roof overhang which provides for shading and protection due to lack of traditional eaves.

The encroachment is not considered to impact on visual privacy, solar access or the available views across Pittwater to the west and there will be no adverse impact to the overall amenity for the adjoining properties.

The bulk and scale of the development is considered to be minimised as the contrasting dark and earthy materials is adopted to improve the visual interest of the façade and blend in with the surrounding natural environment (As discussed in D1.1). The rear elevation is well articulated and the visual bulk of the new dwelling is minimised when viewed from the Pittwater waterway via existing screen planting towards the rear of the site.

Upon merit assessment it is considered that the proposal is consistent with the control outcomes and the non compliance is supported in this regard.

- **D1.8 Front building line**

The new double garage and hardstand parking area above with new access is proposed in a similar location and footprint to that of the existing, which is well forward the prescribed building line, possessing a Nil setback to the front boundary (8.8m to the proposed new dwelling). A variation is warranted given the narrow (9.1m width) and steep (average slope of 14.5 degrees) characteristics of the site as described under D1.1, as well as the restrictive covenant across the rear of the property, which further limits development on the site.

The large Spotted Gum within the front setback of no. 70 Hudson Parade is essentially retained and further screen planting to minimise the built form is proposed within the road reserve. Further, the external finishes adopt natural colours which blend in with the landscape to help mitigate the impact of the non compliance.

The encroachment of the front setback control is not considered to have any adverse impact on the amenity of the adjoining dwellings, inclusive of visual privacy, solar access and view sharing, and is considered to conform to the desired future character of the Avalon locality. Upon merit assessment, the outcomes of the control are achieved and the non compliance is supported in this regard.

- **D1.9 Side and rear building line**

The proposal presents a technical non compliance with the minimum side setback requirements where a Nil northern side setback to the ground level deck (worst point) and 1m setback to the dwelling is proposed. A variation to this standard is warranted given the constraints of the site as noted in the merit assessment under D.1.8 above, the impact of the narrow site and existing restrictive covenant which limits the developable area of the land warrants a variation to this standard, provided that the outcomes of the control are achieved.

It is noted that a 6m wide public access reserve exists along the length of the northern boundary, providing for additional spatial separation between the adjoining dwelling. There is also existing screen vegetation planted along the northern boundary adjoining the dwelling, which provides for effective visual privacy.

The non compliance is not considered to affect the amenity of the adjoining northern and southern properties and provisions for visual privacy, solar access and view sharing are essentially retained.

Upon merit assessment, it is considered that the proposal is consistent with the control objectives and the variation is supported in this instance.

- **D1.11 Building envelope**

The proposed new dwelling exhibits a considerable breach of the prescribed building envelope control across the eastern and western elevation incorporating a portion of the first floor on the eastern (front) elevation, and the entire first floor and portion of the ground floor on the western (rear) elevation.

The narrow characteristic of the site and variation sought for the side setback and height control has exacerbated this non compliance. The restrictive nature of the site warrants a variation provided that the outcomes of the control are achieved.

The proposed dwelling is sited within a similar footprint to the existing with improvements to the setback and height requirements. This noted, it is not considered that the non compliance will result any additional impacts to the amenity of adjoining properties, with provisions for view sharing, solar access and visual privacy consistent with the respective controls.

The modern design of the building is sensitive to the sloping topography and coastal landscape, with a mono pitched roof form and the use of earthy tones and natural materials which help blend the built form into the landscape as viewed from the water and the street.

All existing vegetation is retained and enhanced by additional landscaping within the front and along the southern boundary. It is noted that the planting of vegetation is restricted within the rear setback imposed by the existing restrictive covenant.

The bulk and scale of the development is not considered to be maximised by the breach of the building envelope control, given the measures mentioned above to mitigate the non compliance. Support is granted on merit in this instance.

- **D1.14 Site coverage - Environmentally Sensitive Land**

The proposed site coverage is calculated to be 48.35% (or 280.43m<sup>2</sup>) which exceeds the maximum allowable area of 40% for environmentally sensitive land.

Although the variation of up to 6% for recreational hard surfaces cannot be applied to this proposal, the evident site constraints restricting the developable area of the property warrant a merit assessment against the control outcomes as follows;

To achieve the desired future character of the Locality

As previously discussed, the development is consistent with the desired future character for the Clareville locality.

#### The bulk and scale of the built form is minimised

As the location of the dwelling is essentially within the existing footprint, with improved compliance against the setback and height controls, it is considered that the bulk and scale of the development is minimised, with additional provisions to mitigate the visual impact of the proposal by introducing additional screen planting, along the southern and eastern boundaries, as well as the use of dark and earthy materials and finishes throughout a well articulated facade.

#### A reasonable level of amenity and solar access is provided and maintained

The dwelling has been designed to minimise amenity impacts to adjoining properties and provides good provision for solar access, visual privacy and view sharing as indicated under the respective controls within the compliance table.

#### Vegetation is retained and enhanced to visually reduce the built form; Conservation of natural vegetation and biodiversity; To preserve and enhance the rural and bushland character of the area

The majority of the existing landscaping on site is located to the north and west. Mature canopy trees are located to the rear of the site and the property benefits from adjoining a public reserve to the north which contains additional canopy vegetation. Further, a large spotted gum is located within the front setback of no. 70 Hudson Parade, which also effectively softens the visual built form of the proposal. The landscaping scheme and an arborist report has been provided to ensure that existing native canopy trees protected with further native vegetation planting provided and addresses the requirement to maintain the bushland character of the area.

#### Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels; Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management

While soft surface is not technically maximised in this instance, stormwater management has been addressed in the application accordingly and can be appropriately managed subject to consent conditions effective for the life of the development.

#### Summary

The proposed new dwelling and garage is sited within a similar footprint to that of the existing, with improvements to the height and side setbacks. Considering the restrictive constraints of the site and the proposal's performance against the control outcomes, it is considered that the development is consistent with the objectives of the control and support is warranted for the site coverage variation.

## **11.0 CONCLUSION**

The development application has been assessed in accordance with the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, Pittwater Local Environmental Plan 1993, draft Pittwater 21 LEP, Pittwater 21 DCP and other relevant Council policies. The proposal is considered to be consistent with the relevant statutory and policy controls and outcomes.

The impacts of the new dwelling, including the compliance with various technical requirements of Pittwater 21 DCP, have been addressed and considered to result in an acceptable impact given the existing site constraints, subject to the recommended conditions. The proposal is consistent with the character of the Avalon locality and accordingly, the application is recommended for approval.

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

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, grant consent to development application N0235/11 for a new dwelling and garage at 68 Hudson Parade, Clareville subject to the conditions of consent.

Report prepared by

Linda Rodriguez  
**PLANNER**

**DRAFT CONSENT NO: N0235/11**  
**ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)**  
**NOTICE TO APPLICANT OF DETERMINATION**  
**OF A DEVELOPMENT APPLICATION**

Applicants Name and Address:  
ANDREW COOMER & ASSOCIATES  
PO BOX 179  
AVALON NSW 2107

Being the applicant in respect of Development Application No **N0235/11**

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application No **N0235/11** for:

**Demolition of the existing and construction of a new dwelling and garage**

**At: 68 HUDSON PARADE, CLAREVILLE (Lot 1 DP 801974)**

**Decision:**

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

**Architectural drawings numbered: DA01a through to DA06a inclusive, dated March 2010, prepared by Andrew Cromer and Associates Pty Ltd. Geotechnical Risk Assessment Report numbered: 72470, dated 15th June 2011, prepared by Douglas Partners Pty Ltd. Arborist Report dated 21st June, 2011 Prepared by Coastal Care Horticultural Services. BASIX Report 381867S**

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

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

Endorsement of date of consent **Insert Date**

Mark Ferguson  
GENERAL MANAGER

Per:

## CONDITIONS OF APPROVAL

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

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

### A. Prescribed Conditions:

1. All works are to be carried out in accordance with the requirements of the Building Code of Australia.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, there is to be such a contract in force.
3. Critical stage inspections are to be carried out in accordance with clause 162A of the *Environmental Planning & Assessment Regulation 2000*. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken.
4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

5. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
  - a. in the case of work for which a principal contractor is required to be appointed:
    - i. The name and licence number of the principal contractor, and
    - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
  - b. in the case of work to be done by an owner-builder:
    - i. The name of the owner-builder, and
    - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

6. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

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

1. The Stormwater Harvesting and Reuse Scheme shall be installed and operated in accordance with the accepted design, Environmental and Health Risk Management Plan, Operation and Maintenance Plan, Manufacturer's Specifications and associated operational guidelines.
2. The Stormwater Harvesting and Reuse Scheme shall be maintained as appropriate in accordance with best practice to ensure optimum performance of the stormwater treatment system.
3. As part of the integrated stormwater management plan, suitably positioned stormwater quality improvement devices shall be installed and operated in accordance with Manufacturer's Specifications and associated operational guidelines.
4. As part of an integrated on-site stormwater management system, stormwater overflow from the rainwater tank is to be discharged into the adjacent waterway with erosion minimisation facilities installed.
5. The internal driveway finish is:
  - a. to be a stable surface for all weather conditions
  - b. to be constructed of materials that blend with the environment and are of dark or earthy tones or natural materials.
6. If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Metropolitan Local Aboriginal Land Council (MLALC) and Department of Environment & Climate Change (DECC) are to be notified.
7. Domestic pet animals are to be kept from entering wildlife habitat areas at all times. Dogs and cats are to be kept in an enclosed area or on a leash such that they cannot enter areas of bushland or foreshore, unrestrained, on the site or on surrounding properties or reserves. Ferrets and rabbits are to be kept in a locked hutch/run at all times.
8. Prior to the completion of works, all declared noxious weeds are to be removed/controlled in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and controlled. Refer to Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for noxious/environmental weed lists.
9. No environmental weeds are to be planted on the site. Refer to Pittwater Council website [www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for environmental weed lists.
10. There shall be no damage to intertidal habitats including rocky shores, seagrass beds, salt marshes or mangroves.
11. No building materials or other materials are to be placed on foreshore / Seagrass or other native vegetation. Sediment is not to leave the site or enter areas of Seagrass or its habitat.

12. Landscaping is to be implemented in accordance with the approved Landscape Plan (Geoff Burton, Coastal Care Horticultural Services - DA08a, Feb 2011). The new landscaping is to be approved as completed by the accredited certifier upon issue of the Occupation Certificate unless further conditions regarding the completion timeframe are imposed. This landscaping is to then be maintained for the life of the development.
13. In accordance with Pittwater Council's Tree Preservation Order, all existing trees as indicated in the Survey Plan and/or approved Landscape Plan shall be retained except where Council's prior written consent has been obtained, as trees stand within the envelope of approved development areas. For all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.
14. This approval/consent relates only to the new work nominated on the approved consent plans and does not approve or regularise any existing buildings or structures within the property boundaries or within Council's road reserve.
15. No water pollution shall result from the operation of any plant or equipment or activity carried out.
16. Noise from the operation of any plant or equipment at the premises shall comply with the noise provisions of the Protection of the Environment Operations Act, 1997.
17. No odour nuisance to the public or any adjoining premises, shall be created by the operation of any plant or equipment or any procedure carried out at the premises.
18. No emissions causing air pollution shall be created by the operation of any plant equipment or any procedure carried out at the premise.
19. The operation of any plant or equipment or any procedure carried out at the premises shall not cause land pollution.
20. Where provided, plant and equipment boxes, air conditioning units and lift over-runs are to be integrated internally into the design fabric of the built form of the building.
21. The reflectivity index (expressed as a percentage of the reflected light falling upon any surface) of all external glazing is to have a maximum reflectivity index of 25%. Written confirmation of the reflectivity index of material is to be submitted with the Construction Certificate.  
  
(Note: the reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement. This is to ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development).
22. New electrical connections are to be carried out using underground cabling.
23. The commitments identified in the BASIX Certificate and on the plans or specifications are to be fulfilled and maintained for the life of the development.
24. Screen planting is to be provided, which after three years will, in conjunction with existing vegetation and canopy planting, screen at least 50% of the built form when viewed from the street. Species selection is to incorporate locally native species. The screen planting is to be maintained for the life of the development and is to be replaced if any part of it dies or is destroyed or removed.



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

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

1. Prior to issue of the Construction Certificate, Form 2 of the *Geotechnical Risk Management Policy for Pittwater* (Appendix 5 of P21 DCP) is to be completed and submitted to the Principal Certifying Authority.
2. Drainage plans including specifications and details showing the site stormwater management are to be submitted to the Accredited Certifier with the Construction Certificate application. Such details are to be accompanied by a certificate from (as appropriate) either a Licensed plumber or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the stormwater management system complies with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage. The details shall include disposal of site stormwater (if the site is in a known slip area the stormwater disposal system must comply with the recommendations of a Geotechnical Engineers Report).

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

3. Applicants will be required to obtain prior to the issue of a Construction Certificate, a Section 139 Consent for Works on a Public Road Reserve issued by the Council under the provisions of Section 138 of the *Roads Act 1993* for the design and construction of any works located on the road reserve including Access Driveways.
4. Civil engineering details of the proposed excavation/landfill are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Each plan/sheet is to be signed by a qualified practising Civil Engineer who has corporate membership of the Institution of Engineers Australia (M.I.E) or who is eligible to become a corporate member and has appropriate experience and competence in the related field.
5. Erosion and Sediment Management Plan is to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises shall be undertaken through the installation of erosion control devices such as catch drains, diversion drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, sedimentation basins. Such plan is to be accompanied by a certification from an appropriately qualified person, that the plans/ details have been designed in accordance with the requirements of the N.S.W. Department of Land and Water Conservations *Urban Erosion and Sediment Control* manual.

The plan is to include specific details required to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.

6. Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia and satisfy all conditions shown in Part B above are to be submitted to the Principal Certifying Authority.

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

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

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

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

Drainage plans including specifications and details showing the site stormwater management are to be submitted to the Accredited Certifier with the Construction Certificate application. Such details are to be accompanied by a certificate from (as appropriate) either a Licensed plumber or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the stormwater management system complies with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage. The details shall include disposal of site stormwater (if the site is in a known slip area the stormwater disposal system must comply with the recommendations of a Geotechnical Engineers Report).

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

8. Materials and colour schemes are to be in accordance with the samples submitted and approved by Council with the application.
9. Plans and details demonstrating that the commitments identified in the BASIX Certificate that apply to the construction certificate or complying development plans and specifications are fulfilled.

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

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

1. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
2. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
3. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner.
4. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.
5. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.

6. No works are to be carried out in Council's Road Reserve without the written approval of the Council.
7. The adjoining public access way to the north is not to be obstructed during construction without the written approval of the Council.
8. A Road Opening Permit, issued by Council, must be obtained for any road openings, or excavation within Council's Road Reserve associated with the development on the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
9. No skip bins or materials are to be stored on Council's Road Reserve.
10. A clearly legible *Site Management Sign* is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following:
  1. The builder's name, builder's telephone contact number both during work hours and after hours.
  2. That no works are to be carried out in Council's Road Reserve without the written approval of the Council.
  3. That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council's Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
  4. That no skip bins or materials are to be stored on Council's Road Reserve.
  5. That the contact number for Pittwater Council for permits is 9970 1111.
11. All construction in the public road reserve must be undertaken by a Council authorised contractor.
12. Protection fencing measures (including sedimentation fences) are to be installed in accordance with all approved plans including those specified in the Arborist Report and/or Ecological Sustainability Plan or Bushland Management Plan. Protection measures are to be maintained for the duration of works. Protection fencing that is no longer required is to be removed once all works are completed.
13. A stamped copy of the approved plans is to be kept on the site at all times, during construction.
14. Toilet facilities are to be provided in a location which will not detrimentally affect the amenity of any adjoining residents at or in the vicinity of the work site during the duration of the development.
15. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must give the owner of the adjoining property at least seven (7) days written notice of their intention to excavate below the level of the base of the footing and furnish the adjoining property owner with particulars of the proposed work.

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

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

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

1. Prior to issue of the Occupation Certificate, Form 3 of the *Geotechnical Risk Management Policy* (Appendix 5 of P21 DCP) is to be completed and submitted to the Principal Certifying Authority.
2. Certification is to be provided to the Principal Certifying Authority by a qualified experienced practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E.), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, that the drainage/stormwater management system has been installed to the manufacturer's specification (where applicable) and completed in accordance with the engineering plans and specifications required under this consent.
3. A certificate submitted by a Chartered Professional Engineer confirming to the satisfaction of the Principal Certifying Authority that the works in the public road reserve comply with Council requirements is to be provided with the Occupation Certificate application.
4. Prior to issue of an Occupation Certificate photographic evidence of the condition of the street trees and road reserve and area adjoining the site after the completion of all construction, must be submitted to the Principal Certifying Authority showing that no damage has been done and if damage has been done that it has been fully remediated. The photographs shall be accompanied by a statement that no damage has been done (or where damage has been remediated that Council has approved that work). In this regard Council's written agreement that all restorations have been completed satisfactorily must be obtained prior to the issue of any Occupation Certificate.
5. Restoration of all damaged public infrastructure caused as a result of the development to Council's satisfaction. Council's written approval that all restorations have been completed satisfactorily must be obtained and provided to the Private Certifying Authority with the Occupation Certificate application.
6. An Occupation Certificate application stating that the development complies with the Development Consent, the requirements of the Building Code of Australia and that a Construction Certificate has been issued must be obtained before the building is occupied or on completion of the construction work approved by this Development Consent.
7. All existing and /or proposed dwellings/sole occupancy units are to have approved hard-wired smoke alarms installed and maintained over the life of the development. All hard-wired smoke alarms are to be Australian Standard compliant and must be installed and certified by any appropriately qualified electrician prior to the issue of any Occupation Certificate.
8. Street numbers are to be affixed to the building prior to occupation.

9. Certification is to be provided that the commitments identified in the BASIX Certificate have been fulfilled.

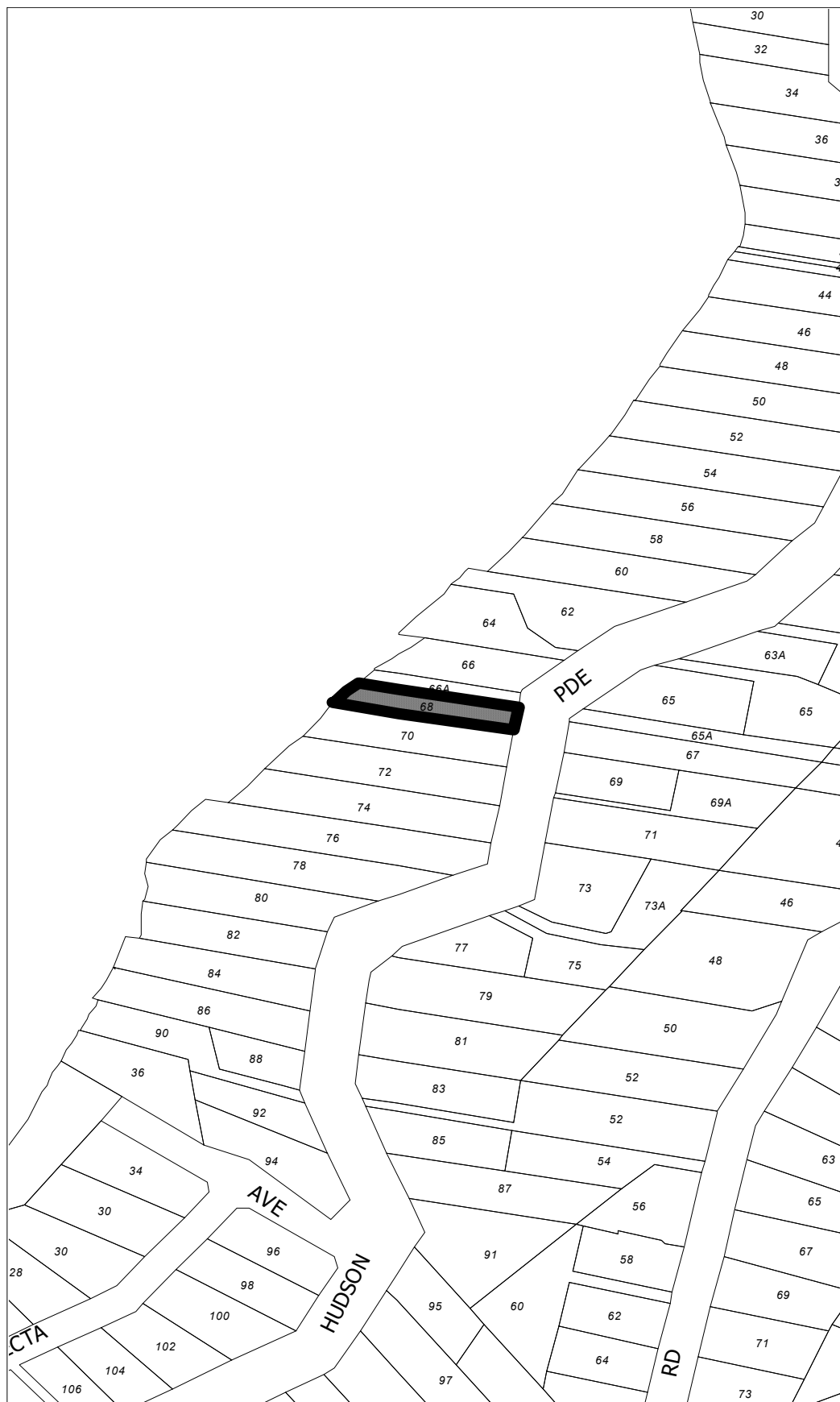
**F. Matters to be satisfied prior to the issue of Subdivision Certificate:**

Nil

**G. Advice:**

1. Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act, 1979* (as amended) and/or the conditions of this Development Consent may result in the serving of penalty notices (on-the-spot fines) under the summary offences provisions of the above legislation or legal action through the Land and Environment Court, again pursuant to the above legislation.
2. The applicant is also advised to contact the various supply and utility authorities, i.e. Sydney Water, Sydney Electricity, Telstra etc. to enquire whether there are any underground utility services within the proposed excavation area.
3. It is the Project Managers responsibility to ensure that all of the Component Certificates/certification issued during the course of the project are lodged with the Principal Certifying Authority. Failure to comply with the conditions of approval or lodge the Component Certificates/certification will prevent the Principal Certifying Authority issuing an Occupation Certificate.
4. In accordance with Section 95(1) of the Act, this consent will lapse if the development, the subject of this consent, is not physically commenced within 5 years after the date from which this consent operates.
5. To ascertain the date upon which the determination becomes effective and operates, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979* (as amended).
6. Should any of the determination not be acceptable, you are entitled to request reconsideration under Section 82A of the *Environmental Planning and Assessment Act, 1979*. Such request to Council must be made in writing, together with appropriate fees as advised at the time of lodgement of such request, within 1 year from the date of determination.
7. If you are dissatisfied with this decision, Section 97 of the *Environmental Planning and Assessment Act, 1979*, gives you a right of appeal to the Land and Environment Court within 12 months of the date of endorsement of this Consent.
8. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Waters sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.
9. This approval does not prejudice any action in respect of upgrading the building pursuant to the provisions of the Section 121B of the *Environmental Planning and Assessment (Amendment) Act, 1997*.

## LOCALITY PLAN





## NOTIFICATION PLANS







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<b>C11.2</b>	<b>N0309/11 - 97 Avalon Parade, Avalon - A swimming pool</b>
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**Meeting:** Planning an Integrated Built Environment Committee

**Date:** 21 November 2011

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**STRATEGY:** Land use and Development

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

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**PURPOSE OF REPORT**

To inform the Committee of the Development Unit's recommendation following consideration of Development Application N0309/11 - 97 Avalon Parade, Avalon (Lot 2 DP 528219) A swimming pool.

**1.0 BACKGROUND**

- 1.1 The Development Unit, at its meeting held on Thursday 27 October 2011, considered the Development Officer's report (**Attachment 1**) for determination of Development N0309/11 - 97 Avalon Parade, Avalon (Lot 2 DP 528219) A swimming pool.

**2.0 REASONS FOR REFERRAL TO COUNCIL**

- 2.1 It is outside the delegation of the Development Unit to approve a variation to policy relating to site coverage of greater than 10%.

**3.0 DEVELOPMENT UNIT DELIBERATIONS**

- 3.1 The Applicant's Consultant Planner addressed the Development Unit on the Application and noting no Objectors present the Development Unit supported the Assessing Officer's Report.

**4.0 ISSUES**

Nil

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**5.0 SUSTAINABILITY ASSESSMENT**

- 5.1 This report does not require a Sustainability Assessment
- 

**6.0 EXECUTIVE SUMMARY**

- 6.1 The Application was considered by the Development Unit at its meeting held on 27 October 2011 and after hearing from the Applicant's Consultant Planner, and noting no Objectors present, endorsed the Assessing Officer's recommendation for approval.

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## **RECOMMENDATION**

That the recommendation in the Development Officer's Report be endorsed and Development Application N0309/11 - 97 Avalon Parade, Avalon (Lot 2 DP 528219) a swimming pool, be approved subject to the conditions contained in the Draft Determination.

Report prepared by

Warwick Lawrence

**MANAGER ADMINISTRATION AND GOVERNANCE**

**SUBJECT: N0309/11 - 97 Avalon Parade, Avalon (Lot 2 DP 528219)  
A swimming pool.**

**Determination** Development Unit  
**Level:**

**Date:** 27 October 2011

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**SUMMARY OF RECOMMENDATION**

**CONSENT WITH CONDITIONS**

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**REPORT PREPARED BY:** Ellie Robertson

**APPLICATION SUBMITTED ON:** 16/08/2011

**APPLICATION SUBMITTED BY:** KELLIE JEAN BROWN  
97 AVALON PARADE  
AVALON 2107

**OWNER(S):** BROWN, KELLIE JEAN (OwnResOcc)

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## 1.0 DEVELOPMENT CONTROLS

The site is zoned 2(a) Residential under the provisions of Pittwater Local Environmental Plan (LEP) 1993. The following relevant local and state policies apply to this site:

- Pittwater Local Environmental Plan (LEP) 1993; and
- Pittwater 21 Development Control Plan (Amendment 6).

## 2.0 NOTIFICATIONS

7 property owners notified  
Nil submissions received

## 3.0 ISSUES

- B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor
- C1.1 Landscaping
- D1.14 Site coverage - Environmentally Sensitive Land

## 4.0 COMPLIANCE TABLE

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

O - Can the proposal achieve the control outcomes?

N - Is the control free from objection?

Control	Standard	Proposal	T	O	N
REF - Development Engineer					
B3.11 Flood Hazard - Flood Category 1 - Low Hazard - Residential Development: Dwelling House, Secondary Dwelling and Dual Occupancy			Y	Y	Y
B3.22 Flood Hazard - Flood Category 3 - All Development			-	-	-
B8.1 Construction and Demolition - Excavation and Landfill			-	-	-
B8.2 Construction and Demolition - Erosion and Sediment Management			Y	Y	Y
B8.3 Construction and Demolition - Waste Minimisation			Y	Y	Y
B8.4 Construction and Demolition - Site Fencing and Security			-	-	-
B8.5 Construction and Demolition - Works in the Public Domain			Y	Y	Y
B8.6 Construction and Demolition - Traffic Management Plan			-	-	-
REF - Health					
B5.2 Wastewater Disposal			-	-	-
B5.3 Greywater Reuse			-	-	-

Control	Standard	Proposal	T	O	N
REF - Heritage					
B1.2 Heritage Conservation - Items in the vicinity of a heritage item, heritage conservation areas, archaeological sites or potential archaeological sites		The application was referred to Council's Heritage Officer who made the following comment:  <i>"The proposed pool is unlikely to be seen from adjoining properties due to fences and vegetation. No objection on heritage grounds."</i>	Y	Y	Y
REF - Natural Resources					
B1.4 Aboriginal Heritage Significance		No apparent issues.	Y	Y	Y
B3.5 Acid Sulphate Soils		No issues - Acid Sulphate Region 5 only.	Y	Y	Y
B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor			Y	Y	Y
C1.1 Landscaping			Y	Y	Y
REF - Planner					
EPA Act Section 147 Disclosure of political donations and gifts			-	-	-
3.1 Submission of a Development Application and payment of appropriate fee			Y	Y	Y
3.2 Submission of a Statement of Environmental Effects			Y	Y	Y
3.3 Submission of supporting documentation - Site Plan / Survey Plan / Development Drawings			Y	Y	Y
3.4 Notification			Y	Y	Y
3.5 Building Code of Australia			Y	Y	Y
4.5 Integrated Development: Aboriginal Objects and Places			-	-	-
5.3 Referral to NSW Department of Environment and Climate Change (DECC)			-	-	-
A1.7 Considerations before consent is granted			Y	Y	Y
B3.6 Contaminated Land and Potentially Contaminated Land			Y	Y	Y
B5.2 Wastewater Disposal			Y	Y	Y
B5.3 Greywater Reuse			-	-	-
C1.3 View Sharing			-	-	-
C1.4 Solar Access			Y	Y	Y
C1.5 Visual Privacy			Y	Y	Y
C1.6 Acoustic Privacy		Swimming pool filter located in the rear yard. A condition of consent is recommended for a qualified acoustic engineer to certify that the maximum noise level associated with the pool filter does not exceed 5dB(A) above ambient background level, when measured from any adjoining premises.	Y	Y	Y
C1.7 Private Open Space			Y	Y	Y
C1.9 Adaptable Housing and Accessibility			-	-	-

Control	Standard	Proposal	T	O	N
C1.13 Pollution Control			Y	Y	Y
C1.17 Swimming Pool Safety		Swimming pool proposed in rear yard.	Y	Y	Y
C5.21 Plant, Equipment Boxes and Lift Over-Run			Y	Y	Y
D1.1 Character as viewed from a public place			Y	Y	Y
D1.4 Scenic protection - General			Y	Y	Y
D1.5 Building colours and materials	Dark and earthy tones	Swimming pool is proposed to be partially in-ground. A Schedule of Finishes will be recommended to the submitted to the PCA prior to CC.	Y	Y	Y
D1.6 Height - General	Maximum height of 8.5 metres from natural ground level	No change to maximum height of dwelling.	Y	Y	Y
D1.8 Front building line	10m	No change to front building line.	Y	Y	Y
D1.9 Side and rear building line	2.5 metres to one side, 1 metre to the other, 6.5 metres to the rear	<u>Swimming Pool</u> Side (south-east): 1 metre Rear: 21 metres	Y	Y	Y
D1.14 Site coverage - Environmentally Sensitive Land	Site Coverage: 40%  Landscaped Area: 60%	Site Coverage: 52% (395.8sqm)  Site Coverage minus variations of up to 6% of the total site area comprising impervious landscaping treatments for recreational areas and areas up to 1 metre in width: 45%  The proposed works result in a non-compliance with the site coverage control. See Section 10 of this report.	N	Y	Y
D1.17 Construction, Retaining walls, terracing and undercroft areas			Y	Y	Y
SEPP (Building Sustainability Index: BASIX) 2004			-	-	-
Other State Environmental Planning Policies (SEPPs)			Y	Y	Y

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

## 5.0 SITE DETAILS

The subject site has a legal description of Lot 2 DP 528219, commonly known as No.97 Avalon Parade, Avalon. The subject site has a frontage of 30.5 metres to Avalon Parade. The site is 761.8sqm, is irregular in shape and relatively flat. The site currently contains a single storey dwelling and carport. The property is nominated as a low hazard flood area. The streetscape of Avalon Parade is characterised by detached residential dwellings.

## 6.0 PROPOSAL IN DETAIL

The proposal involves the construction of a new swimming pool in the area of the existing pond at the rear of the dwelling.

## **7.0 BACKGROUND**

Development Application N0309/11 was lodged with Council on 16 August 2011 for a new swimming pool. The proposed development was notified in accordance with Council's notification policy for a period of 14 days beginning on 19 August 2011. As a result of the notification process, no submissions were received. The application was referred to Council's Development Engineer, Natural Resources and Heritage Officers' for comment. A site inspection was undertaken on 20 September 2011.

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

The application of SEPP NO. 1 is not required.

## **9.0 EXISTING USE RIGHTS**

Does the proposal rely on Existing Use Rights? No

## **10.0 DISCUSSION OF ISSUES**

### **B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor; and C1.1 Landscaping**

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

*"The property contains a modified landscape typical of a domestic garden. The proposed works involve a new swimming pool in the rear yard area. Site plans indicate that the proposed pool footprint will be located over existing turf, and far enough away so that the existing Turpentine tree further to the rear will not be impacted. The pool filter box has been located within the root zone of this tree however. Details have not been provided, however if any excavation is involved the filter box is to be relocated outside of this tree's dripline to ensure minimal impact to tree roots. Screen planting will also be required as conditioned."*

### **D1.14 Site coverage - Environmentally Sensitive Land**

The proposed swimming pool results in a non-compliance with the site coverage control. The pool is in the location of the existing pond and adds approximately 2.3sqm to the existing site coverage.

The proposed works are of minimal bulk and scale and maintain a reasonable level of amenity and solar access to the site and adjoining properties. A dense screen of vegetation between the proposed swimming pool and the adjoining dwelling to the east will be retained and enhanced which will reduce the visual impact of the built form. Furthermore, it is considered that stormwater and runoff will be appropriately managed. The desired future character of the Avalon Beach locality is maintained.

In this regard, a variation to the control should be supported.

## **11.0 CONCLUSION**

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

The proposal does not comply with the Site Coverage control of the Avalon Beach locality. However, this non-compliant aspect of the development is consistent with the merit objectives of the Site Coverage control and does not result in significant impact upon the amenity of the surrounding properties. Hence, a variation to the control is supported.

Accordingly, the application is recommended for approval, subject to conditions.

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

That Council, as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application N0309/11 for a new swimming pool at No.97 Avalon Parade, Avalon, subject to conditions of consent.

Report prepared by

Ellie Robertson  
**PLANNER**



**DRAFT CONSENT NO: N0309/11**

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)  
NOTICE TO APPLICANT OF DETERMINATION  
OF A DEVELOPMENT APPLICATION**

Applicants Name and Address:

KELLIE JEAN BROWN  
97 AVALON PARADE  
AVALON 2107

Being the applicant in respect of Development Application No **N0309/11**.

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application No **N0309/11** for:

A swimming pool.

**At: 97 AVALON PARADE, AVALON (Lot 2 DP 528219)**

**Decision:**

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

**Drawing No. 1432-1 and 1432-2 both prepared by JD Evans and Co Pty Ltd both dated 14/7/2011**

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

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

Endorsement of date of consent **Insert Date**

Mark Ferguson  
GENERAL MANAGER  
Per:

## CONDITIONS OF APPROVAL

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

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

### A. Prescribed Conditions:

1. All works are to be carried out in accordance with the requirements of the Building Code of Australia.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, there is to be such a contract in force.
3. Critical stage inspections are to be carried out in accordance with clause 162A of the *Environmental Planning & Assessment Regulation 2000*. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken.
4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
5. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
  - a. in the case of work for which a principal contractor is required to be appointed:
    - i. The name and licence number of the principal contractor, and
    - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
  - b. in the case of work to be done by an owner-builder:
    - i. The name of the owner-builder, and
    - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

6. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
7. The hours of construction are restricted to between the hours of 7.00am and 5.00pm Monday - Friday and 7.00am to 1.00pm on Saturdays. No works are to be carried out on Sundays or Public Holidays. Internal building work may be carried out at any time outside these hours, subject to noise emissions from the building or works not being audible at any adjoining boundary.

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

1. If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Metropolitan Local Aboriginal Land Council (MLALC) and Department of Environment & Climate Change (DECC) are to be notified.
2. The swimming pool filter box is to be relocated outside of the adjacent Turpentine tree's dripline to ensure minimal impact to tree roots.
3. Domestic pet animals are to be kept from entering wildlife habitat areas at all times. Dogs and cats are to be kept in an enclosed area or on a leash such that they cannot enter areas of bushland or foreshore, unrestrained, on the site or on surrounding properties or reserves. Ferrets and rabbits are to be kept in a locked hutch/run at all times.
4. Any vegetation planted onsite outside approved landscape zones is to be consistent with:
  - a. Species listed in the Ecological Sustainability Plan or Bushland Management Plan (if applicable)
  - b. Species listed from the Endangered Ecological Community
  - c. Locally native species growing onsite and/or selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and Native Plants for Your Garden available on the Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/species\\_lists](http://www.pittwater.nsw.gov.au/environment/species_lists)
5. Prior to the completion of works, all declared noxious weeds are to be removed/controlled in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and controlled. Refer to Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for noxious/environmental weed lists.
6. No environmental weeds are to be planted on the site. Refer to Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for environmental weed lists.
7. Screen planting is to be provided, which after three years will, in conjunction with existing vegetation and canopy planting, screen at least 50% of the built form when viewed from the street and/or neighbouring properties. Species selection is to incorporate locally native species. The screen planting is to be maintained for the life of the development and is to be replaced if any part of it dies or is destroyed or removed.

8. In accordance with Pittwater Council's Tree Preservation Order, all existing trees as indicated in the Survey Plan and/or approved Landscape Plan shall be retained except where Council's prior written consent has been obtained, as trees stand within the envelope of approved development areas. For all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.
9. This approval/consent relates only to the new work nominated on the approved consent plans and does not approve or regularise any existing buildings or structures within the property boundaries or within Council's road reserve.
10. Pool fencing is to be designed, located and maintained in accordance with the Swimming Pools Act 1992, Regulation and Australian Standard 1926.1-2007, Safety barriers for swimming pools
11. A warning notice (resuscitation chart) and External Cardiac Compression Chart is to be affixed and maintained in a prominent location adjacent to the pool / spa.
  - a. The warning notice (i.e. sign) must contain all of the following words:
    - i. "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL",
    - ii. "POOL GATES MUST BE KEPT CLOSED AT ALL TIMES", and
    - iii. "KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900 MILLIMETRES CLEAR OF THE POOL FENCE AT ALL TIMES".
  - b. In addition, the notice must contain a simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation Guideline) containing details of resuscitation techniques (for infants, children and adults):
    - i. that are set out in accordance with the relevant provisions of that Guideline
    - ii. that comply with the other relevant guidelines of the Australian Resuscitation Council, and
    - iii. that are illustrated by drawings with key words only in bold print.
  - c. a statement to the effect that formal instruction in resuscitation is essential.
  - d. the name of the teaching organisation or other body that published the sign and the date of its publication.
12. The pool concourse, walkway or deck is to be a minimum 900mm clear of the boundary.

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

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

1. Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia and satisfy all conditions shown in Part B above are to be submitted to the Principal Certifying Authority.
2. The Accredited Certifier or Council must be provided with a copy of plans that a Quick Check agent/Sydney Water has stamped before the issue of any Construction Certificate.
3. Any proposed demolition works shall be carried out in accordance with the requirements of AS2601-2001 *The Demolition of Structures*.

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

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

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

4. Structural Engineering details relating to the swimming pool are to be submitted to the Accredited Certifier or Council prior to release of the Construction Certificate. Each plan/sheet is to be signed by a qualified practising Structural Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a corporate member and has appropriate experience and competence in the related field.
5. The finished surface materials, including colours and texture of any building, shall blend with the surrounding and/or natural materials. The finished surface materials shall be non-glare and of low reflectivity. A specification which achieves this shall be submitted to the Accredited Certifier or Council with the Construction Certificate application in the form of a *Schedule of Finishes*.

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

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

1. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.
2. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
3. Waste materials generated through demolition, excavation and construction works are to be minimised by re-use on site, recycling or where re-use or recycling is not practical, disposal at an appropriate authorised waste facility.
4. All waste dockets and receipts regarding demolition, excavation and construction waste are to be retained on site to confirm which facility received the material for recycling or disposal.
5. The ongoing operation of Recycling and Waste Management Services is to be undertaken in accordance with the Waste Management Plan.
6. No works are to be carried out in Council's Road Reserve without the written approval of the Council.
7. No skip bins or materials are to be stored on Council's Road Reserve.
8. A clearly legible *Site Management Sign* is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following:
  - o The builder's name, builder's telephone contact number both during work hours and after hours.

- That no works are to be carried out in Council's Road Reserve without the written approval of the Council.
  - That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council's Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
  - That no skip bins or materials are to be stored on Council's Road Reserve.
  - That the contact number for Pittwater Council for permits is 9970 1111.
9. During site excavation, topsoil which is to be used in later landscape works is to be stockpiled on site and stabilised during construction works. Stockpiles are to be stored outside of hazard areas and not located within the dripline of existing trees which are to be retained.
10. A stamped copy of the approved plans is to be kept on the site at all times, during construction.
11. Toilet facilities are to be provided in a location which will not detrimentally affect the amenity of any adjoining residents at or in the vicinity of the work site during the duration of the development.

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

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

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

1. An Occupation Certificate application stating that the development complies with the Development Consent, the requirements of the Building Code of Australia and that a Construction Certificate has been issued must be obtained before the building is occupied or on completion of the construction work approved by this Development Consent.
2. All existing and /or proposed dwellings/sole occupancy units are to have approved hard-wired smoke alarms installed and maintained over the life of the development. All hard-wired smoke alarms are to be Australian Standard compliant and must be installed and certified by any appropriately qualified electrician prior to the issue of any Occupation Certificate.
3. A qualified acoustic engineer is to certify that the maximum noise level associated with the pool filter does not exceed 5dB(A) above ambient background level, when measured from any adjoining premises.

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

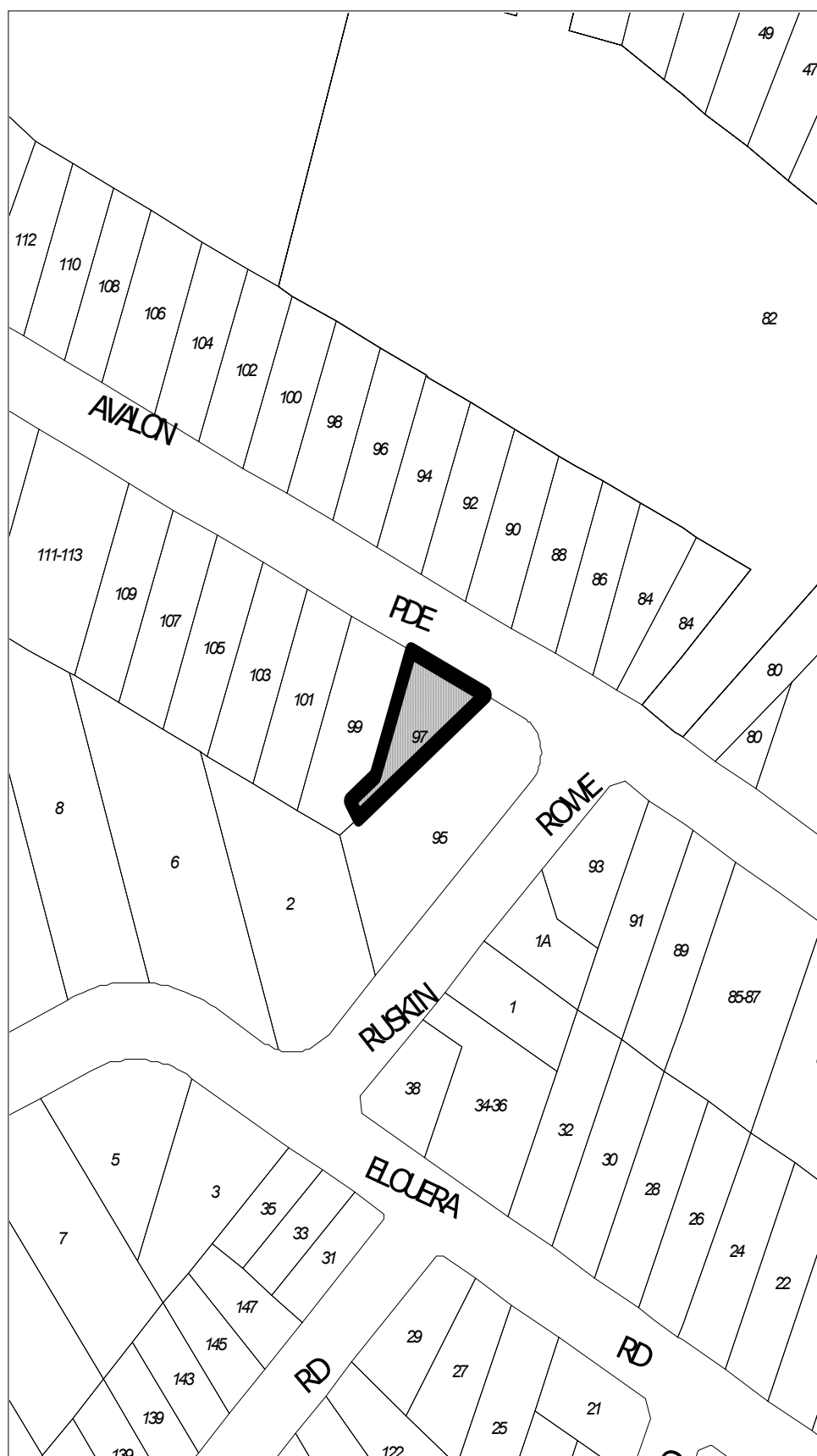
Nil.



#### **G. Advice:**

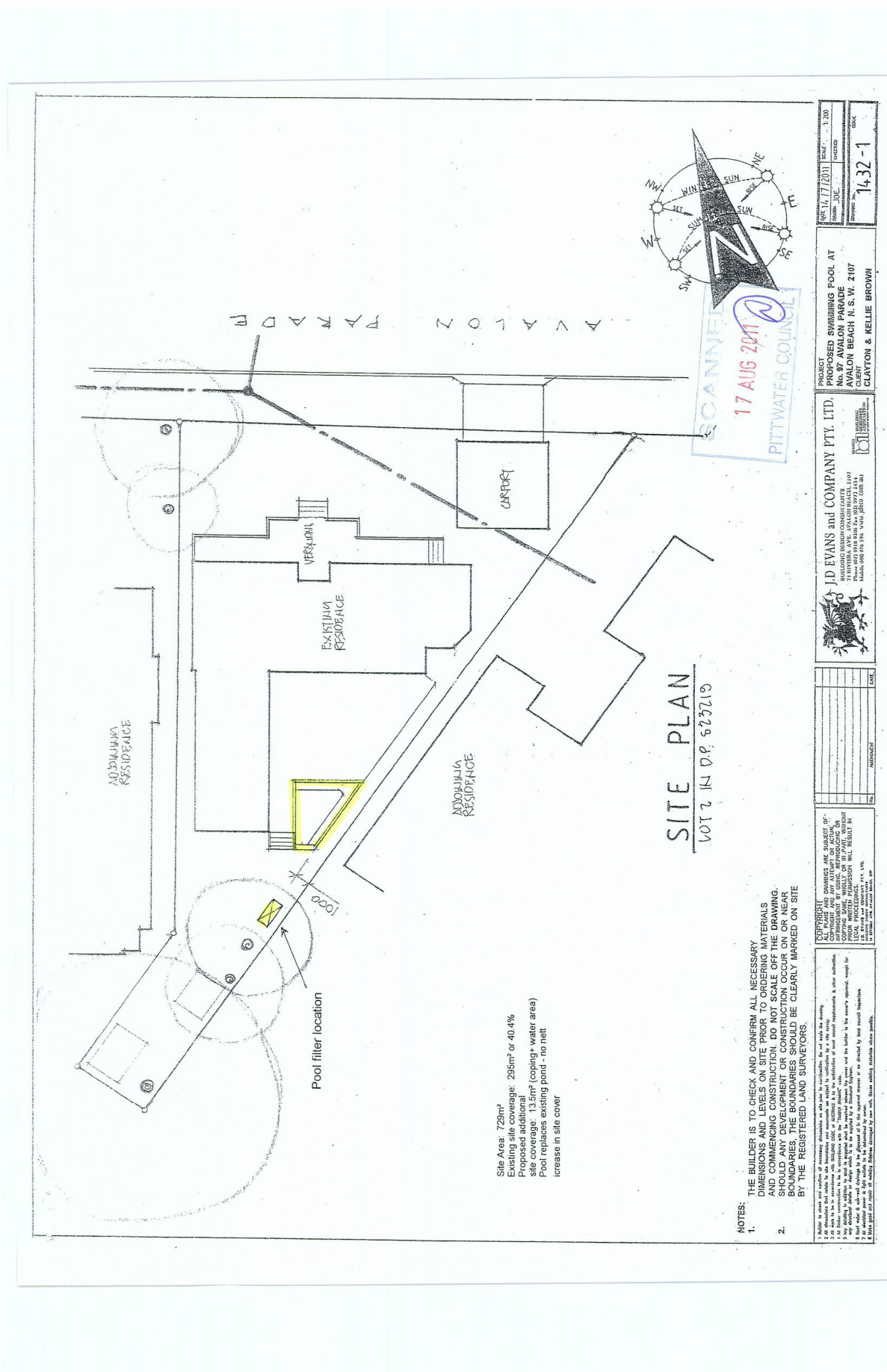
1. Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act, 1979* (as amended) and/or the conditions of this Development Consent may result in the serving of penalty notices (on-the-spot fines) under the summary offences provisions of the above legislation or legal action through the Land and Environment Court, again pursuant to the above legislation.
2. The applicant is also advised to contact the various supply and utility authorities, i.e. Sydney Water, Sydney Electricity, Telstra etc. to enquire whether there are any underground utility services within the proposed excavation area.
3. It is the Project Managers responsibility to ensure that all of the Component Certificates/certification issued during the course of the project are lodged with the Principal Certifying Authority. Failure to comply with the conditions of approval or lodge the Component Certificates/certification will prevent the Principal Certifying Authority issuing an Occupation Certificate.
4. In accordance with Section 95(1) of the Act, this consent will lapse if the development, the subject of this consent, is not physically commenced within 5 years after the date from which this consent operates.
5. To ascertain the date upon which the determination becomes effective and operates, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979* (as amended).
6. Should any of the determination not be acceptable, you are entitled to request reconsideration under Section 82A of the *Environmental Planning and Assessment Act, 1979*. Such request to Council must be made in writing, together with appropriate fees as advised at the time of lodgement of such request, within 1 year from the date of determination.
7. If you are dissatisfied with this decision, Section 97 of the *Environmental Planning and Assessment Act, 1979*, gives you a right of appeal to the Land and Environment Court within 12 months of the date of endorsement of this Consent.
8. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Waters sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.

# LOCATION PLAN





# NOTIFICATION PLANS





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<b>C11.3</b>	<b>N0329/11 - 532 Barrenjoey Road, Avalon - Demolition, new dwelling and ancillary swimming pool</b>
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<b>Meeting:</b>	Planning an Integrated Built Environment Committee	<b>Date:</b>	21 November 2011
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**STRATEGY:** Land Use and Development

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

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## **PURPOSE OF REPORT**

To inform the Committee of the Development Unit's recommendation following consideration of Development Application N0329/11 - 532 Barrenjoey Road, Avalon (Lot Y DP28920) Demolition, new dwelling and ancillary swimming pool.

### **1.0 BACKGROUND**

- 1.1 The Development Unit, at its meeting held on Thursday, 27 October 2011 considered the Development Officer's report (**Attachment 1**) for determination of Development Application N0329/11 - 532 Barrenjoey Road, Avalon (Lot Y DP28920) Demolition, new dwelling and ancillary swimming pool.

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

- 2.1 It is outside the delegation of the Development Unit to approve a variation to policy relating to site coverage of greater than 10%.

### **3.0 DEVELOPMENT UNIT DELIBERATIONS**

- 3.1 Neither the Applicant nor an Objector was present during consideration of this matter. The Development Unit supported the Assessing Officer's Report.

### **4.0 ISSUES**

Nil

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### **5.0 SUSTAINABILITY ASSESSMENT**

- 5.1 This report does not require a Sustainability Assessment
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### **6.0 EXECUTIVE SUMMARY**

- 6.1 The Application was considered by the Development Unit at its meeting held on 27 October 2011. The Applicant was not present and noting that there were no Objectors present, endorsed the Assessing officer's recommendation for approval.

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## **RECOMMENDATION**

That the recommendation in the Development Officers Report be endorsed and Application N0329/11 - 532 Barrenjoey Road, Avalon (Lot Y DP28920) for the demolition, new dwelling and ancillary swimming pool be approved subject to the conditions contained in the Draft Determination.

Report prepared by

Warwick Lawrence

**MANAGER ADMINISTRATION AND GOVERNANCE**

**SUBJECT: N0329/11 - 532 Barrenjoey Road, Avalon (Lot Y DP28920)  
Demolition, new dwelling and ancillary swimming pool.**

**Determination** Development Unit  
**Level:**

**Date:** 27 October 2011

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## **SUMMARY OF RECOMMENDATION**

### **CONSENT WITH CONDITIONS**

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<b>REPORT PREPARED BY:</b>	Louis Shang
<b>APPLICATION SUBMITTED ON:</b>	01/09/2011
<b>APPLICATION SUBMITTED BY:</b>	PETER TOUT ARCHITECTS GROUND FLOOR 121 ALEXANDER STREET CROWS NEST 2065
<b>OWNER(S):</b>	VENUSTON PTY LTD (Own)

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### **1.0 DEVELOPMENT CONTROLS**

The site is zoned 2(a) residential under the provisions of the Pittwater LEP 1993. The proposed development being demolition and construction of a new dwelling with ancillary swimming pool is permissible with consent. The following relevant local and state policies apply to this site:

- Pittwater Local Environmental Plan (LEP) 1993; Within Area 1 Dual Occupancy Map;
- Pittwater 21 Development Control Plan;
- SEPP 71 Coastal Protection;
- SEPP - BASIX

### **2.0 NOTIFICATIONS**

5 property owners notified

One (1) submission/s received

### **3.0 ISSUES**

- B4.3 Flora and Fauna Habitat Enhancement Category 2 Land
- D1.8 Front building line
- D1.14 Site coverage - Environmentally Sensitive Land

#### 4.0 COMPLIANCE TABLE

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

O - Can the proposal achieve the control outcomes?

N - Is the control free from objection?

Control	Standard	Proposal	T	O	N
REF - Development Engineer					
B3.1 Landslip Hazard			Y	Y	Y
B3.4 Coastline (Bluff) Hazard			Y	Y	Y
B3.22 Flood Hazard - Flood Category 3 - All Development			-	-	-
B5.4 Stormwater Harvesting			Y	Y	Y
B5.7 Stormwater Management - On-Site Stormwater Detention			Y	Y	Y
B5.8 Stormwater Management - Water Quality - Dwelling House, Dual Occupancy and Secondary Dwellings			Y	Y	Y
B5.10 Stormwater Discharge into Public Drainage System			-	-	-
B5.11 Stormwater Discharge into Waterways and Coastal Areas			Y	Y	Y
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.13 Development on Waterfront Land			-	-	-
B6.1 Access Driveways and Works on the Public Road Reserve - Dwelling House and Dual Occupancy			-	-	-
B6.3 Internal Driveways - Dwelling Houses and Dual Occupancy			Y	Y	Y
B6.5 Off-Street Vehicle Parking Requirements - Dwelling Houses, Secondary Dwellings and Dual Occupancy			Y	Y	Y
B6.7 Access driveways and Works on Road Reserves on or Adjacent to a Main Road			Y	Y	Y
B8.1 Construction and Demolition - Excavation and Landfill			Y	Y	Y
B8.2 Construction and Demolition - Erosion and Sediment Management			Y	Y	Y
B8.3 Construction and Demolition - Waste Minimisation			-	-	-

Control	Standard	Proposal	T	O	N
B8.4 Construction and Demolition - Site Fencing and Security			-	-	-
B8.5 Construction and Demolition - Works in the Public Domain			Y	Y	Y
B8.6 Construction and Demolition - Traffic Management Plan			-	-	-
REF - Health					
B5.2 Wastewater Disposal			-	-	-
B5.3 Greywater Reuse			-	-	-
REF - Heritage					
B1.2 Heritage Conservation - Items in the vicinity of a heritage item, heritage conservation areas, archaeological sites or potential archaeological sites		The proposal has been referred to Council's heritage assessment officer who responded on 08/09/2011 raised no objection from a heritage perspective.	Y	Y	Y
REF - Natural Resources					
B1.4 Aboriginal Heritage Significance		No issue	Y	Y	Y
B3.5 Acid Sulphate Soils		Acid Sulphate Region 5 only	Y	Y	Y
B4.3 Flora and Fauna Habitat Enhancement Category 2 Land			Y	Y	Y
C1.1 Landscaping		A submission has been received (Quayle 23/09/11) which in part concerns trees in the northern portion of the site potentially blocking the existing stormwater drain with their roots. The only tree indicated on the Landscape Plan in the vicinity of this stormwater pipe and pit is a new Frangipani (Plumeria spp) which is a small ornamental tree which does not have a large and invasive root system. It is envisaged that this tree species is appropriate for this location as it will not grow tall and block views and its roots will not block underground services.	Y	Y	N
REF - Planner					
EPA Act Section 147 Disclosure of political donations and gifts			-	-	-
3.1 Submission of a Development Application and payment of appropriate fee			Y	Y	Y
3.2 Submission of a Statement of Environmental Effects			Y	Y	Y
3.3 Submission of supporting documentation - Site Plan / Survey Plan / Development Drawings			Y	Y	Y
3.4 Notification			Y	Y	Y
3.5 Building Code of Australia			Y	Y	Y

Control	Standard	Proposal	T	O	N
4.5 Integrated Development: Aboriginal Objects and Places			-	-	-
4.7 Integrated Development - Roads			-	-	-
5.3 Referral to NSW Department of Environment and Climate Change (DECC)			-	-	-
A1.7 Considerations before consent is granted			Y	Y	Y
B3.6 Contaminated Land and Potentially Contaminated Land			Y	Y	Y
B5.2 Wastewater Disposal			Y	Y	Y
B5.3 Greywater Reuse			-	-	-
B5.11 Stormwater Discharge into Waterways and Coastal Areas			-	-	-
B5.12 Stormwater Drainage Systems and Natural Watercourses			-	-	-
B5.13 Development on Waterfront Land			-	-	-
C1.2 Safety and Security		Satisfactory	Y	Y	Y
C1.3 View Sharing			-	-	-
C1.4 Solar Access		Concern has been raised by the resident of 534 Barrenjoey Road in regards to the shadow impact of the development on the public pathway adjacent to the western boundary of the site. The shadow diagrams submitted indicates there is no shadow impact from the development upon the public path from 12pm. The proposal is deemed to be acceptable in this regard.	Y	Y	N
C1.5 Visual Privacy		Satisfactory	Y	Y	Y
C1.6 Acoustic Privacy		Condition of consent is recommended to limit the noise generated by the pool filter.	Y	Y	Y
C1.7 Private Open Space		Private open space is provided within the rear yard and orientated to the north and east. Satisfactory.	Y	Y	Y
C1.9 Adaptable Housing and Accessibility			-	-	-
C1.12 Waste and Recycling Facilities			Y	Y	Y
C1.13 Pollution Control			Y	Y	Y
C1.14 Separately Accessible Structures			-	-	-
C1.17 Swimming Pool Safety		Condition of consent is recommended for the pool fencing to comply with relevant statutory standards.	Y	Y	Y
C1.19 Incline Passenger Lifts and Stairways			-	-	-
C1.23 Eaves	450mm eaves on all elevations	500mm eaves proposed on all elevations	Y	Y	Y
C1.24 Public Road Reserve - Landscaping and Infrastructure		Landscaping is proposed on the public pathway which has been confirmed by the applicant that it is a drafting error. Condition of consent is recommended to delete it from the approved plans.	-	-	-



Control	Standard	Proposal	T	O	N
C1.25 Plant, Equipment Boxes and Lift Over-Run			Y	Y	Y
D1.1 Character as viewed from a public place		The proposed development incorporates multiple design features and landscaping on the road frontage. Although the garage is forward of the primary building, it is integrated into the design of the dwelling and is not visually prominent. The proposal is considered acceptable.	N	Y	Y
D1.4 Scenic protection - General			Y	Y	Y
D1.5 Building colours and materials		Submission has been received raised concern that roofing colours and material sample has not been submitted. Condition of consent is recommended that a satisfactory colour and material scheme in accordance with the control is to be submitted prior to issue of CC.	Y	Y	N
D1.6 Height - General		Submission has been received raised concern in regards to the overall height of the development. The proposal has a maximum height of 8.4m which complies with the control. The objection is not supported in this regard.	Y	Y	N
D1.8 Front building line	10m	Varies between 6.5m to 11.5m. See discussion D1.8.	N	Y	Y
D1.9 Side and rear building line	2.5 at least to one side; 1.0 for other side; 6.5 rear	1m to the eastern side, varies between 1.4m and 3m to the eastern side, 6.5m to the rear. The non-compliant part of the proposal relates to the setback of the swimming pool to the eastern boundary at 1.4m. Such non-compliance is assessed as acceptable given that landscaping is proposed along the side setback to help soften the built form and the eastern boundary adjoins a public reserve which the residential amenity of the neighbouring properties are unlikely to be affected by such non-compliance.	N	Y	Y
D1.11 Building envelope		Satisfactory	N	Y	Y
D1.14 Site coverage - Environmentally Sensitive Land	maximum site coverage of 40% , minimum landscaped area of 60%	proposed site coverage at 46%, 54% of landscaped area. See discussion D1.14.	N	Y	Y
D1.16 Fences - Flora and Fauna Conservation Areas		Fences are proposed on the western side boundary and rear boundary with no indication of height. The applicant has agreed that condition of consent is to be imposed to restrict the maximum height of the fence to be 1.8m.	Y	Y	Y
D1.17 Construction, Retaining walls, terracing and undercroft areas			Y	Y	Y
SEPP No 71 Coastal Protection		The proposed development has been assessed under the provisions of SEPP 71 and is deemed to be acceptable.	Y	Y	Y
SEPP (Building Sustainability Index: BASIX) 2004		BASIX Certificate 387729S	Y	Y	Y
Other State Environmental Planning Policies (SEPPs)			-	-	-

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

## **5.0 SITE DETAILS**

The site is known as Lot Y Deposited Plan (DP) 28920, No. 532 Barrenjoey Road, Avalon. The site is irregular in shape and has a total area of 770m<sup>2</sup> and a frontage of 19.6m facing Barrenjoey Road. The site is on the Northeastern side of Barrenjoey Road and currently occupied by a one and two storey dwelling with landscaped front and rear yard. The allotment is bound by residential single dwellings to the rear boundary, a public path and natural reserve to the side boundaries. The site falls from the south east towards the north west of approximately 10%. It is being identified as affected by geotechnical hazard and located within the vicinity of a heritage item.

## **6.0 PROPOSAL IN DETAIL**

Development consent is sought to demolish the existing dwelling and construct a new dwelling which provides:

A double garage, two bedrooms, kitchen, living room, study room, terrace and a swimming pool on the ground floor;

A rumpus room, a bedroom and a store room on the lower ground floor.

## **7.0 BACKGROUND**

Development application N0329/11 was submitted on 01/09/11 and notified for a period of 14 days. During this period, one (1) submission was received. The application was referred to Council's Development Engineer, Natural Resource Assessment officer and Heritage Assessment Officer for comment. Consultations have been carried out with the applicant throughout the assessment process to address the non-compliance aspects of the proposal.

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

The application of SEPP NO. 1 is not required.

## **9.0 EXISTING USE RIGHTS**

Does the proposal rely on Existing Use Rights? No

## **10.0 DISCUSSION OF ISSUES**

### **B4.3 Flora and Fauna Habitat Enhancement Category 2 Land**

Council's Natural Resources Officer has provided the following comments:

"The property contains a modified landscape typical of a domestic garden. The proposed works involve the demolition of the existing dwelling and construction of a new dwelling and swimming pool. At present the only significant tree on the site is a large Norfolk Island Pine in the rear yard, although two small Banksia trees are present in the front yard area. Plans indicate that both the Banksias will require removal to accommodate the new dwelling and driveway, however these can easily be replaced. The Norfolk Island Pine is beyond the proposed footprint and will not be impacted, an arborist report is not required and general tree protection conditions will be applied as a precaution.

The landscape plan (William Dangar and Associates Drawing No. LP01-3711 August 2011) provides a range of new vegetation to the site most of which is locally native, however three species on the plant schedule are considered undesirable due to their potential to invade bushland and they are not locally native. They are Cupaniopsis Anarcadoides, Pennistum 'Emerald Elf' and Raphiolepis 'Oriental Pearl'. An amended landscape plan is required prior to the issue of the Construction Certificate which deletes these undesirable species from the plan and in the case of the Cupaniopsis anarcadoides (Tuckeroo), these be replaced with a locally native canopy tree such as Banksia integrifolia or similar."

#### **D1.8 Front building line**

The proposed front setback varies between 6.5m to 11.5m which is contrary to the required front building line for this site at 10m. The non-compliant section only relates to the garage of a width at 6m. The proposed development involves sufficient landscaping within the front yard including three canopy trees to help soften the built form and maintain the residential amenity adjoining a main road. Vehicle maneuvering in a forward direction can be facilitated via the proposed driveway and existing crossover. The overall development being a single storey dwelling when viewed from the street will not have adverse impact to the streetscape and is consistent with the desired character of the area. Given the majority of the building frontage satisfies the required front building line, the proposal is therefore considered acceptable.

#### **D1.14 Site coverage - Environmentally Sensitive Land**

The proposed development has total site coverage of 46% and the rest of 54% will be landscaped areas. No permitted variation under the control could apply to the proposal. Consultations have been held with the applicant who indicated that there will be no possible reductions in the current design scheme to comply with the maximum site coverage of 40% in order to fulfill the control requirements. Notwithstanding this numerical non-compliance, the proposal has been assessed on merits:

- The proposal is a one and two storey single dwelling with landscaped front and rear yard which is consistent with the character of the locality and the future desired character of the area;
- The proposal is reasonable in its bulk and scale. It complies with Council's height and building envelope controls and viewed as a single storey building from the street;
- The development adjoins a public pathway and natural reserve to the side boundaries and a single dwelling to the rear. It creates no adverse impact to the adjoining land and properties;
- Existing vegetation is enhanced and new canopy trees are proposed to visually soften the built form and connect to the bushland character of the adjoining reserve;
- Stormwater runoff is reduced through the use of pervious materials in the design of driveway and court yard. Stormwater tanks are proposed to collect roof water for irrigation purpose. The stormwater management scheme is considered appropriate for this site and accepted by Council's senior engineer.

Therefore, it is considered the proposal satisfies the desired outcomes of the control and deemed to be acceptable.

## **11.0 CONCLUSION**

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

The proposal is considered to be consistent with the relevant statutory and policy controls and outcomes.

The impacts of the proposed demolition of the existing dwelling, construction of a new dwelling and ancillary swimming pool have been addressed and considered to result in an acceptable impact subject to the recommended conditions. Accordingly, the application is recommended for approval.

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

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 grant consent to development application N0329/11 for the demolition of the existing dwelling, construction of a new dwelling and ancillary swimming pool at 532 Barrenjoey Road, Avalon subject to the conditions of consent.

Report prepared by

Louis Shang  
**PLANNER**

## DRAFT DETERMINATION

### CONSENT NO: N0329/11 ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED) NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

Applicants Name and Address:  
PETER TOUT ARCHITECTS,  
GROUND FLOOR  
121 ALEXANDER STREET  
CROWS NEST NSW 2065

D

Being the applicant in respect of Development Application No **N0329/11**.

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application No **N0329/11** for:

Demolition, new dwelling and ancillary swimming pool

R

**At: 532 BARRENJOEY ROAD, AVALON (Lot Y DP 28920)**

#### Decision:

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

A

**Development drawings No. 226.01A, 226.03A, 226.02A, 226.04A, undated, prepared by Peter Tout Architect FAIA;**

**Landscaped Plan numbered LP01-3711, dated August 2011, prepared by William Dangar Associates;**

F

**Geotechnical Risk Management Report numbered 72508, dated 18/07/2011, prepared by Douglas Partners;**

**BASIX Certificate No. 387729S**

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

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

T

Endorsement of date of consent: \_\_\_\_\_

Mark Ferguson  
GENERAL MANAGER  
Per:

## CONDITIONS OF APPROVAL

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

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

### A. Prescribed Conditions:

1. All works are to be carried out in accordance with the requirements of the Building Code of Australia.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, there is to be such a contract in force.
3. Critical stage inspections are to be carried out in accordance with clause 162A of the *Environmental Planning & Assessment Regulation 2000*. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken.
4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
5. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
  - a. in the case of work for which a principal contractor is required to be appointed:
    - i. The name and license number of the principal contractor, and
    - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
  - b. in the case of work to be done by an owner-builder:
    - i. The name of the owner-builder, and
    - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

6. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
7. The hours of construction are restricted to between the hours of 7.00am and 5.00pm Monday - Friday and 7.00am to 1.00pm on Saturdays. No works are to be carried out on Sundays or Public Holidays. Internal building work may be carried out at any time outside these hours, subject to noise emissions from the building or works not being audible at any adjoining boundary.

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

1. The Stormwater Harvesting and Reuse Scheme shall be installed and operated in accordance with the accepted design, Environmental and Health Risk Management Plan, Operation and Maintenance Plan, Manufacturer's Specifications and associated operational guidelines.
2. The Stormwater Harvesting and Reuse Scheme shall be maintained as appropriate in accordance with best practice to ensure optimum performance of the stormwater treatment system.
3. As part of an integrated on-site stormwater management system, stormwater overflow from the rainwater tank is to be discharged into the adjacent coastal area with erosion minimisation facilities installed.
4. The internal driveway finish is:
  - a. to be a stable surface for all weather conditions
  - b. to be constructed of materials that blend with the environment and are of dark or earthy tones or natural materials.
5. If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Metropolitan Local Aboriginal Land Council (MLALC) and Department of Environment & Climate Change (DECC) are to be notified.
6. At least four (4) locally native canopy trees are to be planted onsite to replace trees approved for removal. Canopy tree species are to be selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and the Native Plants for Your Garden link on Council's website [http://www.pittwater.nsw.gov.au/environment/species\\_lists](http://www.pittwater.nsw.gov.au/environment/species_lists). All native trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree.
7. Domestic pet animals are to be kept from entering wildlife habitat areas at all times. Dogs and cats are to be kept in an enclosed area or on a leash such that they cannot enter areas of bushland or foreshore, unrestrained, on the site or on surrounding properties or reserves. Ferrets and rabbits are to be kept in a locked hutch/run at all times.

8. Any vegetation planted onsite outside approved landscape zones is to be consistent with:
  - a. Species listed in the Ecological Sustainability Plan or Bushland Management Plan (if applicable)
  - b. Species listed from the Endangered Ecological Community
  - c. Locally native species growing onsite and/or selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and Native Plants for Your Garden available on the Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/species\\_lists](http://www.pittwater.nsw.gov.au/environment/species_lists)
9. Prior to the completion of works, all declared noxious weeds are to be removed/controlled in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and controlled. Refer to Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for noxious/environmental weed lists.
10. No environmental weeds are to be planted on the site. Refer to Pittwater Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for environmental weed lists.
11. Any new fencing (with the exception of swimming pool fencing) is to be made passable to native wildlife. Hole dimensions are to be a minimum of 150mm wide x 100mm high at ground level spaced at 6 metre intervals.
12. Screen planting is to be provided, which after three years will, in conjunction with existing vegetation and canopy planting, screen at least 50% of the built form when viewed from the street and/or neighbouring properties. Species selection is to incorporate locally native species. The screen planting is to be maintained for the life of the development and is to be replaced if any part of it dies or is destroyed or removed.
13. In accordance with Pittwater Council's Tree Preservation Order, all existing trees as indicated in the Survey Plan and/or approved Landscape Plan shall be retained except where Council's prior written consent has been obtained, as trees stand within the envelope of approved development areas. For all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.
14. This approval/consent relates only to the new work nominated on the approved consent plans and does not approve or regularise any existing buildings or structures within the property boundaries or within Council's road reserve.
15. The maximum noise level associated with the pool filter does not exceed 5dB(A) above ambient background level, when measured from any adjoining premises.
16. No water pollution shall result from the operation of any plant or equipment or activity carried out.
17. Noise from the operation of any plant or equipment at the premises shall comply with the noise provisions of the Protection of the Environment Operations Act, 1997.
18. No odour nuisance to the public or any adjoining premises, shall be created by the operation of any plant or equipment or any procedure carried out at the premises.
19. No emissions causing air pollution shall be created by the operation of any plant equipment or any procedure carried out at the premise.



20. The operation of any plant or equipment or any procedure carried out at the premises shall not cause land pollution.
21. Pool fencing is to be designed, located and maintained in accordance with the Swimming Pools Act 1992, Regulation and Australian Standard 1926.1-2007, Safety barriers for swimming pools
22. A warning notice (resuscitation chart) and External Cardiac Compression Chart is to be affixed and maintained in a prominent location adjacent to the pool / spa.
- a. The warning notice (i.e. sign) must contain all of the following words:
    - i. "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL" and
    - ii. "POOL GATES MUST BE KEPT CLOSED AT ALL TIMES", and
    - iii. "KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900 MILLIMETRES CLEAR OF THE POOL FENCE AT ALL TIMES"
  - b. In addition, the notice must contain a simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation Guideline) containing details of resuscitation techniques (for infants, children and adults):
    - i. that are set out in accordance with the relevant provisions of that Guideline, and
    - ii. that comply with the other relevant guidelines of the Australian Resuscitation Council, and
    - iii. that are illustrated by drawings with key words only in bold print.
  - c. a statement to the effect that formal instruction in resuscitation is essential.
  - d. the name of the teaching organisation or other body that published the sign and the date of its publication.
23. This consent does not authorise any landscaping work on the public pathway adjacent to the western boundary of the site.
24. All sanitary drainage must be concealed in service ducts or otherwise hidden from external view to the satisfaction of the Responsible Authority.
25. The reflectivity index (expressed as a percentage of the reflected light falling upon any surface) of all external glazing is to have a maximum reflectivity index of 25%. Written confirmation of the reflectivity index of material is to be submitted with the Construction Certificate.
- (Note: the reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement. This is to ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development).
26. New electrical connections are to be carried out using underground cabling.
27. Roofs to all structures are to be of dark or mid grey, brown and/or green tones only. No white or light coloured roofs are permitted.
28. The maximum height of the fences indicated on the approved plans are to be maximum 1.8m in height.
29. The commitments identified in the BASIX Certificate and on the plans or specifications are to be fulfilled and maintained for the life of the development.

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

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

1. Prior to issue of the Construction Certificate, Form 2 of the *Geotechnical Risk Management Policy for Pittwater* (Appendix 5 of P21 DCP) is to be completed and submitted to the Principal Certifying Authority.
2. Drainage plans including specifications and details showing the site stormwater management are to be submitted to the Accredited Certifier with the Construction Certificate application. Such details are to be accompanied by a certificate from (as appropriate) either a Licensed plumber or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the stormwater management system complies with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage. The details shall include disposal of site stormwater (if the site is in a known slip area the stormwater disposal system must comply with the recommendations of a Geotechnical Engineers Report).

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

3. An approval under Section 138 of the *Roads Act* to construct an access driveway to the main road is to be submitted to the Accredited Certifier.
4. An amended landscape plan is required prior to the issue of the Construction Certificate which deletes the undesirable species (*Cupaniopsis anacardoides*, *Pennistemon 'Emerald Elf'* and *Raphiolepis 'Oriental Pearl'*) from the plan and in the case of the *Cupaniopsis anacardoides* (Tuckeroo), these be replaced with a locally native canopy tree such as *Banksia integrifolia* or similar.
5. Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia and satisfy all conditions shown in Part B above are to be submitted to the Principal Certifying Authority.
6. Any proposed demolition works shall be carried out in accordance with the requirements of AS2601-2001 *The Demolition of Structures*.

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

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

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

7. Structural Engineering details relating to the approved works are to be submitted to the Accredited Certifier or Council prior to release of the Construction Certificate. Each plan/sheet is to be signed by a qualified practising Structural Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a corporate member and has appropriate experience and competence in the related field.
8. The finished surface materials, including colours and texture of any building, shall blend with the surrounding and/or natural materials. The finished surface materials shall be non-glare and of low reflectivity. A specification which achieves this shall be submitted to the Accredited Certifier or Council with the Construction Certificate application in the form of a *Schedule of Finishes*.
9. Plans and details demonstrating that the commitments identified in the BASIX Certificate that apply to the construction certificate or complying development plans and specifications are fulfilled.

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

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

1. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
2. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
3. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner.
4. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.
5. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
6. No works are to be carried out in Council's Road Reserve without the written approval of the Council.
7. No skip bins or materials are to be stored on Council's Road Reserve.
8. Access to the site through an adjoining park/reserve is prohibited without the written approval of the Council
9. A clearly legible *Site Management Sign* is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following:
  - The builder's name, builder's telephone contact number both during work hours and after hours.
  - That no works are to be carried out in Council's Road Reserve without the written approval of the Council.

- That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council's Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
  - That no skip bins or materials are to be stored on Council's Road Reserve.
  - That the contact number for Pittwater Council for permits is 9970 1111.
10. All works within 5 metres of the existing trees to be retained including pruning, demolition, excavation, civil works, fencing and the like must be carried out by hand. Should roots larger than 50mm be encountered all excavation works are to cease immediately and a qualified Arborist is to advise on the impacts of the roots removal on the tree's survival and report to the Principal Certifying Authority prior to works recommencing. If tree roots are present a pier and beam method of footing construction is to be adopted so as to bridge/span any identified lateral roots.
  11. During site excavation, topsoil which is to be used in later landscape works is to be stockpiled on site and stabilised during construction works. Stockpiles are to be stored outside of hazard areas and not located within the dripline of existing trees which are to be retained.
  12. A stamped copy of the approved plans is to be kept on the site at all times, during construction.
  13. Toilet facilities are to be provided in a location which will not detrimentally affect the amenity of any adjoining residents at or in the vicinity of the work site during the duration of the development.
  14. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must give the owner of the adjoining property at least seven (7) days written notice of their intention to excavate below the level of the base of the footing and furnish the adjoining property owner with particulars of the proposed work.
  15. Demolition works must be carried out in compliance with WorkCovers *Short Guide to Working with Asbestos Cement* and Australian Standard AS 2601 2001 The Demolition of Structures.

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

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

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

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

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

1. Prior to issue of the Occupation Certificate, Form 3 of the *Geotechnical Risk Management Policy* (Appendix 5 of P21 DCP) is to be completed and submitted to the Principal Certifying Authority.
2. Certification is to be provided to the Principal Certifying Authority by a qualified experienced practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E.), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, that the drainage/stormwater management system has been installed to the manufacturer's specification (where applicable) and completed in accordance with the engineering plans and specifications required under this consent.
3. An Occupation Certificate application stating that the development complies with the Development Consent, the requirements of the Building Code of Australia and that a Construction Certificate has been issued must be obtained before the building is occupied or on completion of the construction work approved by this Development Consent.
4. All existing and /or proposed dwellings/sole occupancy units are to have approved hard-wired smoke alarms installed and maintained over the life of the development. All hard-wired smoke alarms are to be Australian Standard compliant and must be installed and certified by any appropriately qualified electrician prior to the issue of any Occupation Certificate.
5. Certification is to be provided that the commitments identified in the BASIX Certificate have been fulfilled.

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

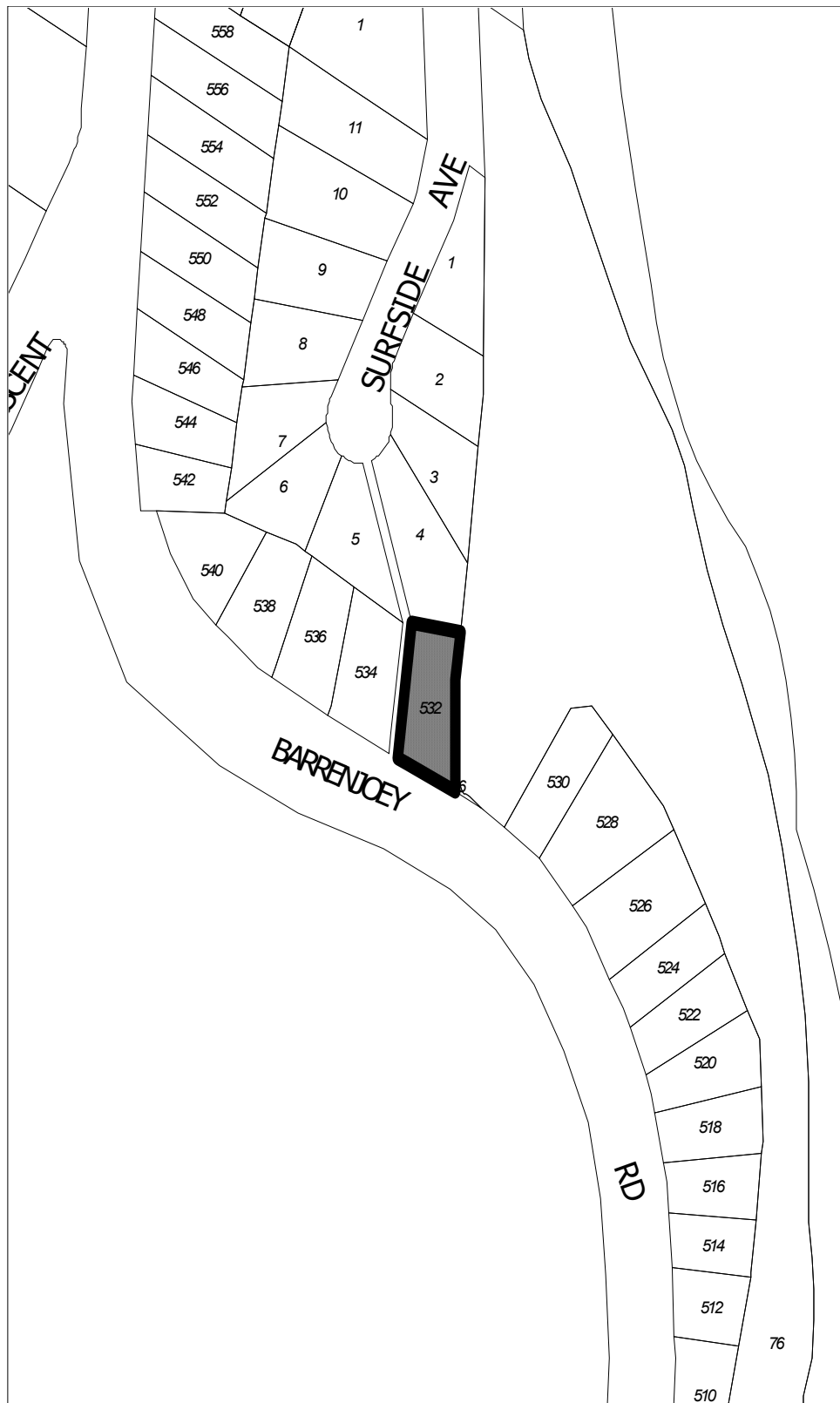
Nil

#### **G. Advice:**

1. Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act, 1979* (as amended) and/or the conditions of this Development Consent may result in the serving of penalty notices (on-the-spot fines) under the summary offences provisions of the above legislation or legal action through the Land and Environment Court, again pursuant to the above legislation.
2. The applicant is also advised to contact the various supply and utility authorities, i.e. Sydney Water, Sydney Electricity, Telstra etc. to enquire whether there are any underground utility services within the proposed excavation area.

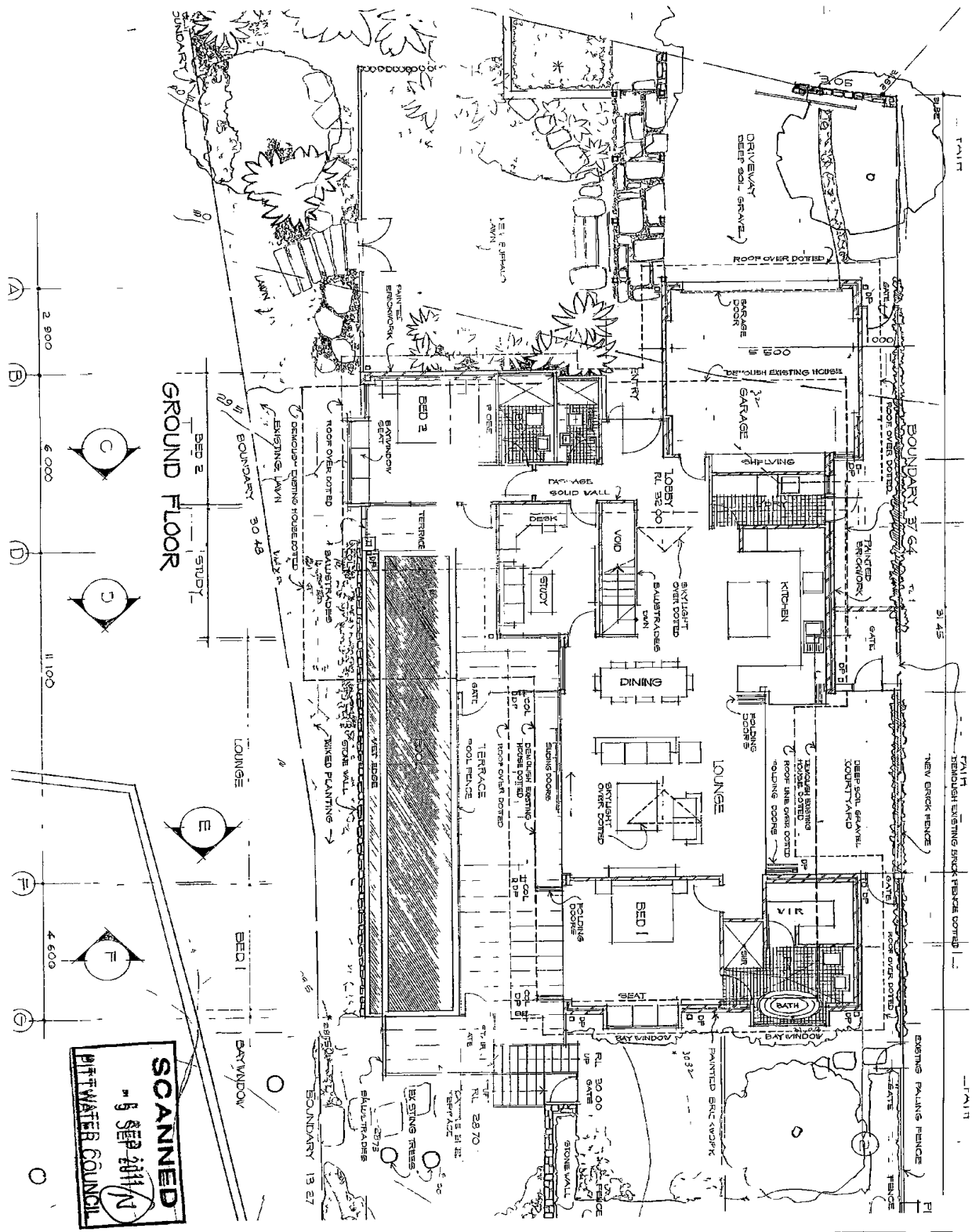
3. It is the Project Managers responsibility to ensure that all of the Component Certificates/certification issued during the course of the project are lodged with the Principal Certifying Authority. Failure to comply with the conditions of approval or lodge the Component Certificates/certification will prevent the Principal Certifying Authority issuing an Occupation Certificate.
4. In accordance with Section 95(1) of the Act, this consent will lapse if the development, the subject of this consent, is not physically commenced within 5 years after the date from which this consent operates.
5. To ascertain the date upon which the determination becomes effective and operates, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979* (as amended).
6. Should any of the determination not be acceptable, you are entitled to request reconsideration under Section 82A of the *Environmental Planning and Assessment Act, 1979*. Such request to Council must be made in writing, together with appropriate fees as advised at the time of lodgement of such request, within 1 year from the date of determination.
7. If you are dissatisfied with this decision, Section 97 of the *Environmental Planning and Assessment Act, 1979*, gives you a right of appeal to the Land and Environment Court within 12 months of the date of endorsement of this Consent.
8. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Waters sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.

## LOCALITY MAP

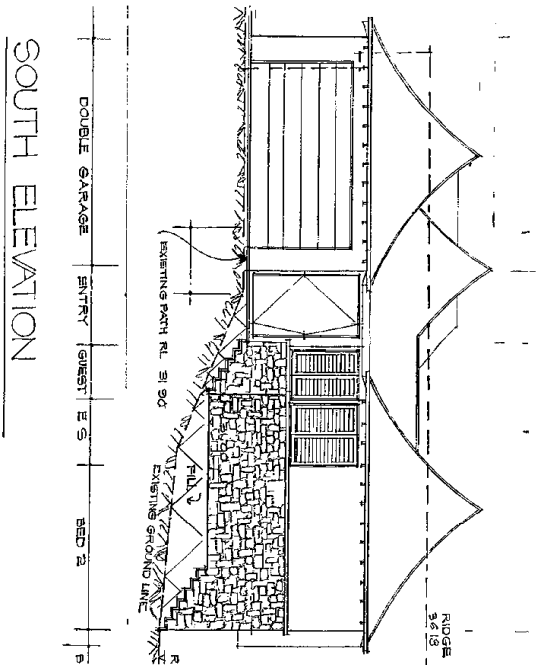
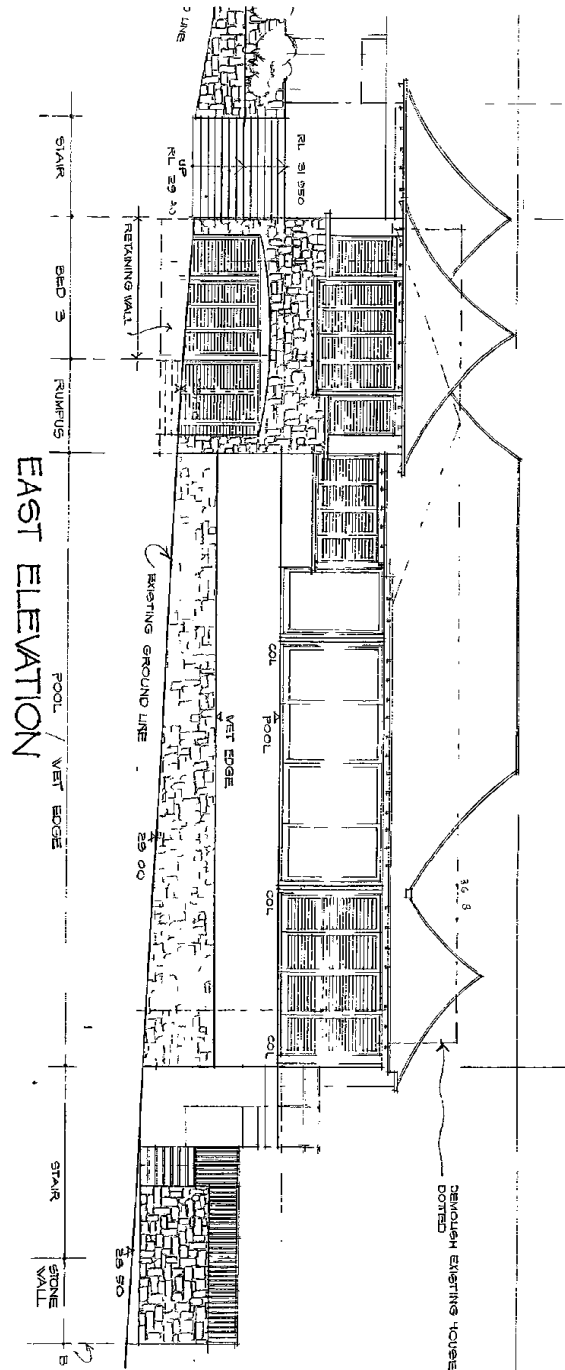




# NOTIFICATION PLANS







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<b>C11.4</b>	<b>Proposed new telecommunications poles in Elanora Heights and Mona Vale</b>
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**Meeting:** Planning an Integrated Built Environment Committee

**Date:** 21 November 2011

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**STRATEGY:** Land Use & Development

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

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## **PURPOSE OF REPORT**

The purpose of the report is to inform Council of a proposal by Ausgrid (formerly Energy Australia) to install two (2) new twenty five metre (25m) telecommunications poles at Elanora Heights and Mona Vale.

### **1.0 BACKGROUND**

- 1.1 Council has received formal notification on 2 November 2011, from Ausgrid (formerly Energy Australia) of a proposal to install two new telecommunications poles in Pittwater (see **Attachment 1**).
- 1.2 The first pole is proposed to be located in the road reserve at the corner of the intersection formed by Kalang Road and St Andrew's Gate, adjacent to the existing squash courts. This pole (inclusive of antennas) is proposed to be 25.5m high.
- 1.3 The second pole is proposed to be located in the road reserve at the front of 74 Mona Vale Road, Mona Vale. This pole (inclusive of antennas) is also proposed to be 25.5m high.
- 1.4 Although they are an electricity supplier, Ausgrid are proposing to install telecommunications infrastructure as part of a new "smart grid" system. Ausgrid have stated that the proposed poles are to be installed to modernise their electricity network and to improve the efficiency of electricity supply, network planning and to support renewable energy connections.
- 1.5 The telecommunications poles will enable new sensors located in distribution boxes across the electricity network to communicate. In this way Ausgrid state that there will be improved efficiency and reliability of supply, increased visibility of the network, real time availability of data, the ability to identify irregular behaviour or power outages and to pinpoint faults enabling an immediate response.
- 1.6 Ausgrid representatives have advised that they have investigated a total of 20 potential sites in Pittwater but found that the proposed sites would be the only viable options owing to the terrain and water constraints in this region.

## **2.0 ISSUES**

### **2.1 Legislation**

- 2.1.1 Most new telecommunications infrastructure in Pittwater is permitted in accordance with the Commonwealth Telecommunications (Low-impact Facilities) Determination 1997. However, as the proposed poles are stand alone and not attached to any building they are too large to be considered under this legislation.
- 2.1.2 The proposed poles will be considered under SEPP (Infrastructure) 2007. Specifically, clause 41 which states as follows:
- 2.1.3 *“Development for the purposes of an electricity transmission or distribution network may be carried out by or on behalf of an electricity authority without consent on any land.”*
- 2.1.4 Further to the above, clause 114 states:
- 2.1.5 *“Development for the purposes of telecommunications facilities (including radio facilities) may be carried out by a public authority without consent on any land.”*
- 2.1.6 In accordance with the above, Ausgrid are able to self assess the proposed poles under Part 5 of the Environmental Planning and Assessment Act 1979. Ausgrid are obliged to inform Council and adjoining property owners of their proposals and to take any subsequent submissions into consideration during their assessment.
- 2.1.7 The NSW Department of Planning & Infrastructure released the NSW Telecommunications Facilities Guideline Including Broadband (the Guideline) in July 2007. The Guideline states as follows:
- 2.1.8 *“The site selection, design, construction and operation of telecommunications facilities in NSW if carried out under clause 114 or 115 of Infrastructure SEPP must be consistent with the principles set out in this Guideline. All people carrying out development for the purpose of a telecommunications facility should take these principles into consideration in order to follow best practice.”*
- 2.1.9 Consideration of the proposed poles against the relevant “principles” is provided below.

### **2.2 The Principles**

- 2.2.1 *Principle 1: A telecommunications facility is to be designed and sited to minimise visual impact.*
- 2.2.2 At 25.5m high both proposed poles could not be said to in any way minimise visual impact. Both poles will be approximately 15m higher than any other structure in their vicinity. Their impact can not be mitigated by landscaping and the poles will become the dominant structure in the visual catchment in which they are proposed to be located. There are few buildings in the entire local government area that will compare to the height of the proposed poles.
- 2.2.3 The height and impact of the poles will be compounded by their location in close proximity to residential areas. The pole in Mona Vale in particular will be located between an existing residential dwelling and the adjoining road. This will have a significant impact on the amenity of the existing residents.

- 2.2.4 *Principle 2: Telecommunications facilities should be co-located wherever practical.*
- 2.2.5 Both poles are new, stand alone poles. While it is apparent that efforts have been made by Ausgrid to examine alternatives, greater evidence should be provided to demonstrate why alternative smaller or co-located facilities could not be used.
- 2.2.6 Further to the above, concern is raised that if these poles are erected that numerous carriers will want to co-locate on this new infrastructure, leading to a bulkier and more cluttered pole.
- 2.2.7 *Principle 3: Health standards for exposure to radio emissions will be met.*
- 2.2.8 No details have been provided to demonstrate compliance with Radiation Protection Standards.

## 2.3 Submission

- 2.3.1 In accordance with the requirements of the Electricity Supply Act, Council has 40 days to respond. Letters objecting to the size and scale of both poles are proposed to be sent.

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## 3.0 SUSTAINABILITY ASSESSMENT

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

- 3.1.1 The significant visual impact of the proposed poles may have a detrimental impact on the health and well being of the local community.

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

- 3.2.1 The poles will have an adverse impact on a wide visual catchment.
- 3.2.2 As no details have been provided, uncertainty exists regarding EME levels.

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

- 3.3.1 The proposed communications facilities may encourage a greater level of energy efficiency through the deployment of 'smart technologies' which enable households to manage their electricity consumption and carbon emissions however, the visual impact of the poles is not considered to outweigh any benefits.

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

- 3.4.1 Nil

### 3.5 Integrating our Built Environment (Infrastructure)

- 3.5.1 The proposed communications facilities are likely to be beneficial to the local electricity network by improving efficiency of supply and network planning.

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#### **4.0 EXECUTIVE SUMMARY**

- 4.1 Council has received notification, from Ausgrid (formerly Energy Australia) of a proposal to install two new telecommunications poles in Pittwater (see **Attachment 1**).
- 4.2 The first pole is proposed to be located in the road reserve at the corner of the intersection formed by Kalang Road and St Andrew's Gate, adjacent to the existing squash courts. This pole (inclusive of antennas) is proposed to be 25.5m high.
- 4.3 The second pole is proposed to be located in the road reserve at the front of 74 Mona Vale Rd, Mona Vale. This pole (inclusive of antennas) is also proposed to be 25.5m high.
- 4.4 Although they are an electricity supplier, Ausgrid are proposing to install telecommunications infrastructure as part of a new "smart grid" system.

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#### **RECOMMENDATION**

- 1. That the information in the report be noted.
- 2. That Council write to Ausgrid and object to the height and scale of the proposed towers, their inappropriate location and the lack of information regarding radiation protection standards.

Report prepared by

Sarah Sheehan, Assistant Strategic Planner

Lindsay Dyce

**MANAGER, PLANNING AND ASSESSMENT**

# **Radio Communications – enabling our Intelligent Network**

November 2011



## Introduction

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- Smart Grid represents a critical modernisation of electricity network
- Smart Grid technology to improve efficiency of supply, network planning, and support renewable energy connections
- Wimax network the communications platform for Smart Grid
- Communications facilities in the Pittwater LGA will form part of our Intelligent Network strategy

## Communications is the critical element





## Pittwater distribution monitoring



- 12,000 smart sensors in distribution boxes across electricity network
- 80 smart sensors to be deployed in the Pittwater LGA over 3 years
- Servicing 27,000 customers
- Small, flat antenna to be mounted on distribution boxes to communicate to Wimax network facilities

## Improved Reliability of Supply

- Increased visibility
- Real-time data
- Identify irregular behaviour or peak demand
- Pin-point faults enabling immediate response
- Improving efficiency and reliability of supply



## Pittwater Deployment

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- Pittwater LGA is a difficult deployment environment because of the narrow terrain, water, steep escarpments and predominantly residential nature of development.
- The approach to network design in Pittwater has been to:
  - achieve reliable radio communications across the electricity network in Pittwater
  - minimise impact on Pittwater as best as feasible
  - minimise the amount of infrastructure required in Pittwater to achieve reliable communications.

## Network Design Methodology

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- Radiofrequency engineers examined various scenarios including stand-alone site solutions and tandem site solutions.
- The core approach has been to balance coverage and capacity with potential community disturbance and visual impact.
- Technical feasibility of site solutions arrived at using desktop prediction software and field visits. Potential sites were examined in the field using an EWP, or “Snoopy” (a remote controlled helicopter).
- Ausgrid examined a total of 20 site locations.

## Deployment Limitations

- Ausgrid proposes 3 communications facilities in Pittwater: at Elanora Heights, Mona Vale and Bilgola Plateau.
- By comparison, Telstra has 16 sites at 850MHz (a frequency with better propagation characteristics than 2300MHz).
- Site investigations revealed that:
  - All potential deployment scenarios require a 25m facility in Elanora Heights.
  - All potential scenarios require at least one facility in Mona Vale.
  - All scenarios require a facility in Bilgola Plateau.



## Pittwater LGA –Network Design



## Sites Ruled Out

<u>Site</u>	<u>Reason Ruled Out</u>
Boanbong Rd, Palm Beach	Limited DM&C devices requiring communications capability.
Careel Bay substation, Careel Bay	Low Ground elevation / relation to plateau results in limited coverage.
Newport Substation, Newport	Large site required for very minimal coverage, location is residential.
The Avenue / Newport Shops	A dual-site solution not likely to result in less community disturbance.
Bertana Cres, Mona Vale	Excellent hilltop position, but residential setting with no visual context
Briony Pl, Mona Vale	Excellent elevated position, but residential setting with no visual context
Plateau Park, Collaroy Plateau	The Collaroy Plateau site can see Elanora Heights, but is too far away to provide coverage of a reliable quality
Caladenia Cl, Elanora Heights	Insufficient coverage at a height of 35m because set too far back.
Elanora Rd, Elanora Heights	Cannot see the Elanora Shops at a height of 30m – too far back from the edge of hillside.

## Sites Ruled Out

<u>Site</u>	<u>Reason Ruled Out</u>
Laurel Ave West & Lane Cove Rd, Ingleside	The Ingleside escarpment is too high and too far away to provide reliable coverage. It would cripple the network in Pittwater.
Warriewood Co-location	Could only provide coverage to the south and west of Mona Vale – would not provide coverage to all of Mona Vale or to Elanora Heights
Attunga Reserve	Would require a new pole in Bilgola and a second site in Careel Bay
Careel Bay Ovals	Light pole facility at Careel Bay Oval would still require a second pole site at Attunga Reserve
Tengah Cres, Mona Vale & Ponderosa Ave, Mona Vale	A twin site solution covering each side of Mona Vale Rd – each location would require a 35m pole, maximising the number of size of facilities
Commercial rooftop, Bungan St Mona Vale	No room for further co-location. <i>view shed would be very big – surrounding residents</i> <i>big</i>



## Legislative Process

- Infrastructure SEPP 2007 Clause 41 *“Development for the purposes of an electricity transmission or distribution network may be carried out by or on behalf of and electricity authority or public authority without consent on any land.”*
- Infrastructure SEPP 2007 Clause 114 *“Development for the purposes of telecommunications facilities (including radio facilities) may be carried out by a public authority without consent on any land.”*
- Accordingly, Ausgrid can self-assess the development proposals under Part 5 of the Environmental Planning & Assessment Act.
- The Electricity Supply Act - 40-day Council consultation period for works other than routine maintenance. Ausgrid will also conduct additional courtesy notification to surrounding residents and community stakeholders.

## Conclusion

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- The Wimax network will be the vital communications link between data gathered in the field, Ausgrid and consumers in the new Smart Grid.
- Any future Smart Grid projects will be delivered through the new Smart Grid infrastructure.
- Ausgrid proposes three Wimax network facilities in the Pittwater LGA.
- Notification of the proposed facilities is scheduled to take place before Christmas.

1	2	3	4	5	6
<h2 style="margin: 0 auto;">Ausgrid</h2>					
<h3>WIMAX SITE 385</h3> <p>             SITE NAME: MONA VALE              ADDRESS: CNR MONA VALE RD &amp; FOLEY STREET              MONA VALE, NSW 2103         </p>					
<h4>WIMAX SITE 385</h4> <p>             CNR MONA VALE RD &amp; FOLEY STREET              MONA VALE, NSW 2103              COVER PAGE         </p>					
<h4>PRELIMINARY DESIGN</h4>					
<b>DRAWING REGISTER</b> DATE OF ISSUE: 26.07.2011 DRAWING PACKAGE VERSION: A		26.07.2011 A B			
1. GENERAL DRAWINGS -					
01	COVER PAGE	A	B		
02	SITE LOCALITY PLAN	A	B		
03	SITE LAYOUT PLAN	A	B		
04	ELEVATION & ANTENNA TABLE	A	B		
05	PHOTOMONTAGE	A	B		
<p> <b>Ausgrid</b>              DESIGN AND ENGINEERING BRANCH              24 CAMPBELL ST. SYDNEY, NSW 2000         </p>					
<p> <b>myd</b>              MYD Consulting Engineers Pty Ltd              Level 1, 240 Victoria Road              Gladesville, NSW 2111              Tel: 02 9617 2011              Fax: 02 9617 2010              Email: info@myd-engineers.com              www.myd-engineers.com         </p>					
<p> <b>Ausgrid</b>              WIMAX SITE 385              CNR MONA VALE RD &amp; FOLEY STREET              MONA VALE, NSW 2103              COVER PAGE         </p>					
DRAWING No: 215802 SHEET: 01 AND: B SIZE: A3					











VIEW LOOKING WEST

PRELIMINARY DESIGN

<p>ISSUED FOR APPROVAL</p> <p>ISSUED FOR APPROVAL</p> <p>AMT</p>		<p>P.H. D.O. P.L. N.V. N.O. 20.10.2011</p> <p>P.H. P.L. N.V. N.O. 18.03.2011</p> <p>DESIGN CHECKS DRAWN CDS DATE</p>		<p>myd</p> <p>myd Consulting Engineers Pty Ltd</p> <p>Level 1, 200 Victoria Road</p> <p>Blackburn, VIC 3111</p> <p>Ph: 03 9477 2881</p> <p>Fax: 03 9477 2880</p> <p>Email: info@mydconsulting.com.au</p> <p>www.mydconsulting.com.au</p>		<p>Ausgrid</p> <p>DESIGN AND ENGINEERING BRANCH</p> <p>24 CAMPBELL ST. SYDNEY, NSW 2008</p>		<p>WIMAX SITE</p> <p>WIMAX MONA VALE 385</p> <p>CNR MONA VALE RD &amp; FOLEY STREET</p> <p>MONA VALE, NSW 2103</p> <p>PHOTO MONTAGE</p>		<p>DESIGNED P.H.</p> <p>CHECKED D.D.</p> <p>DRAWN M.V.</p> <p>CHECKED P.Z.</p> <p>APPROVED H.O.</p> <p>SCALE N.T.S.</p> <p>FILE</p> <p>NUMBER</p>	<p>215802-05-B</p>	<p>SHEET 05</p>	<p>AMP B</p>	<p>SIZE A3</p>
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<p><b>DRAWING REGISTER</b></p> <p>DATE OF ISSUE: 14.01.2011</p> <p>DRAWING PACKAGE VERSION: A</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">1. GENERAL DRAWINGS</td> <td style="width: 50%;">A</td> <td style="width: 50%;">B</td> <td style="width: 50%;">C</td> <td style="width: 50%;">D</td> <td style="width: 50%;">E</td> <td style="width: 50%;">F</td> </tr> <tr> <td>01. COVER PAGE</td> <td>A</td> <td>B</td> <td>C</td> <td>D</td> <td>E</td> <td>F</td> </tr> <tr> <td>02. SITE LOCALITY PLAN</td> <td>A</td> <td>B</td> <td>D</td> <td>D</td> <td>D</td> <td>D</td> </tr> <tr> <td>03. SITE LAYOUT PLAN</td> <td>A</td> <td>B</td> <td>D</td> <td>D</td> <td>D</td> <td>D</td> </tr> <tr> <td>04. ELEVATION &amp; ANTENNA TABLE</td> <td>A</td> <td>B</td> <td>D</td> <td>D</td> <td>D</td> <td>D</td> </tr> <tr> <td>05. PHOTO MONTAGE - SHEET 1</td> <td>A</td> <td>D</td> <td>A</td> <td>D</td> <td>A</td> <td>D</td> </tr> <tr> <td>06. PHOTO MONTAGE - SHEET 2</td> <td>A</td> <td>D</td> <td>A</td> <td>D</td> <td>A</td> <td>D</td> </tr> </table>	1. GENERAL DRAWINGS	A	B	C	D	E	F	01. COVER PAGE	A	B	C	D	E	F	02. SITE LOCALITY PLAN	A	B	D	D	D	D	03. SITE LAYOUT PLAN	A	B	D	D	D	D	04. ELEVATION & ANTENNA TABLE	A	B	D	D	D	D	05. PHOTO MONTAGE - SHEET 1	A	D	A	D	A	D	06. PHOTO MONTAGE - SHEET 2	A	D	A	D	A	D	<p><b>WIMAX SITE 373</b></p> <p>SITE NAME: ELANORA HEIGHTS ADDRESS: CNR OF ST ANDREWS GATE AND KALANG ROAD ELANORA HEIGHTS, NSW 2101</p>	<p style="text-align: center;"><b>PRELIMINARY DESIGN</b></p> <div style="text-align: center;"> <p><b>Ausgrid</b> DESIGN AND ENGINEERING BRANCH 34 CAMPBELL ST. SYDNEY, NSW 2000</p> </div> <div style="text-align: center;"> <p><b>MYD Consulting Engineers Pty Ltd</b> 100 Myrtle Road Sydney, NSW 2111 Tel: 02 9517 2611 Fax: 02 9517 2611 Email: info@myd-engineers.com www.myd-engineers.com</p> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">DESIGN</th> <th style="width: 10%;">DRAWN</th> <th style="width: 10%;">CHKD</th> <th style="width: 10%;">APPD</th> <th style="width: 10%;">DATE</th> </tr> <tr> <td>DESIGN</td> <td>CHKD</td> <td>APPD</td> <td>DATE</td> <td></td> </tr> <tr> <td>DESIGN</td> <td>CHKD</td> <td>APPD</td> <td>DATE</td> <td></td> </tr> <tr> <td>DESIGN</td> <td>CHKD</td> <td>APPD</td> <td>DATE</td> <td></td> </tr> </table>	DESIGN	DRAWN	CHKD	APPD	DATE	DESIGN	CHKD	APPD	DATE		DESIGN	CHKD	APPD	DATE		DESIGN	CHKD	APPD	DATE	
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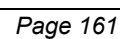












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**Council Meeting**

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**12.0          Adoption of Governance Committee Recommendations**

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**13.0          Adoption of Planning an Integrated Built Environment  
Committee Recommendations**

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## **Committee of the Whole**

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## **14.0 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.

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- (i) That in the public interest, and pursuant to Section 10A(2) of the Local Government Act, 1993, the Council to consider Items C14.1.
- (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**



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## **C14.1 General Manager's Performance Review - 2011**

**Meeting:** Council

**Date:** 21 November 2011

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### **MAYORAL MINUTE**

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#### *CONFIDENTIAL CLAUSE*

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the Council to close the meeting to the public for business relating to the following:-*

- (a) personnel matters concerning particular individuals.*
- 

### **BACKGROUND**

- 1.1 The formal performance review of Mr Mark Ferguson, General Manager, for the 12 month period 20 September 2010 – 19 September 2011 was conducted by a Review Committee, comprising all councillors, on 20 October 2011.
- 1.2 The following is a summary of the Review Committee's deliberations:

Present:

Cr H Rose (Mayor & Chairperson)  
Cr J Townsend  
Cr J Hegarty  
Cr P Hock  
Cr D James  
Cr I White (Deputy Mayor)

Mr M Ferguson, General Manager (left meeting at 6.41pm)  
Mr S Rawe, Manager Corporate Development

Apologies:

Cr B Dunbar  
Cr B Grace  
Cr P Giles

The meeting was held in the Pittwater Council offices, Conference Room, Level 3, 5/12 Vuko Place, Warriewood. The meeting commenced at 5.03pm and concluded at 7.02pm.

- 1.3 A Performance Agreement document for the review period was developed and signed by the Mayor, Deputy Mayor and General Manager in November 2010. The General Manager submitted a written and verbal presentation in relation to that Agreement to the Review Committee on both his personal and the Council's achievements over the 12 month review period 20 September 2010 – 19 September 2011.
- 1.4 The Review Committee discussed various matters with the General Manager in relation to his presentation and performance.

- 1.5 The Councillors present completed an evaluation of the General Manager's performance following his presentation and the Review Committee expressed a high level of satisfaction with his performance over the previous 12 month period. A detailed report of the proceedings of the Meeting has been completed and is attached to Mr Ferguson's personal file.
- 1.6 In accordance with the terms of the Department of Local Government Standard Contract of Employment for General Managers of Local Councils in NSW, Mr Ferguson's total remuneration package will be increased by 4% in line with the determination of the Statutory and Other Offices Remuneration Tribunal (SOORT) for the subject review period.

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**Motion**

1. That the report of the Review Committee on the performance of Mr Mark Ferguson, General Manager, over the 12 month period 20 September 2010 to 19 September 2011 be adopted.
2. That Mr Ferguson's total remuneration package be increased by 4% in line with the determination of the Statutory and Other Offices Remuneration Tribunal (SOORT) for the subject review period, in accordance with his Department of Local Government Standard Contract of Employment for General Managers.

Cr H Rose  
**MAYOR**

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<b>Council Meeting</b>
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<b>15.0</b>	<b>Adoption of the Committee of the Whole Recommendations</b>
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