



**ORDINARY MEETING OF COUNCIL  
TO BE HELD ON TUESDAY, 20 NOVEMBER 2007 AT 7.00PM  
LEVEL 3, COUNCIL CHAMBERS**

**A G E N D A**  
**\*\* \*\* \***

NOTE: For Full Details, See Council's Website –  
[www.kmc.nsw.gov.au](http://www.kmc.nsw.gov.au) under the link to business papers

**APOLOGIES**

**DECLARATIONS OF INTEREST**

**CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING**

**ADDRESS THE COUNCIL**

**NOTE:** Persons who address the Council should be aware that their address will be tape recorded.

**DOCUMENTS CIRCULATED TO COUNCILLORS**

**CONFIRMATION OF MINUTES**

**Minutes of Ordinary Meeting of Council**

File: S02131

Meeting held 13 November 2007

Minutes circulated separately

## MINUTES FROM THE MAYOR

### PETITIONS

### GENERAL BUSINESS

- i. *The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to have a site inspection.*
- ii. *The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to adopt in accordance with the officer's recommendation and without debate.*

**GB.1 12 Woonona Avenue, Wahroonga**

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File: DA0416/07

Ward: Wahroonga

To refer the application back to Council following a site inspection and to address submissions made at the site inspection.

**Recommendation:**

Approval.

**GB.2 15 Carinya Road, Pymble - Section 96 Modification of DA 947/03 -  
Proposing Removal of a Liquidambar**

**121**

.  
File: MOD0301/07

Ward: St Ives

Applicant: Mr & Mrs Thalagala

Owner: Mr & Mrs Thalagala

To determine a Section 96 modification of consent to Development Application No 947/03 to permit the removal of a Liquidambar tree from the front of the site. The Liquidambar is required to be retained and protected by conditions of consent.

**Recommendation:**

Refusal.

**GB.3 Council Meeting Cycle for 2008**

**148**

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File: S02355

To consider the proposed Council Meeting Cycle for 2008 which takes account of school holidays, public holidays, the 2008 Local Government Elections and the Christmas Recess.

**Recommendation:**

That Council's Meeting Cycle for 2008 be adopted.

**GB.4 Draft Sponsorship Policy 152**

.  
File: S05650

To provide a final report to Council on the draft Sponsorship Policy, following the public exhibition period.

**Recommendation:**

That the draft Sponsorship Policy be adopted by Council.

**GB.5 Term of Appointment of Mayors 161**

.  
File: S03662

To advise Council of a Circular from the Department of Local Government and to resolve a response.

**Recommendation:**

Submitted for Council's consideration.

**GB.6 Investment Report as at 31 October 2007 167**

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File: S05273

To present to Council investment allocations and returns on investments for October 2007.

**Recommendation:**

That the summary of investments and performance for October be received and noted. That the certificate of the Responsible Accounting Officer be noted and the report adopted.

**GB.7 2006 to 2007 Annual Report 178**

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File: S02015

To present to Council the Statutory Annual Report for 2006/2007 in accordance with Section 428 of the Local Government Act 1993.

**Recommendation:**

That the Annual Report for the period of 1 July 2006 to 30 June 2007 be received and noted.

GB.8 **2007 to 2011 Management Plan 1st Quarter Review as at 30 September 2007** **181**

.  
File: S05708

To report to Council on progress made toward achieving Key Performance Indicators as contained in Council's 2007-2011 Management Plan.

**Recommendation:**

That the 1st quarter Management Plan review 2007-2011 be received and noted.

GB.9 **Budget Review 2007 to 2008 - 1st Quarter Review as at end September 2007** **214**

.  
File: S05708

To present to Council the quarterly financial review for the 1st quarter ended 30 September 2007.

**Recommendation:**

That Council approves the budget transfers as outlined in this report.

GB.10 **Analysis of Land & Environment Court Costs - First Quarter 2007 - 2008** **308**

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File: S02466

To provide information in relation to proceedings to which Council is a party in the Land & Environment Court for the quarter ended 30 September 2007, including appeals commenced, costs incurred by Council and outcomes.

**Recommendation:**

That the analysis of Land & Environment Court costs for the first quarter ended 30 September 2007 be received and noted.



File: S03621

To provide a response to the Concept Plan proposal, the State Site Significant Study and Environmental Assessment for the redevelopment of the University of Technology, (UTS) Ku-ring-gai Campus.

**Recommendation:**

That Council make a submission to the Department of Planning as outlined in this report.

**EXTRA REPORTS CIRCULATED AT MEETING**

**BUSINESS WITHOUT NOTICE - SUBJECT TO CLAUSE 14 OF MEETING  
REGULATION**

**QUESTIONS WITHOUT NOTICE**

**INSPECTIONS COMMITTEE - SETTING OF TIME, DATE AND RENDEZVOUS**

**\*\* \*\* \*\* \*\* \*\***

# **Environmental Planning & Assessment Act 1979 (as amended)**

## **Section 79C**

### *1. Matters for consideration - general*

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

#### *a. The provisions of:*

- i. any environmental planning instrument, and*
- ii. any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*
- iii. any development control plan, and*
- iv. any matters prescribed by the regulations,*

*that apply to the land to which the development application relates,*

- b. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c. the suitability of the site for the development,*
- d. any submissions made in accordance with this Act or the regulations,*
- e. the public interest.*

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## 12 WOONONA AVENUE, WAHROONGA

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Ward: Wahroonga

### SUPPLEMENTARY REPORT

**PURPOSE OF REPORT:**

To refer the application back to Council following a site inspection and to address submissions made at the site inspection.

**BACKGROUND:**

- Application lodged 18 May 2007.
- Council considered a report at its meeting on 25 September 2007.
- Consideration pending site inspection which took place on 20 October 2007

**COMMENTS:**

Questions raised at the site inspection and subsequent late submissions are addressed in this report.

**RECOMMENDATION:**

Approval.

## PURPOSE OF REPORT

To refer the application back to Council following a site inspection and to address late submissions made and questions raised at the site inspection.

## BACKGROUND

- Application lodged 18 May 2007.
- Council considered a report at its meeting on 25 September 2007.
- Consideration pending site inspection which took place on 20 October 2007

## COMMENTS

The following issues were raised at the site inspection of 20 October 2007.

### 1. Rear fencing

*Council officers to consider the appropriateness of a condition to address the agreed 8ft lapped and capped timber fencing on the rear boundary between the subject site and the Briars at 14 Woonona Avenue.*

CL.61E of KPSO requires an assessment of the effect to the heritage item. An 8ft or 2.44 metres lapped and capped timber fence will not have a significant detrimental impact on the Heritage Item for the reasons given below. In addition, timber construction is a sympathetic material consistent with the local environment, there is reasonable vegetative screening and separation of the fence from the item, there are no significant visual or solar amenity impacts.

Section 4.1 of DCP 55, requires the following relevant considerations for the proposed 8ft lapped and capped fence:

- Open landscape character;
- Visibility and security;
- Materials selection;
- Solid or transparent qualities;
- Height;
- Vertical and horizontal composition of the materials; and/ or

The provision of a 2.44 metres high lapped and capped timber fence is not considered to be inconsistent to the above objectives of the DCP. Typically, side and rear boundary fences are constructed to a maximum height of 6ft or 1800mm. The proposal to condition a higher fence is not unreasonable and not inconsistent with Council's policy.

A higher fence will increase privacy between the two properties, improve security as it is harder to climb and will not detrimentally impact on the quality of the streetscape as it will

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not generally be seen from a public street or place. The timber construction is lightweight and consistent with surrounding development and more in keeping with the leafy environment and that of traditional fencing within the area.

Given the two neighbouring properties have agreed on the fence and its general consistency with the provisions of KPSO and DCP 55, **Condition No.18** has been amended to include the provision of a new 8ft or 2.44 metres high timber lapped and capped fence along the rear western boundary.

2. **Setback from heritage item**

*Council officers to advise whether it would be more appropriate to measure the setback of the heritage item from the Portico rather than the building and if so, please confirm that this does not alter the proposal's compliance.*

The provisions of Section 3.5 C-1i require that the 'setback of the first and second storeys at least 10 metres from the adjacent heritage building'. The control goes on to require a setback of 15 metres for the third storey.

The provision is clear that the measurement is to be taken from the building. Irrespective, the development would comply with the requirement if the measurement was taken from the entry portico. The ground and first floor of the proposed development are set back 14.2 metres from the entry portico. The third floor (set within the roof space) is setback 16.6 metres from the entry portico. All levels of the proposed development easily comply with the requirement.

3. **Correspondence tabled by adjoining resident**

*Council officers to note and comment on the correspondence tabled during the site inspection by Mr John Fuller, owner of No.14 Woonona Avenue.*

Council's Heritage Advisor has offered the following in response to Mr Fuller's submission (See attachment No.2):

*"My understanding is that the other referral officers supported the application as it complied in every respect and is less intensive than what is permissible given rezoning and DCP 55.*

*As far as the advice from the Heritage Office goes, it is advice only. The NSW Heritage Office has no statutory authority over the subject site. The Heritage Act does not extend to land "within the vicinity" of a State item - that is left to the Local Council (Clause 61 E of the KPSO).*

*In their letter dated 25/9/07, the Heritage Office interpretation of DCP 55 is incorrect. They correctly acknowledge that "the item" is the whole of the Lot and DP that forms the property. The KPSO specifically defines a heritage item as the land shown on the gazetted map, not the building. However, DCP 55 defines the heritage setback to be measured from the building, not the boundary of the item. The Heritage Office incorrectly interpret the heritage setback is taken from the boundary of the item.*

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*When Council was preparing DCP 55, the heritage setback was initially proposed as 10m & 15m from the boundary of the heritage item. The intention was to maximise separation, enhance setting, reduce potential impacts and step medium density development down near an item. The setback from the boundary was rejected due to conflict and non-compliance with LEP 194. In making DCP55, Council accepted the heritage setback to be applied to the building, not the boundary.*

*The Heritage Office letter (See Attachment 3) also refers to a Development Application on a neighbouring site in Bundarra Avenue, where the Court reduced the height of a proposed 5 storey building to 3 storeys because it would impact on the views, setting and the "extended curtilage" of The Briars. In this case, the Court accepted the concept of "extended curtilage" and required a reduction in height even though the development complied with DCP 55. While the experts in that case agreed that it is more important to protect the setting at the front of The Briars, this application is only two and a half storeys in height and the overall height is similar to the height of a single residential house. It is worth noting that "Poole House", a listed item further along Woonona Avenue, is higher than the proposed development and similar large buildings are common in the area.*

*In the referral, it was recommended that conditions reduced the width of the balconies on the north side of the building so that it would appear from the public realm more as a dwelling house rather than a residential flat building and there would be additional setback from the driveway to the Briars and additional views from the public realm.*

*The letter refers to the advice from the heritage consultants, Permual Murphy Alessi, dated 2006. That report recommended mitigation of the zoning to a preferably single storey development further away from the Briars. The report was part of heritage advice to Council on the Town Centre LEP. Rezoning of the site had already occurred with LEP 194 and DCP 55. The recommendation was not supported by Council.*

*Concern is raised over the visual isolation of The Briars from the Woonona Avenue. A two and a half storey building will provide considerable and permanent screening. However, the real problem with the site is that subdivision occurred in 1968 with loss of the front garden of The Briars and then rezoning in LEP 194. The existing front yard of the house is limited and views to and from it are very restricted. The trees provide additional screening and form its existing front setting. This "enclosed front setting" has existed for about 40 years. The setting at the rear of the house is more open, with a view west over the rear of neighbouring properties. Given the low scale of existing development and the fall of the land to the west, there are views from the rear living areas and veranda to the trees along Bundarra Avenue providing a sense of its former setting and maintaining its extended curtilage. The Court acknowledged the importance of the setting and extended curtilage at the rear of the house and despite rezoning reduced the height of a proposed 5 storey building to 3 storeys.*

*It is agreed that the best outcome would be to demolish the existing 1968 house and reinstate the front garden of The Briars. Unfortunately this is unlikely to occur unless the owner of The Briars, a Government authority or third person purchased the land.*

*In my opinion, the proposed development is a reasonable response to the site. It is unrealistic not to approve this application while it complies with all aspects of the LEP/DCP. "*

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In relation to the Land and Environment Court decision 10732 of 2006 referred to by Mr Fuller at 3-13 Bundarra Avenue and 10 Woonona Avenue, Wahroonga, the following salient points that differentiate the applications should be noted:

- The development at 3-13 Bundarra Avenue & 10 Woonona Avenue was for three, five storey buildings. The development had a number of non-compliances with Council's controls. Amongst other things, the departures from the controls included variances from the maximum site coverage and minimum landscaped area requirements. The proposed development is three storeys, with the top storey constructed within the roof space. The built form will be perceived as a large two storey dwelling house. The subject proposal exceeds the minimum deep soil landscaped area requirement by 10.3% or approximately 95.74m<sup>2</sup>. The proposed development's site coverage is 33%, which is 2% below the maximum of 35%. Comparatively, the proposed development is substantially lesser in scale and bulk than the adjoining residential flat development.
- The impacts of the development at 3-13 Bundarra Avenue and 10 Woonona Avenue, which justified the reduction of the height of the rear building to three storeys, were on the outlook/ extended curtilage of the Briars from the main rear private open space and verandah areas. This proposal does not impact on the visual curtilage when viewing the site from these locations.

4. Location of clothes drying area

*Council officers to consider inclusion of a condition to relocate the proposed clothes drying area so that it does not conflict with the 3m landscaped area adjoining the rear boundary.*

The above reflects the comments provided by Council's Landscape Assessment Officer to increase the width of the screen planting along the rear boundary to a minimum 3 metres. The recommendation acknowledged the conflict with the clothes drying area and excluded this area from the requirement. **Condition 15** has been amended to reflect this position.

5. Garbage disposal

*Council officers to confirm that a garbage truck is able to conveniently enter and exit the basement to collect waste from the proposed development in accordance with Council's policy.*

In accordance with Council's Waste Collection Policy, a garbage truck is required to access basement levels for development comprising 6 units or more. The proposed development has only 3 units. Collection of garbage will be from the street, consequently a waste truck is not required to access the basement level of the proposed development.

6. SEPP 1 justification

*Council officers to elaborate on how the proposal 'protects and enhances the environmental and heritage qualities of Wahroonga' (p. 15).*

The above quote is from the applicant's SEPP No.1 Objection to the standard and not the assessment of the variation by the responsible officer. Consequently, the quote can only be

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elaborated by the planning consultant who made the submission. For a discussion on the assessment of the acceptability of the SEPP No.1 objection, please refer to page 17 of the officer's original report to Council.

**7. Streetscape character**

*Council officers to identify the front setbacks of development to the north of the subject site and comment on whether there is any scope and/or reasonable cause to move the building forward having regard to the potential impact of the proposal on the adjoining heritage item to the rear at No.14 Woonona Avenue.*

The setback of the development to the north of the subject site for the property located at 18 Woonona Avenue is in the order of 8.2 metres. The setback of the development to the south located at 8 Woonona Avenue is in the order of 28.3 metres. DCP No.55 requires a minimum front setback of 10-12 metres. The proposed development is setback 10-12 metres, which is compliant with the control. Section 4.3 of DCP 55 sets the design objectives and controls for setbacks. A reduced front setback could not be supported as it would have a number of detrimental impacts.

As assessed, the proposed development does not have a significant detrimental impact on the Briars' for the reason given within the original report. The development is compliant with the maximum height limits, site coverage and FSR requirements and easily exceeds minimum deep soil landscape area requirements, which also determine the acceptable bulk and scale of the development. The proposed setback of the development from the heritage item also exceeds the minimum requirements as prescribed by DCP No.55.

A reduced front boundary setback would result in a non-compliance and be contrary to the objectives of the control. It would set an unacceptable precedent for the future development of the area, which is particularly important given there are a number of surrounding sites zoned 2d3 Residential. Any reduction of the proposed front setback is likely to result in a significant detrimental impact to the large established Turpentine tree located at the south-eastern corner of the proposed building. This tree provides visual amenity and has a direct relationship with the heritage item, being part of the former greater 'Briars' estate. It has also been Council's consistent position for the development of the site to retain this tree for the above reasons.

**CONCLUSION**

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory. Therefore, it is recommended that the application be approved.



**RECOMMENDATION**

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

**1. APPROVAL – SEPP 1 REQUIRED**

THAT Council, as the consent authority, is of the opinion that the objection under *State Environmental Planning Policy No. 1 – Development Standards* to minimum site area requirement under CL25E of the Ku-ring-gai Planning Scheme Ordinance is well founded. The Council is also of the opinion that strict compliance with the development standard is unreasonable and unnecessary in the circumstances of this case as the development meets the underlying objectives of the control and strict compliance with the development standard would tend to hinder the achievement of the Objects of Section 5(a)(i) and (ii) of the Environmental Planning and Assessment Act, 1979.

**AND**

THAT Council, as the consent authority, being satisfied that the objection under SEPP No. 1 is well founded and also being of the opinion that the granting of consent to DA 416/07 is consistent with the aims of the Policy, grant development consent for a residential flat building on land at 12 Woonona Avenue, Wahroonga, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

**CONDITIONS THAT IDENTIFY APPROVED PLANS:****1. Approved architectural plans and documentation (new development)**

The development must be carried out in accordance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

<i>Plan no.</i>	<i>Drawn by</i>	<i>Dated</i>
DA01a, DA02a, DA03, DA04a, DA05a, DA06a	Wolski Lycenko Brecknock Architects	May 2007
Survey Plan 060106CP Sheet 1 of 2 & 2 of 2	V W Cochrane & Associates Pty Ltd	17/01/2006
Hydraulic Details S-07-20094	Civil & Structural Engineering Design Services Pty Ltd	08/08/2007
EF01 External Finishes	Wolski Lycenko Brecknock Architects	May 2007
<i>Document(s)</i>	<i>Dated</i>	
Statement of Environmental Effects by Metroplan	May 2007	
SEPP 1 Objection by Metroplan	August 2007	
Assessment of Traffic and Parking Implications by Transport and Traffic Planning Associates	August 2007	
Preliminary Geotechnical Report by Jack Hodgson Consultants	18 April 2006	
Tree Management Report by Naturally Trees Arboricultural Consulting	11 May 2007	
Landscape specification by iScape Landscape Architecture	May 2007	
BASIX Certificate 146816M	4 July 2007	

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**Reason:** To ensure that the development is in accordance with the determination of Council.

**2. Inconsistency between documents**

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

**Reason:** To ensure that the development is in accordance with the determination of Council.

**3. Approved landscape plans**

Landscape works shall be carried out in accordance with the following landscape plan(s), listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

<i>Plan No.</i>	<i>Drawn by</i>	<i>Dated</i>
30.07/050, Rev A & 30.07/051	iScape	May 2007

**Reason:** To ensure that the development is in accordance with the determination of Council.

**CONDITIONS TO BE SATISFIED PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION:**

**3. Notice of commencement**

At least 48 hours prior to the commencement of any development or excavation works, a notice of commencement of building or subdivision work form and appointment of the principal certifying authority form shall be submitted to Council.

**Reason:** Statutory requirement.

**4. Notification of builder's details**

Prior to the commencement of any development or excavation works, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

**Reason:** Statutory requirement.

**5. Dilapidation survey and report (public infrastructure)**

Prior to the commencement of any development or excavation works on site, the Principal Certifying Authority shall be satisfied that a dilapidation report on the visible and structural condition of all structures of the following public infrastructure, has been completed and submitted to Council:

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**Public infrastructure**

- Full road pavement width, including kerb and gutter, of Woonona Avenue over the site frontage.
- All driveway crossings and laybacks opposite the subject site.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both written and photographic) existing damaged areas on the aforementioned infrastructure so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

The developer may be held liable to any recent damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded by the requirements of this condition prior to the commencement of works.

**Note:** A written acknowledgment from Council must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any excavation works.

**Reason:** To record the structural condition of public infrastructure before works commence.

**6. Construction and traffic management plan**

Prior to the commencement of any works on site, the applicant must submit for review by Council's engineers a construction and traffic management plan. The following matters must be specifically addressed in the plan:

**A. A plan view of the entire site and frontage roadways indicating:**

- dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways
- turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site
- the locations of proposed work zones in the frontage roadways
- location of any proposed crane and concrete pump and truck standing areas on and off the site
- a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected
- an on-site parking area for employees, tradespersons and construction vehicles as far as possible

**B. Traffic control plan(s) for the site**

All traffic control plans must be in accordance with the RTA publication "Traffic Control Worksite Manual" and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction

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management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of 4 weeks prior to the activity proposed being undertaken.

**C. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided.**

Light traffic roads and those subject to a load or height limit must be avoided where alternate routes exist.

A copy of this route is to be made available to all contractors and shall be clearly depicted at a location within the site.

The plan must provide evidence of RTA concurrence where construction access is provided directly from or within 20m of an arterial road.

The plan must provide a schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of their construction management obligations. These must specify that construction-related vehicles are to comply with the approved requirements.

The plan must provide measures for minimising construction related traffic movements during school peak periods.

For those construction personnel that drive to the site, the applicant shall attempt to provide on-site parking so that their personnel's vehicles do not impact on the current parking demand in the area.

The construction and traffic management plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation.

As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council's Development Engineer. Written acknowledgment from Council's Engineer shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site.

**Reason:** To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

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If a works zone is proposed, the applicant must make a written application to the Ku-ring-gai Local Traffic Committee to install the work zone. Work zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Work zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site.

If the work zone is approved by the Local Traffic Committee, the applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit this to the Principal Certifying Authority prior to commencement of any works on site.

Where approval of the work zone is resolved by the Committee, the necessary work zone signage shall be installed (at the cost of the applicant) and the adopted fee paid prior to commencement of any works on site. At the expiration of the work zone approval, the applicant is required to remove the work zone signs and reinstate any previous signs at their expense.

In the event the work zone is required for a period beyond that initially approved by the Traffic Committee, the applicant shall make a payment to Council for the extended period in accordance with Council's schedule of fees and charges for work zones prior to the extended period commencing.

**Reason:** To ensure that appropriate measures have been made for the operation of the site during the construction phase.

**8. Erosion and drainage management**

Earthworks and/or demolition of any existing buildings shall not commence until an erosion and sediment control plan is submitted to and approved by the Principal Certifying Authority. The plan shall comply with the guidelines set out in the NSW Department of Housing manual "Managing Urban Stormwater: Soils and Construction" certificate. Erosion and sediment control works shall be implemented in accordance with the erosion and sediment control plan.

**Reason:** To preserve and enhance the natural environment.

**9. Tree protection fencing**

To preserve the following tree/s, no work shall commence until the area beneath their canopy is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

**Schedule**

<b>Tree/location</b>	<b>Radius in Metres</b>
Tree 7 <i>Syncarpia glomulifera</i> (Turpentine)	5 metres
Tree 12 <i>Cupressus macrocarpa</i> (Monterey Cypress)	5 metres
Tree 14 <i>Jacaranda mimosifolia</i> (Jacaranda)	5 metres

**Reason:** To protect existing trees during the construction phase.

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**10. Tree protection signage**

Prior to works commencing, tree protection signage is to be attached to each tree protection zone, displayed in a prominent position and the sign repeated at 10 metres intervals or closer where the fence changes direction. Each sign shall contain in a clearly legible form, the following information:

- tree protection zone
- this fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted
- any encroachment not previously approved within the tree protection zone shall be the subject of an arborist's report
- the arborist's report shall provide proof that no other alternative is available
- the arborist's report shall be submitted to the Principal Certifying Authority for further consultation with Council
- The name, address, and telephone number of the developer.

**Reason:** To protect existing trees during the construction phase.

**11. Tree protection mulching**

Prior to works commencing and throughout construction, the area of the tree protection zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood.

**Reason:** To protect existing trees during the construction phase.

**12. Tree fencing inspection**

Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

**Reason:** To protect existing trees during the construction phase.

**13. Construction waste management plan**

Prior to the commencement of any works, the Principal Certifying Authority shall be satisfied that a waste management plan, prepared by a suitably qualified person, has been prepared in accordance with Council's DCP 40 – Construction and Demolition Waste Management.

The plan shall address all issues identified in DCP 40, including but not limited to: the estimated volume of waste and method for disposal for the construction and operation phases of the development.

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**Note:** The plan shall be provided to the Certifying Authority.

**Reason:** To ensure appropriate management of construction waste.

#### 14. Archival recording of buildings

Prior to the commencement of any development or excavation works on site, the Principal Certifying Authority shall be satisfied that an archival report has been submitted to Council's Heritage Advisor.

The report must consist of an archival standard photographic record of the building (internally and externally), its garden and views of it from the street illustrating its relationship to neighbouring properties and the streetscape. Recording shall be undertaken in accordance with the guidelines for "Photographic Recording of Heritage Items Using Film or digital Capture (2006)" prepared by the New South Wales Heritage Office.

Information shall be bound in an A4 report format. It shall include copies of photographs, referenced to plans of the site. Two (2) copies, one (1) copy to include negatives or CD of images shall be submitted to Council's Heritage Advisor. The recording document will be held in the local studies collection of Ku-ring-gai Library, the local historical society and Council's files.

**Note:** A written acknowledgement from Council must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works.

**Reason:** To ensure the proper management of historical artefacts and to ensure their preservation.

### CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE:

#### 15. Amendments to approved landscape plan

Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the approved architectural plans, listed below and endorsed with Council's stamp, have been amended in accordance with the requirements of this condition as well as other conditions of this consent:

<b>Plan no.</b>	<b>Drawn by</b>	<b>Dated</b>
Da02	Wolski Lycenko Brecknock Architects	May 2007

The above architectural plan(s) shall be amended in the following ways:

- i) To minimise impacts on Tree 7 *Syncarpia glomulifera* (Turpentine) the proposed steps adjacent to the eastern side of the family room of unit 1 shall be deleted and replaced with a low retaining wall. The retaining wall shall be constructed as a dry stone wall or similar that doesn't require a footing.

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- ii) All existing trees shall be numbered to correspond with the approved landscape plan.
- iii) To effectively screen the development from the adjoining heritage property to the west. The garden bed adjacent to the lawn area along the western (rear) boundary shall be widened to 3 metres excluding the clothes drying area. The planting along the rear boundary shall include layered screen planting ranging in height from 6 to 4 metres.

**Reason:** To protect existing trees.

**16. Long service levy**

In accordance with Section 109F(i) of the Environmental Planning and Assessment Act a Construction Certificate shall not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided to Council.

**Reason:** Statutory requirement.

**17. Builder's indemnity insurance**

The applicant, builder, developer or person who does the work on this development, must arrange builder's indemnity insurance and submit the certificate of insurance in accordance with the requirements of Part 6 of the Home Building Act 1989 to the Certifying Authority for endorsement of the plans accompanying the Construction Certificate.

It is the responsibility of the applicant, builder or developer to arrange the builder's indemnity insurance for residential building work over the value of \$12,000. The builder's indemnity insurance does not apply to commercial or industrial building work or to residential work valued at less than \$12,000, nor to work undertaken by persons holding an owner/builder's permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).

**Reason:** Statutory requirement.

**18. Design changes**

The following design changes shall be implemented:

- a) The verandas on the northern elevation at the ground and first floor levels shall be reduced in width from 3.7 metres to a maximum 3.0 metres. The second floor veranda shall also be proportionally reduced in width. The hipped roof form is to be retained;
- b) The pergola on the second floor is to be constructed of timber instead of steel;
- c) A continuous length planter box is to be constructed above the top of the slab at the ground floor level over the driveway/ entry ramp to account for the shortfall of veranda width;
- d) All existing trees shall be numbered on the architectural plans to correspond with the approved landscape plan; and
- e) The piers of the front fence are to be reduced in height to a maximum 1.6 metres and the metal palisade in fill is to be reduced to have a maximum height of 1.2 metres. The



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dwarf wall to the front fence is to be reduced in height relative to the reduction of the piers and metal in-fill palisade. The heights are to be measured from the finished footpath level.

- f) An 8ft or 2.44 metres high timber lapped and capped fence is to be constructed along the western property boundary to 14 Woonona Avenue, Wahroonga. The height is to be measured from the finished ground level.

Details of the above are to be provided prior to the issue of the Construction Certificate.

**Reason:** To ensure minimal impacts to the adjoining heritage item and existing trees located on and adjoining the subject site

## 19. Engineering construction details

Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the engineering construction details for the basement car park, complies with the following requirements:

The engineering construction plans shall note the following details:

- i) To preserve the following trees the basement car park shall be excavated with near vertical angles. The side surfaces of the excavated basement shall be covered with water proof covers whenever work is not being carried out. All up slope run-off shall be diverted away from the cut surfaces.
- ii) The construction details shall indicate the following trees on the plans.
- iii) the construction details shall indicate that the following trees are to be protected with no over excavation of the basement to take place.

### Schedule

#### Tree/location

Tree 7 *Syncarpia glomulifera* (Turpentine)

Tree 12 *Cupressus macrocarpa* (Monterey cypress)

Tree 13 *Liquidambar styraciflua* (Liquidambar)

Tree 14 *Jacaranda mimosifolia* (Jacaranda)

#### Tree works

Front yard on site

Adjoining property to rear.

Adjoining property to rear.

Adjoining property to rear.

**Reason:** To protect existing trees.

## 20. Air drying facilities

Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that a common open space area dedicated for open air drying of clothes is provided. This area is to be located at ground level behind the building line and in a position not visible from the public domain.

In lieu of the above, written confirmation that all units will be provided with internal clothes drying facilities prior to the Occupation Certificate is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

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**Reason:** Amenity & energy efficiency.

**21. Access for people with disabilities (residential)**

Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that access for people with disabilities to and from and between the public domain, residential units and all common open space areas is provided. Consideration must be given to the means of dignified and equitable access.

Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided to the Principal Certifying Authority prior to the issue of the Construction Certificate. All details shall be prepared in consideration of the Disability Discrimination Act, and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS 1735.12.

**Reason:** To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

**22. Adaptable units**

Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that all the nominated adaptable units within the development application [Units 1, 2, 3], are designed as adaptable housing in accordance with the provisions of Australian Standard AS4299-1995: Adaptable Housing.

**Note:** Evidence from an appropriately qualified professional demonstrating compliance with this control is to be submitted to and approved by the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** Disabled access & amenity.

**23. Stormwater management plan**

Prior to issue of the Construction Certificate, the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:

- exact location and reduced level of discharge point to the public drainage system
- Layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater plumbing - all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence)
- location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems and where proprietary products are to be used, manufacturer

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specifications or equivalent shall be provided

- specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with Ku-ring-gai Council Development Control Plan 47 and/or BASIX commitments
- details of the required on-site detention tanks required by Ku-ring-gai Water Management DCP 47, including dimensions, materials, locations, orifice and discharge control pit details as required (refer Chapter 6 and Appendices 2, 3 and 5 of DCP 47 for volume, PSD and design requirements)
- the required basement stormwater pump-out system is to cater for driveway runoff and subsoil drainage (refer appendix 7.1.1 of Development Control Plan 47 for design)

The above construction drawings and specifications are to be prepared by a qualified and experienced civil/hydraulic engineer in accordance with Council's Water Management Development Control Plan 47, Australian Standards 3500.2 and 3500.3 - Plumbing and Drainage Code and the Building Code of Australia. The plans may be generally based on the hydraulic details submitted with the development application, which are to be advanced as necessary for construction certificate issue purposes.

**Reason:** To protect the environment.

**24. Stormwater retention**

Prior to the issue of a Construction Certificate, the Principal Certifying Authority is to be satisfied that:

1. A mandatory rainwater retention and re-use system, comprising storage tanks and ancillary plumbing is provided. The minimum total storage volume of the rainwater tank system, and the prescribed re-use of the water on site must satisfy all relevant BASIX commitments and the requirements specified in Chapter 6 of Ku-ring-gai Water Management Development Control Plan 47; and
2. An on-site stormwater detention system must be provided to control the rate of runoff leaving the site. The minimum volume of the required on-site detention system must be determined in accordance with Chapter 6 of the Ku-ring-gai Council Water Management Development Control Plan 47 - having regard to the specified volume concession offered in lieu of installing rainwater retention tanks. The on-site detention system must be designed by a qualified civil/hydraulic engineer and must satisfy the design controls set out in Appendix 5 of DCP 47.

**Reason:** To protect the environment.

**25. Excavation for services**

Prior to the issue of the Construction Certificate, the Principal Certifying shall be satisfied that no proposed underground services (ie. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any

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tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

**Note:** A plan detailing the routes of these services and trees protected under the Tree Preservation Order, shall be submitted to the Principal Certifying Authority.

**Reason:** To ensure the protection of trees.

**26. Landscape plan**

Prior to the issue of the Construction Certificate, the Principal Certifying Authority shall be satisfied that a landscape plan has been completed in accordance with Council's DA Guide, relevant development control plans and the conditions of consent by a landscape architect or qualified landscape designer.

**Note:** The landscape plan must be submitted to the Principal Certifying Authority.

**Reason:** To ensure adequate landscaping of the site.

**27. Noise from plant in residential zone**

Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the Construction Certificate the Certifying Authority, shall be satisfied that the operation of an individual piece of equipment or operation of equipment in combination will not exceed more than 5dB(A) above the background level during the day when measured at the site's boundaries and shall not exceed the background level at night (10.00pm –6.00 am) when measured at the boundary of the site.

**Note:** A certificate from an appropriately qualified acoustic engineer is to be submitted with the Construction Certificate, certifying that all mechanical ventilation equipment or other noise generating plant in isolation or in combination with other plant will comply with the above requirements.

**Reason:** To comply with best practice standards for residential acoustic amenity.

**28. Location of plant (residential flat buildings)**

Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that all plant and equipment (including but not limited to air conditioning equipment) is located within the basement.

**Note:** Architectural plans identifying the location of all plant and equipment shall be provided to the Certifying Authority.

**Reason:** To minimise impact on surrounding properties, improved visual appearance and amenity for locality.

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Prior to issue of the Construction Certificate, driveway and associated footpath levels for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Ku-ring-gai Council. Such levels are only able to be issued by Council under the Roads Act 1993. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings".

Specifications are issued with alignment levels after completing the necessary application form at Customer Services and payment of the assessment fee. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant development application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment.

This development consent is for works wholly within the property. Development consent does not imply approval of footpath or driveway levels, materials or location within the road reserve, regardless of whether this information is shown on the development application plans. The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels.

The construction of footpaths and driveways outside the property in materials other than those approved by Council is not permitted.

**Reason:** To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

**30. Driveway grades – basement car-parks**

Prior to the issue of the Construction Certificate, longitudinal driveway sections are to be prepared by a qualified civil/traffic engineer and be submitted for to and approved by the Certifying Authority. These profiles are to be at 1:100 scale along both edges of the proposed driveway, starting from the centreline of the frontage street carriageway to the proposed basement floor level. The traffic engineer shall provide specific written certification on the plans that:

- vehicular access can be obtained using grades of 25% (1 in 4) maximum and
- all changes in grade (transitions) comply with Australian Standard 2890.1 – "Off-street car parking" (refer clause 2.5.3) to prevent the scraping of the underside of vehicles.

If a new driveway crossing is proposed, the longitudinal sections must incorporate the driveway crossing levels as issued by Council upon prior application.

**Reason:** To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

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## 31. Basement car parking details

Prior to issue of the Construction Certificate, certified parking layout plan(s) to scale showing all aspects of the vehicle access and accommodation arrangements must be submitted to and approved by the Certifying Authority. A qualified civil/traffic engineer must review the proposed vehicle access and accommodation layout and provide written certification on the plans that:

- all parking space dimensions, driveway and aisle widths, driveway grades, transitions, circulation ramps, blind aisle situations and other trafficked areas comply with Australian Standard 2890.1 – 2004 “Off-street car parking”
- a clear height clearance of 2.5 metres (required under DCP40 for waste collection trucks) is provided over the designated garbage collection truck manoeuvring areas within the basement
- no doors or gates are provided in the access driveways to the basement car park which would prevent unrestricted access for internal garbage collection at any time from the basement garbage storage and collection area
- the dimensions of all parking spaces, including lengths and widths, comply with the State Environmental Planning Policy for Senior Living relating to height clearances and space dimensions (delete clause if not seniors living)
- the vehicle access and accommodation arrangements are to be constructed and marked in accordance with the certified plans

**Reason:** To ensure that parking spaces are in accordance with the approved development.

## 32. Car parking allocation

Car parking within the development shall be allocated in the following way:

<b>Resident car spaces</b>	<b>5</b>
<b>Visitor spaces</b>	<b>1</b>
<b>Total spaces</b>	<b>6</b>

Each adaptable dwelling must be provided with car parking complying with the dimensional and location requirements of AS2890.1 – parking spaces for people with disabilities.

At least one visitor space shall also comply with the dimensional and location requirements of AS2890.1 – parking spaces for people with disabilities.

Consideration must be given to the means of access from disabled car parking spaces to other areas within the building and to footpath and roads and shall be clearly shown on the plans submitted with the Construction Certificate.

**Reason:** To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with federal legislation.

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**33. Number of bicycle spaces**

The basement car park shall be adapted to provide 2 bicycle spaces in accordance with DCP 55. The bicycle parking spaces shall be designed in accordance with AS2890.3. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

**Reason:** To provide alternative modes of transport to and from the site.

**34. Energy Australia requirements**

Prior to issue of the Construction Certificate, the applicant must contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority for approval prior to issue of the Construction Certificate.

Any structures or other requirements of Energy Australia shall be indicated on the plans issued with the Construction Certificate, to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia must be met in full prior to issue of the Occupation Certificate.

**Reason:** To ensure compliance with the requirements of Energy Australia.

**35. Utility provider requirements**

Prior to issue of the Construction Certificate, the applicant must make contact with all relevant utility providers whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained. All utility services or appropriate conduits for the same must be provided by the developer in accordance with the specifications of the utility providers.

**Reason:** To ensure compliance with the requirements of relevant utility providers.

**36. Underground services**

All electrical services (existing and proposed) shall be undergrounded from the proposed building on the site to the appropriate power pole(s) or other connection point. Undergrounding of services must not disturb the root system of existing trees and shall be undertaken in accordance with the requirements of the relevant service provided. Documentary evidence that the relevant service provider has been consulted and that their requirements have been met are to be provided to the Certifying Authority prior to the issue of the Construction Certificate. All electrical and telephone services to the subject property must be placed underground and any redundant poles are to be removed at the expense of the applicant.

**Reason:** To provide infrastructure that facilitates the future improvement of the streetscape by relocation of overhead lines below ground.

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**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE OR PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION (WHICHEVER COMES FIRST):**

**37. Public liability insurance – works on public land**

Any person or contractor undertaking works on public land must take out public risk insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent.

The policy is to note and provide protection for Ku-ring-gai Council as an interested party and a copy of the policy must be submitted to Council prior to the commencement of any development (including demolition) or prior to the issue of the Construction Certificate (whichever comes first). The policy must be valid for the entire period that the works are being undertaken on public land.

**Note:** Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

**Reason:** To ensure the community is protected from the cost of any claim for damages arising from works on public land

**38. Infrastructure restorations fee**

To ensure that damage to Council Property as a result of construction activity is rectified in a timely matter:

- a) All work or activity taken in furtherance of the development the subject of this approval must be undertaken in a manner to avoid damage to Council Property and must not jeopardise the safety of any person using or occupying the adjacent public areas.
- b) The applicant, builder, developer or any person acting in reliance on this approval shall be responsible for making good any damage to Council Property, and for the removal from Council Property of any waste bin, building materials, sediment, silt, or any other material or article.
- c) The Infrastructure Restoration Fee must be paid to the Council by the applicant prior to both the issue of the Construction Certificate and the commencement of any earthworks or construction.
- d) In consideration of payment of the Infrastructure Restorations Fee, Council will undertake such inspections of Council Property as Council considers necessary and also undertake, on behalf of the applicant, such restoration work to Council Property, if any, that Council considers necessary as a consequence of the development. The provision of such restoration work by the Council does not absolve any person of the responsibilities contained in (a) to (b) above. Restoration work to be undertaken by the Council referred to in this condition is limited to work that can be undertaken by Council at a cost of not more than the Infrastructure Restorations Fee payable pursuant to this condition.



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e) In this condition:

**"Council Property"** includes any road, footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, letter bins, trees, shrubs, lawns, mounds, bushland, and similar structures or features on any road or public road within the meaning of the Local Government Act 1993 (NSW) or any public place; and

**"Infrastructure Restoration Fee"** means the Infrastructure Restorations Fee calculated in accordance with the Schedule of Fees & Charges adopted by Council as at the date of payment and the cost of any inspections required by the Council of Council Property associated with this condition.

**Reason:** To maintain public infrastructure

**39. Section 94 Contribution – residential development**

A contribution pursuant to section 94 of the Environmental Planning and Assessment Act as specified in Ku-ring-gai Section 94 Contributions Plan 2004-2009 for the services detailed in column A and for the amount detailed in Column B is required.

<b>Column A</b>	<b>Column B</b>
community facilities	\$9,199.16
park acquisition and embellishment works	\$54,104.38
sportsgrounds works	\$10,849.77
aquatic / leisure centres	\$228.95
traffic and transport	\$1,236.80
section 94 Plan administration	\$823.33
Sub Total: Credit for existing very large dwelling	<u>\$76442.39</u>
	\$32,324.00
<b>Total contribution is:</b>	<b>\$44,120.00</b>

The contribution shall be paid to Council prior to the commencement of any development (including demolition) or prior to the issue of the Construction Certificate (whichever comes first). The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index. Prior to payment, you are advised to check the contribution amount required with Council.

**Reason:** To ensure the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of the development.

**CONDITIONS TO BE SATISFIED DURING THE DEMOLITION, EXCAVATION AND CONSTRUCTION PHASES:****40. Approved plans to be on site**

A copy of all approved and certified plans, specifications and documents incorporating conditions of consent and certification (including the Construction Certificate if required for

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the work) shall be kept on site at all times during the demolition, excavation and construction phases and must be readily available to any officer of Council or the Principal Certifying Authority.

**Reason:** To ensure that the development is in accordance with the determination of Council.

**41. Prescribed conditions**

The applicant shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A (11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- The work must be carried out in accordance with the requirements of the Building Code of Australia
- In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any works commence.

**Reason:** Statutory requirement.

**42. Statement of compliance with Australian Standards**

The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposal contained in the work plan comply with the safety requirements of the Standard. The work plan and the statement of compliance shall be submitted to the satisfaction of the Principal Certifying Authority prior to the commencement of any works.

**Reason:** To ensure compliance with the Australian Standards.

**43. Demolition, excavation and construction work hours**

Demolition, excavation, construction work and deliveries of building material and equipment must not take place outside the hours of 7.00am to 5.00pm Monday to Friday and 8.00am to 12.00pm Saturday. No work and no deliveries are to take place on Sundays and public holidays.

Excavation or removal of any materials using machinery of any kind, including compressors and jack hammers, must be limited to between 9.00am and 4.00pm Monday to Friday, with regular breaks of 15 minutes each hour.

**Reason:** To ensure reasonable standards of amenity to neighbouring properties.

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**44. Construction noise**

During excavation, demolition and construction phases, noise generated from the site shall be controlled in accordance with the recommendations of the approved noise and vibration management plan.

**Reason:** To ensure reasonable standards of amenity to neighbouring properties.

**45. Site notice**

A site notice shall be erected on the site prior to any work commencing and shall be displayed throughout the works period.

The site notice must:

- be prominently displayed at the boundaries of the site for the purposes of informing the public that unauthorised entry to the site is not permitted
- display project details including, but not limited to the details of the builder, Principal Certifying Authority and structural engineer
- be durable and weatherproof
- display the approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice
- be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted

**Reason:** To ensure public safety and public information.

**46. Dust control**

During excavation, demolition and construction, adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood. The following measures must be adopted:

- physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust
- earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed
- all materials shall be stored or stockpiled at the best locations
- the ground surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs
- all vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust
- all equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays
- gates shall be closed between vehicle movements and shall be fitted with shade cloth
- cleaning of footpaths and roadways shall be carried out daily

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**Reason:** To protect the environment and amenity of surrounding properties.

**47. Post-construction dilapidation report**

The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the Principal Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Principal Certifying Authority must:

- compare the post-construction dilapidation report with the pre-construction dilapidation report
- have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

A copy of this report is to be forwarded to Council at the completion of the construction works.

**Reason:** Management of records.

**48. Use of road or footpath**

During excavation, demolition and construction phases, no building materials, plant or the like are to be stored on the road or footpath without written approval being obtained from Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.

**Reason:** To ensure safety and amenity of the area.

**49. Guarding excavations**

All excavation, demolition and construction works shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.

**Reason:** To ensure public safety.

**50. Toilet facilities**

During excavation, demolition and construction phases, toilet facilities are to be provided, on the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

**Reason:** Statutory requirement.

**51. Recycling of building material (general)**

During demolition and construction, the Principal Certifying Authority shall be satisfied that building materials suitable for recycling have been forwarded to an appropriate registered

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business dealing in recycling of materials. Materials to be recycled must be kept in good order.

**Reason:** To facilitate recycling of materials.

**52. Construction signage**

All construction signs must comply with the following requirements:

- are not to cover any mechanical ventilation inlet or outlet vent
- are not illuminated, self-illuminated or flashing at any time
- are located wholly within a property where construction is being undertaken
- refer only to the business(es) undertaking the construction and/or the site at which the construction is being undertaken
- are restricted to one such sign per property
- do not exceed 2.5m<sup>2</sup>
- are removed within 14 days of the completion of all construction works

**Reason:** To ensure compliance with Council's controls regarding signage.

**53. Road reserve safety**

All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials must not be stored in the road reserve. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.

**Reason:** To ensure safe public footways and roadways during construction

**54. Road repairs necessitated by excavation and construction works**

It is highly likely that damage will be caused to the roadway at or near the subject site as a result of the construction (or demolition or excavation) works. The applicant, owner and builder (and demolition or excavation contractor as appropriate) will be held responsible for repair of such damage, regardless of the Infrastructure Restorations Fee paid (this fee is to cover wear and tear on Council's wider road network due to heavy vehicle traffic, not actual major damage).

Section 102(1) of the Roads Act states "A person who causes damage to a public road is liable to pay to the appropriate roads authority the cost incurred by that authority in making good the damage."

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Council will notify when road repairs are needed, and if they are not carried out within 48 hours, then Council will proceed with the repairs, and will invoice the applicant, owner and relevant contractor for the balance.

**Reason:** To protect public infrastructure.

## 55. Services

Where required, the adjustment or inclusion of any new utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the applicants full responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services (including water, phone, gas and the like). Council accepts no responsibility for any matter arising from its approval to this application involving any influence upon utility services provided by another authority.

**Reason:** Provision of utility services.

## 56. Erosion control

Temporary sediment and erosion control and measures are to be installed prior to the commencement of any works on the site. These measures must be maintained in working order during construction works up to completion. All sediment traps must be cleared on a regular basis and after each major storm and/or as directed by the Principal Certifying Authority and Council officers.

**Reason:** To protect the environment from erosion and sedimentation.

## 57. Drainage to street

Stormwater runoff from all new impervious areas and subsoil drainage systems shall be piped to the street drainage system. New drainage line connections to the street drainage system shall conform and comply with the requirements of Sections 5.3 and 5.4 of Ku-ring-gai Water Management Development Control Plan No. 47.

**Reason:** To protect the environment.

## 58. Grated drain at garage

A 200mm wide grated channel/trench drain, with a heavy-duty removable galvanised grate is to be provided in front of the garage door/basement parking slab to collect driveway runoff. The channel drain shall be connected to the main drainage system and must have an outlet of minimum diameter 150mm to prevent blockage by silt and debris.

**Reason:** Stormwater control.

## 59. Sydney Water Section 73 Compliance Certificate

The applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing CoOrdinator. The

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applicant is to refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-develop" icon or telephone 13 20 92. Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the CoOrdinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

**Reason:** Statutory requirement.

**60. Arborist's report**

The trees to be retained shall be inspected, monitored and treated by a qualified arborist during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the arborist to the Principal Certifying Authority are required at the following times or phases of work:

**Schedule****Tree/location****Time of inspection**

Tree7 *Syncarpia glomulifera* (Turpentine)

During excavation and construction of the basement car park.

Tree 12 *Cupressus macrocarpa* (Monterey cypress)

During excavation and construction of the basement car park.

Tree 13 *Liquidambar styraciflua* (Liquidambar)

During excavation and construction of the basement car park.

**Reason:** To ensure protection of existing trees.

**61. Completion of landscape works**

Prior to the release of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works, including the removal of all noxious and/or environmental weed species, have been undertaken in accordance with the approved plan(s) and conditions of consent.

**Reason:** To ensure that the landscape works are consistent with the development consent.

**62. Canopy/root pruning**

Canopy and/or root pruning of the following tree(s) which is necessary to accommodate the approved building works shall be undertaken by an experienced arborist/horticulturist, with a minimum qualification of the horticulture certificate or tree surgery certificate:

**Schedule****Tree/location****Tree works**

Tree 7 *Syncarpia glomulifera* (Turpentine)

Canopy and root pruning.

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Tree 12 <i>Cupressus macrocarpa</i> (Monterey cypress)	Root pruning.
Tree 13 <i>Liquidambar styraciflua</i> (Liquidambar)	Root pruning.
Tree 14 <i>Jacaranda mimosifolia</i> (Jacaranda)	Root pruning.

**Reason:** To protect the environment.

## 63. Approved tree works

Approval is given for the following works to be undertaken to trees on the site:

**Schedule****Tree location****Approved tree works**

Tree1 <i>Camellia sasanqua</i> (Chinese Camellia)	Removal
Tree2 <i>Camellia japonica</i> (Japanese Camellia)	Removal
Tree 3 <i>Acer palmatum</i> (Japanese Maple)	Removal
Tree 4 <i>Chamaecyparis sp.</i> (Cypress)	Removal
Tree 5 <i>Cotoneaster sp.</i> (Cotoneaster)	Removal
Tree 6 <i>Acer negundo</i> (Box Elder)	Removal
Tree 7 <i>Syncarpia glomulifera</i> (Turpentine)	Minor pruning of branches on outside edge of canopy to clear the approved building.
Tree 8 <i>Jacaranda mimosifolia</i> (Jacaranda)	Removal
Tree A <i>Camellia sasanqua</i> (Chinese Camellia)	Removal
Tree B <i>Camellia sasanqua</i> (Chinese Camellia)	Removal
Tree D <i>Camellia sasanqua</i> (Chinese Camellia)	Removal

Removal or pruning of any other tree on the site is not approved.

**Reason:** To ensure that the development is in accordance with the determination of Council.

## 64. Excavation near trees

No mechanical excavation shall be undertaken within the specified radius of the trunk(s) of the following tree(s) until root pruning by hand along the perimeter line of such works is completed:

**Schedule****Tree/location****Radius from trunk**

Tree 7 <i>Syncarpia glomulifera</i> (Turpentine)	8 metres
--	----------

**Reason:** To protect existing trees.



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**65. No storage of materials beneath trees**

No activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.

**Reason:** To protect existing trees.

**66. Removal of refuse**

All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.

**Reason:** To protect the environment.

**67. Canopy replenishment trees to be planted**

The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species

**Reason:** To maintain the treed character of the area.

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE:**

**68. Compliance with BASIX Certificate**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall be satisfied that all commitments listed in BASIX Certificate No. 146816M have been complied with.

**Reason:** Statutory requirement.

**69. Clotheslines and clothes dryers**

Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that the units either have access to an external clothes line located in common open space or have a mechanical clothes dryer installed.

**Reason:** To provide access to clothes drying facilities.

**70. Mechanical ventilation**

Following completion, installation and testing of all the mechanical ventilation systems, the Principal Certifying Authority shall be satisfied of the following prior to the issue of any Occupation Certificate:

1. The installation and performance of the mechanical systems complies with:

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- The Building Code of Australia
  - Australian Standard AS1668
  - Australian Standard AS3666 where applicable
2. The mechanical ventilation system in isolation and in association with other mechanical ventilation equipment, when in operation will not be audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and public holidays. The operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measured at the nearest adjoining boundary.

**Note:** Written confirmation from an acoustic engineer that the development achieves the above requirements is to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

**Reason:** To protect the amenity of surrounding properties.

**71. Accessibility**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall be satisfied that:

- the lift design and associated functions are compliant with AS 1735.12 & AS 1428.2
- the level and direction of travel, both in lifts and lift lobbies, is audible and visible
- the controls for lifts are accessible to all persons and control buttons and lettering are raised
- international symbols have been used with specifications relating to signs, symbols and size of lettering complying with AS 1428.2
- the height of lettering on signage is in accordance with AS 1428.1 – 1993
- the signs and other information indicating access and services incorporate tactile communication methods in addition to the visual methods

**Reason:** Disabled access & services.

**72. Retention and re-use positive covenant**

Prior to issue of the Occupation Certificate, the applicant must create a positive covenant and restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the property with the requirement to maintain the site stormwater retention and re-use facilities on the property.

The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instruments for protection of retention and re-use facilities" and to the satisfaction of Council (refer to appendices of Ku-ring-gai Water Management Development Control Plan No. 47). For existing titles, the positive covenant and the restriction on the use of land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the reuse and retention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an

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annexure to the request forms.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

**Reason:** To protect the environment.

**73. Provision of copy of OSD designs if Council is not the PCA**

Prior to issue of the Occupation Certificate, the following must be provided to Council's Development Engineer:

- a copy of the approved Construction Certificate stormwater detention/retention design for the site
- A copy of any works-as-executed drawings required by this consent
- The Engineer's certification of the as-built system.

**Reason:** For Council to maintain its database of as-constructed on-site stormwater detention systems.

**74. Certification of drainage works (dual occupancies and above)**

Prior to issue of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that:

- the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans
- the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Water Management Development Control Plan No. 47 respectively, have been achieved
- retained water is connected and available for use
- basement and subsoil areas are able to drain via a pump/sump system installed in accordance with AS3500.3 and Appendix 7.1.1 of Ku-ring-gai Water Management Development Control Plan No. 47
- all grates potentially accessible by children are secured
- components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage Code AS3500.3 2003 and the Building Code of Australia
- all enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices

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The rainwater certification sheet contained in Appendix 13 of the Ku-ring-gai Water Management Development Control Plan No. 47, must be completed and attached to the certification. Where an on-site detention system has been constructed, the on-site detention certification sheet contained in Appendix 4 of DCP 47 must also be completed and attached to the certification.

**Note:** Evidence from a qualified and experienced consulting civil/hydraulic engineer documenting compliance with the above is to be provided to Council prior to the issue of an Occupation Certificate.

**Reason:** To protect the environment.

#### 75. WAE plans for stormwater management and disposal (dual occupancy and above)

Prior to issue of the Occupation Certificate, a registered surveyor must provide a works as executed survey of the completed stormwater drainage and management systems. The survey must be submitted to and approved by the Principal Certifying Authority prior to issue of the Occupation Certificate. The survey must indicate:

- as built (reduced) surface and invert levels for all drainage pits
- gradients of drainage lines, materials and dimensions
- as built (reduced) level(s) at the approved point of discharge to the public drainage system
- as built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site
- the achieved storage volumes of the installed retention and detention storages and derivative calculations
- as built locations of all access pits and grates in the detention and retention system(s), including dimensions
- the size of the orifice or control fitted to any on-site detention system
- dimensions of the discharge control pit and access grates
- the maximum depth of storage possible over the outlet control
- top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of the on-site detention system

The works as executed plan(s) must show the as built details above in comparison to those shown on the drainage plans approved with the Construction Certificate prior to commencement of works. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifying Authority stamped construction certificate stormwater plans.

**Reason:** To protect the environment.

#### 76. Basement pump-out maintenance

Prior to issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that a maintenance regime has been prepared for the basement stormwater pump-

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out system.

**Note:** A maintenance regime specifying that the system is to be regularly inspected and checked by qualified practitioners is to be prepared by a suitable qualified professional and provided to the Principal Certifying Authority.

**Reason:** To protect the environment.

**77. OSD positive covenant/restriction**

Prior to issue of the Occupation Certificate, the applicant must create a positive covenant and restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot.

The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" and to the satisfaction of Council (refer to appendices of Ku-ring-gai Council Water Management DCP 47). For existing titles, the positive covenant and the restriction on the use of land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the on-site detention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

Registered title documents, showing the covenants and restrictions, must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

**Reason:** To protect the environment.

**78. Sydney Water Section 73 Compliance Certificate**

Prior to issue of an Occupation Certificate the Section 73 Sydney water Compliance Certificate must be obtained and submitted to the Principal Certifying Authority

**Reason:** Statutory requirement.

**79. Certification of as-constructed driveway/car park – RFB**

Prior to issue of an Occupation Certificate, the Principal Certifying Authority is to be satisfied that:

- the as-constructed car park complies with the approved Construction Certificate plans
- the completed vehicle access and accommodation arrangements comply with Australian Standard 2890.1 – 2004 "Off-Street car parking" in terms of minimum parking space dimensions
- finished driveway gradients and transitions will not result in the scraping of the underside of cars

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- the vehicular headroom requirements of Australian Standard 2890.1 – “Off-street car parking”,

**Note:** Evidence from a suitably qualified and experienced traffic/civil engineer indicating compliance with the above is to be provided to and approved by the Principal Certifying Authority prior to the issue of an Occupation Certificate.

**Reason:** To ensure that vehicular access and accommodation areas are compliant with the consent.

**80. Reinstatement of redundant crossings and completion of infrastructure works**

Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that the following works in the road reserve have been completed:

- new concrete driveway crossing in accordance with levels and specifications issued by Council
- removal of all redundant driveway crossings and kerb laybacks (or sections thereof) and reinstatement of these areas to footpath, turfed verge and upright kerb and gutter (reinstatement works to match surrounding adjacent infrastructure with respect to integration of levels and materials)
- full repair and resealing of any road surface damaged during construction
- full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing

All works must be completed in accordance with the General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council, dated November 2004. The Occupation Certificate must not be issued until all damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council. Repair works shall be at no cost to Council.

**Reason:** To protect the streetscape.

**81. Infrastructure repair**

Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council Development Engineer and at no cost to Council.

**Reason:** To protect public infrastructure.

**82. Mechanical ventilation**

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Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that all mechanical ventilation systems are installed in accordance with Part F4.5 of the Building Code of Australia and comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building.

**Reason:** To ensure adequate levels of health and amenity to the occupants of the building.

**CONDITIONS TO BE SATISFIED AT ALL TIMES:**

**83. Car parking**

At all times, the visitor car parking spaces are to be clearly identified and are to be for the exclusive use of visitors to the site. On site permanent car parking spaces are not to be used by those other than an occupant or tenant of the subject building. Any occupant, tenant, lessee or registered proprietor of the development site or part thereof shall not enter into an agreement to lease, license or transfer ownership of any car parking spaces to those other than an occupant, tenant or lessee of the building.

These requirements are to be enforced through the following:

- restrictive covenant placed on title pursuant to Section 88B of the Conveyancing Act, 1919
- restriction on use under Section 68 of the Strata Schemes (Leasehold Development) Act, 1986 to all lots comprising in part or whole car parking spaces

**Reason:** To ensure adequate provision of visitor parking spaces.

Shaun Garland  
**Executive Assessment Officer**

Selwyn Segall  
**Team Leader  
Development Assessment**

Matthew Prendergast  
**Manager  
Development Assessment Services**

Michael Miocic  
**Director  
Development and Regulation**

**Attachments:**

1. Officer's report to Council meeting of 25 September 2007 with attachments - 833056
2. Mr Fuller's submission - 853294
3. Heritage Council submission - 853292

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	12 WOONONA AVENUE, WAHROONGA - DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING
<b>WARD:</b>	Wahroonga
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	DA0416/07
<b>SUBJECT LAND:</b>	12 Woonona Avenue, Wahroonga
<b>APPLICANT:</b>	Peter Sotiriou
<b>OWNER:</b>	Peter Sotiriou
<b>DESIGNER:</b>	Wolski Lycenko Brecknock Architects
<b>PRESENT USE:</b>	Single dwelling house
<b>ZONING:</b>	2(d3) Residential
<b>HERITAGE:</b>	Yes (adjoins heritage item)
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	KPS0 – LEP 194, DCP 31, DCP 40, DCP 43, DCP 47, DCP 55, DCP 56
<b>COMPLIANCE WITH CODES/POLICIES:</b>	Yes
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP No.1, SEPP No.55, BSI – BASIX, REP No.20. DSEPP ADS 2004
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	18 May 2007
<b>40 DAY PERIOD EXPIRED:</b>	27 June 2007
<b>PROPOSAL:</b>	Demolition of existing structures and construction of a residential flat building
<b>RECOMMENDATION:</b>	Approval



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**DEVELOPMENT APPLICATION N<sup>o</sup>**  
**PREMISES:**  
**PROPOSAL:**

**DA0416/07**  
**12 WOONONA AVENUE, WAHROONGA**  
**DEMOLITION OF EXISTING STRUCTURES**  
**AND CONSTRUCTION OF A RESIDENTIAL**  
**FLAT BUILDING**  
**PETER SOTIRIOU**  
**PETER SOTIRIOU**  
**GERRIT KLOMP - WOLSKI LYCENKO**  
**BRECKNOCK ARCHITECTS**

**APPLICANT:**  
**OWNER:**  
**DESIGNER**

**PURPOSE FOR REPORT**

To determine Development Application 416/07 which seeks consent for the demolition of existing structures and construction of a residential flat building.

**EXECUTIVE SUMMARY**

**Issues:** Heritage  
**Submissions:** 8 submissions were received  
**Pre-DA** No- refer to history discussion below.  
**Land & Environment Court Appeal** No  
**Recommendation:** Approval

**HISTORY**

There were two previous applications lodged for the subject site. Development application 518/06 sought consent for demolition of the existing building and construction of a three storey residential flat building containing 5 apartments. The application was refused on 18 August 2006. A S.82A Review of Determination application was lodged against the refusal on 30 October 2006. That application was also refused on 22 March 2007.

The key differences between the current and previously refused applications are:

- Reduction of units from 4 to 3;
- The upper level is now wholly contained within the roof space, which has reduced the overall visual bulk of the building. The proposed building appears as two storey plus attic level differing from the clearly defined three storeys of the previous applications;
- Reduction of maximum ridge level height from RL211.57 to RL211.1; and
- The previous proposal failed to comply with the minimum deep soil landscape area requirement. The current proposal substantially exceeds the minimum requirement.

The current application was amended after lodgement to address the shortfall of on site parking. The changes included the relocation of the rainwater water retention/ detention tank and extension of the basement to create one additional vehicle space. The amendments were not required to be notified in accordance with Council's Notification Policy DCP 56.

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**THE SITE**

Zoning:	2(d3) Residential
Visual Character Study Category:	Pre 1920/1945
Lot Number:	2
DP Number:	529626
Area:	929.5m <sup>2</sup>
Side of Street:	Western
Cross Fall:	Street front to rear.
Stormwater Drainage:	Yes to the street
Heritage Affected:	Yes- adjoining a heritage item.
Required Setback:	10-12metres
Integrated Development:	No
Bush Fire Prone Land:	No
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	No

**SITE DESCRIPTION**

The site is located on the western side of Woonona Avenue, between the Pacific Highway to the south and Everett Way to the north. The site is regular in shape with an area of 929.5m<sup>2</sup> and having dimensions of 32.615(w) metres x 28.5(l) metres. The site has a slight fall from its street frontage to the rear of approximately 1.28 metres or 4.5%.

The site contains a single storey dwelling house constructed circa 1960. The site is landscaped with a mixture of lawn, trees and shrubs, with one large Turpentine tree located within the front setback area.

Adjoining the site to the rear is a single storey dwelling and detached double carport. This site is known as 14 Woonona Avenue, Wahroonga "The Briars" and is listed as a heritage item on the local and State Heritage Register. This site is a battle axe allotment and its 6 metres wide access handle adjoins the northern boundary of the subject site. Adjoining the subject site to the south is the access handle to the battle-axe allotment to 10 Woonona Avenue, Wahroonga. At 8 Woonona Avenue, also to the south of the site is a component of Community Health NSW.

The surrounding area is a mixture of single dwelling houses, hospital (respite care), Seniors Living villas and a school. Approval has been granted for residential flat buildings at 3 - 13 and 2 - 6 Bundarra Avenue, which is the street, to the west, parallel to Woonona Avenue. Construction of these residential flat buildings has not begun.

**THE PROPOSAL**

The proposal is for the demolition of the existing dwelling and construction of a three storey residential flat building containing three units. The upper level of the building is located within the roof space/ attic, consequently the building appears as two storeys when viewed from the street. Car parking for 6 vehicles is proposed within the single basement level. The upper level apartment is single bedroom whilst the two remaining apartments contain 3 bedrooms.

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**CONSULTATION - COMMUNITY**

In accordance with Council's Notification DCP, owners of adjoining properties were given notice of the application. The amended plans were not required to be re-notified as per Council's notification DCP as the changes do not result in any greater impacts upon surrounding properties and will be an improved outcome to that originally proposed.

Submissions from the following were received:

- Mr John & Ms Debby Fuller: 14 Woonona Avenue, Wahroonga.
- Dr J & Mrs E Smart: 15 Bundarra Avenue, Wahroonga.
- Majorie & Ian Howden: 5/17A Woonona Avenue, Wahroonga.
- M B Arnett: 1/17a Woonona Avenue, Wahroonga.
- G B & A R McClelland: 4/16 Woonona Avenue, Wahroonga.
- Dr William & Ms Margaret Harvey: 10/15-17 Woonona Avenue, Wahroonga.
- William Caldwell: 18 Woonona Avenue, Wahroonga.
- Roberta Dobbs: 19/2 Woonona Avenue, Wahroonga

The submissions raised the following issues:

***Impact on the turpentine tree and trees located within 'The Briars'***

The proposed development has been designed to retain the existing Turpentine Tree and is set back a sufficient distance to avoid any adverse impacts on the trees located on adjoining properties. Council's Landscape Assessment Officer is satisfied that the Turpentine tree will not be adversely affected.

***Bulk/scale/FSR***

The proposed development is compliant with the provisions that determine bulk and scale including maximum site coverage, FSR, height and minimum setbacks. Therefore, the proposed bulk/ scale of the development is reasonable in this instance.

***Detrimental impacts to the heritage of the 'Briars'***

The proposed development will not have a significant impact to the adjoining heritage item, known as 'The Briars' for the reasons given by Council's Heritage Advisor below.

***The application is deceptive in terms of number of storeys and veranda***

The application and the information submitted to Council is sufficient and clear enough to allow a thorough assessment of the proposal in accordance with S79C of the Environmental Planning and Assessment Act, 1979.

***Privacy impacts on 14 and 18 Woonona Avenue***

The proposal will not result in a significant privacy impact given the development's compliant setbacks from the boundaries, the separation of the existing two driveways to the northern boundary and single driveway to the southern boundary. This is supported by the design, which has

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orientated the main living areas and openings away from the main living areas/ private open spaces of adjoining development. This is further reinforced by the suitable landscaping and screen planting.

***Detrimental traffic impacts***

Council's Development Engineer has not raised a significant issue in this regard. The proposal is for a small, three unit, residential flat building which will generate negligible levels of traffic.

***The site area is deficient***

This issue is addressed in detail below. The site area of the proposed development is under the minimum of 1200m<sup>2</sup> but development of smaller sites is permissible pursuant to clause 251(4) of LEP 194. The SEPP 1 objection provided by the applicant is considered reasonable in this instance.

***Shortfall of on site parking***

The proposal has been amended to comply with the minimum of 6 on site parking spaces required under Council's KPSO and DCP 43 Car Parking.

***Overshadowing of 14 Woonona Avenue***

The proposal is compliant with the 3 hours sunlight access to adjoining development, as prescribed under DCP 55.

***Heritage Impact Statement is insufficient***

Council's Heritage Advisor has not raised this as an issue. The Heritage Impact Statement (HIS) was sufficient to enable an assessment of the potential heritage impacts of the development. Refer to Council's Heritage Advisor's assessment for further details in relation to the impacts on heritage below.

**CONSULTATION - WITHIN COUNCIL**

**Landscaping**

Council's Landscape Assessment Officer, Robyn Askew, commented on the proposal as follows:

***"DEEP SOIL LANDSCAPING***

*The relocation of the stormwater tank to within the front setback has decreased the Deep Soil Landscaping (DSL) from 54.5% or 507sqm to 50.8% or 473sqm of the site. The DSL still exceeds the minimum standard of 40% DSL required for a site under 1800sqm. The proposed DSL complies with LEP194 and DCP55.*

***IMPACT ON TREES***

*In response to my previous concerns regarding the impact of building works on Tree 7 - Syncarpia glomulifera (Turpentine), the subject proposal has been amended to minimise*

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*the impacts on the tree to an acceptable level subject to a minor change to the paved area on the eastern side of family room for Unit 1.*

*Conditions in relation to the construction of the basement will be imposed to prevent over excavation due to battering of the soil on the sides of the car park. An arborist will also be required to attend the site during the excavation and construction of the basement car park.*

**TREE REMOVAL**

*No objection is raised to the removal of the following trees for the proposed development.*

*Tree No. / Species / Height & Condition/ Location*

*Tree 2 / Camellia japonica (Japanese Camellia) / 5 metres high in good condition / Northern (side) boundary*

*Tree 3 / Acer palmatum (Japanese Maple) / 3 metres high in good condition / Eastern (front) side of proposed dwelling*

*Tree 4 / Chamaecyparis sp. (Cypress) / 4 metres high in fair condition / Eastern (front) boundary*

*Tree 5 / Cotoneaster sp. (Cotoneaster) / Weed species / Southern eastern corner, near front boundary*

*Tree 6 / Acer negundo (Box Elder) / Weed species / South eastern corner, near front boundary*

*Tree 8 / Jacaranda mimosifolia (Jacaranda) / 15 metres high in good condition, suppressed canopy due to dominant canopy of Tree 7 / Southern (Side) boundary*

*Tree D (Refer to landscape plan) / Camellia japonica (Japanese Camellia) / 4 metres high in good condition / North eastern corner, near front boundary*

*To minimise the impact of the proposed development on the streetscape the following existing shrubs shall also be removed and replaced with more appropriate screening plants.*

*Tree No. / Species / Height & Condition*

*Tree 1 / Camellia sp. (Camellia) / 6 metres high in fair condition*

*Tree A (Refer to landscape plan) / Camellia sasanqua (Chinese Camellia) / 4 metres high in good condition.*

*Tree B (Refer to landscape plan) / Camellia sasanqua (Chinese Camellia) / 4 metres high in good condition.*

**IMPACT ON HERITAGE PROPERTY**

*The proposed works will not impact on Tree's 12 and 14 located within the adjoining heritage property to the west provided that the excavation and construction of the basement car park is constructed as per the conditions.*

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*The width of the garden bed along the entire length of the western rear boundary shall be widened to allow for layered screen planting.*

*The rear and side setbacks of 6 & 3 metres respectively for the proposed dwelling are considered sufficient space to screen and tree planting.*

**IMPACT ON STREETSCAPE**

*To minimise impact on the streetscape Tree's 1, A & B shall be removed and replaced with 1 x *Tristanopsis laurina* (Water Gum) and 2 x *Elaeocarpus reticulatus* (Blueberry Ash).*

**COMMON OPEN SPACE**

*The common open space complies with the design controls of DCP55 and the Better Design Practice of the Residential Flat Design Code.*

**LANDSCAPE PROPOSAL**

*The following comments are made in relation to the landscape plan.*

*Impact on streetscape*

*Amended plans have been submitted relocating the stormwater retention tank to the front boundary. The stormwater tank has been effectively incorporated into the landscape proposal and no visual impact on the streetscape is expected.*

*The retention of the existing Camellia's Tree's 1, A & B located along the northern boundary will not effectively screen the proposal from the street and the adjoining properties to the north. These large shrubs are to be removed and replaced with a super advanced *Tristanopsis laurina* (Water Gum) and 2 x *Elaeocarpus reticulatus* (Blueberry Ash).*

*Impact on heritage property*

*To provide for layered screen planting along the entire western rear boundary the garden bed adjacent to the lawn area shall be widened to 3 metres excluding the clothes drying area.*

*The inclusion of taller planting along the northern side of the building will reduce the visual impact on the driveway entrance to "The Briars".*

*Tree replenishment*

*An existing mature Turpentine within the front setback will be retained. The landscape plan indicates the planting of 5 additional locally occurring trees including 2 x *Eucalyptus saligna* (Sydney Blue Gum) and 3 x *Syncarpia glomulifera* (Turpentine). The proposed tree planting complies with DCP55.*

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***Amendments to Landscape Proposal***

*A condition will be imposed requiring the following amendments;*

- i) To minimise impacts on Tree 7 the proposed steps adjacent to the eastern side of the family room of Unit 1 shall be deleted and replaced with a low retaining wall. The retaining wall shall be constructed as a dry stone wall or similar that doesn't require a footing.*
- ii) To minimise impact on the street scape Tree's 1, A & B shall be removed and replaced with 1 x Tristaniopsis laurina (Water Gum) and 2 x Elaeocarpus reticulatus (Blueberry Ash). The plants are to be super advanced with a minimum pot size of 75 litres.*
- iii) To effectively screen the development from the adjoining heritage property to the west the garden bed adjacent to the lawn area along the western (rear) boundary shall be widened to 3 metres excluding the clothes drying area. The planting along the rear boundary shall include layered screen planting ranging in height from 6 to 4 metres.*

***BASIX***

*The proposed planting of 336sqm of indigenous or low water use plants is well in excess of the 100sqm required by the Basix commitments.*

***STORMWATER***

*Council's development Assessment Engineer Kathy Hawken has requested an amended stormwater plan to be submitted.*

*To address landscape issues the stormwater plan shall also be amended as follows;*

- The stormwater pipes connecting the downpipes along the southern and eastern sides of the building are to be placed within the basement to prevent additional excavation beneath the canopy of Tree 7 located in the front yard.*
- Tree 7 – Syncarpia glomulifera (Turpentine) shall be indicated on the plan.*

***CONCLUSION***

*The Landscape Section finds the proposal acceptable in relation to landscape issues subject to conditions."*

**Engineering**

Council's Team Leader Development Engineers, Kathy Hawken, commented on the proposal as follows:

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*"The amended basement plans are satisfactory. Manoeuvring is tight but possible, as demonstrated by the turning path diagrams attached to the traffic report.*

*The stormwater management system proposed complies with DCP 47 and with the BASIX commitments.*

*The following documentation has been used for this final assessment:*

- *Civil & Structural Engineering Design Services Drawing S-07-20183, dated 8/08/2007;*
- *Transport and Traffic Planning Associates Assessment of Traffic and Parking Implications, dated August 2007;*
- *Wolski Lycenko Brecknock Architects architectural drawings revision A, dated 08.08.07.*

*The application is supported, subject to conditions.*

**Water management**

*The BASIX commitments are for 4500 litres of rainwater retention with re-use for toilet flushing, clothes washing and irrigation. On site detention of 13.3 cubic metres is also required. The storage is provided in a combined tank which has gravity fall to the street gutter. This system is satisfactory.*

**Traffic and parking**

*The site is further than 400 metres from Wahroonga Station. Therefore five resident spaces and one visitor parking space are required. The basement contains these six spaces.*

*Manoeuvring is tight but possible as demonstrated by the turning path diagrams attached to the traffic report.*

*Driveway grades appear to comply with AS2890.1.*

*Internal waste collection is not required since the number of units is less than six.*

**Geotechnical investigation**

*The maximum excavation to achieve basement level is about 3 metres at the southern end of the building. According to the site plan, the closest building is 28 metres away from the excavation, with the eastern and northern structures 16 and 18 metres away, respectively. There are not expected to be any adverse impacts on these structures as a result of demolition, excavation or construction within the subject property and dilapidation reporting of neighbouring structures is not considered necessary.*

**Heritage**

Council's Heritage Advisor, Paul Dignam, commented on the proposal as follows:

***"Heritage status***



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*The subject site is not heritage listed. The house at the rear of the site, No 14 is a heritage item, listed on the State Heritage Register and in Schedule 7 of the KPSO.*

*The house at No 8 Woonona Avenue is separated by 2 access handles and is a draft item in (Heritage Conservation) LEP No 19. Draft LEP 19 was finalised by Council and has been with the Department of Planning for about 5 years awaiting gazettal. The Department advised several months ago that they do not intend gazetting the draft plan but it should be reviewed as part of a comprehensive LEP review. Thus little status can be given to its draft heritage status.*

*The site is within the National Trust Urban Conservation Area No 26 – “Mahratta”.*

***Demolition of existing house***

*The existing house is a modest brick house built c1968 on land that was subdivided from the adjoining heritage item at No 14 Woonona Avenue. There is no heritage objection to its demolition provided photographic recording is undertaken prior to any works being undertaken and before the CC is issued.*

***Applicant's heritage report***

*The applicant's heritage report considers that the significance of the adjoining heritage item “The Briars” is largely due to its historical associations rather than its rare architectural style and argues that the place is not of State heritage significance and does not warrant its State Heritage Register listing but is of high local significance.*

*In coming to the above conclusion, the applicant's heritage report makes a key error. It claims the Heritage Council listing was applied on 2 April 1999 largely in response to a SEPP 5 application that was made to land neighbouring its north side. The State heritage significance of the place was recognised with gazettal of Permanent Conservation Order (PCO) No 274 in September 1983. The date in April 1999 relates to amendments made to the NSW Heritage Act when all former PCO items were transferred to the State Heritage Register (SHR). All former PCO items were transferred to the SHR when the amendments to the Heritage Act were gazetted in 1999.*

*The applicant's heritage report notes that the now reduced site of “The Briars” is enclosed with boundary walls, an offset driveway and dense plantings and is visually separated from the redevelopment site and claims that there is no significant impact on it. The applicant's report concludes that the application is a reasonable response to the LEP requirements and the Council's zoning of the area for increased urban density and it will have limited and acceptable impacts on the heritage items in the vicinity and their setting and in particular on “The Briars”.*

***Submission by the NSW Heritage Council***

*At a request from the NSW Heritage Council, the application was referred to them for comment. Their response dated 13/7/07 notes that the design of the proposed building is an improvement over earlier refused schemes but maintains that the impact is only marginally*

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*less than earlier refused application as the ridge height is similar. The letter also places emphasis on the screening of landscape directly in front of "The Briers" and that justification for the proposed height seems to rely upon indefinite presence of mature vegetation located within the boundary of the item. The NSW Heritage Office recommends that the height be reduced to adequately address and respond to Council's heritage objectives for new flat development in residential zones 9 Clause 25D of the KPSO.*

***Response to NSW Heritage Council's letter***

*The application is supported by a heritage impact statement. Council has prepared detailed guidelines in DCP 55 to assist assessment of an application within the vicinity of a heritage item and within a UCA and assessment is made in compliance with those considerations. A critical assessment of the application against Council's design objectives and design controls was undertaken in this report which considered the application.*

***DCP 55 Issues – Chapter 3.4 - Development within a UCA***

*UCA 26 – Mahratta- is a large UCA comprised of mainly residential houses, a school, flat buildings and a group of shops around the railway station. The site is in the northern part of the precinct and separated from it by the Pacific Highway and is close to the F3. This precinct is of a different character to the majority of the UCA. Large portions of this precinct have been rezoned for medium density flat development*

***UCA design controls***

***C – 1 Architectural character***

*The proposed building is a contemporary building but has a level of restraint and formality that sits well within the existing streetscape/UCA and is acceptable.*

***C – 2 Articulation of facades***

*The design of the proposed building is articulated and generally consistent with the intent of this control.*

***C – 3 Scale and massing***

*The subject development has an overall scale of 2 stories with an attic and its massing is satisfactory.*

***C – 4 Skyline should respect existing pattern***

*This building presents with a familiar and traditional skyline, similar to the predominate form of residential development in the UCA and is satisfactory.*

***C – 5 Siting in relation to existing setbacks***

*The setback is generally consistent with the requirements of DCP 55.*

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*C – 6 Architectural style*

*The development proposes replacing an existing single storey house with a larger building which has an overall character of a large 2 storey house with an attic. Its style is contemporary without mimicking earlier details or character and is satisfactory.*

*C – 7, C – 8 & C – 9 Building materials, colours and textures*

*The building uses a combination of modern and traditional building materials and is considered satisfactory.*

*C – 10, C – 11 & C – 12*

*Front fences*

*The proposed front fence is a masonry base with piers and timber infill stepped to respond to the slope on the site and considered acceptable.*

***DCP 55 Issues – Chapter 3.5 - Development within the vicinity of a heritage item –***

*Design Objectives*

*O-1 New development should respect adjoining or nearby items.*

*O-2 Should not visually dominate item.*

*O-3 Not reduce views to or from an item.*

*O-4 Should not impact on the garden setting, particularly overshadowing the garden or causing impacts on important trees.*

*Design controls.*

*C-1. Setbacks.*

*The proposed scheme complies with the minimum setbacks from the adjoining heritage item.*

*The DCP also requires a development to be no further forward than the heritage item. This objective can not be achieved for this site as the site is located in front of the item. The intent of the control was to retain views to the item from the public realm and from the item. In this case, there are very limited views of the item from the public realm with only the gateposts, the gravel drive and landscaping being visually obvious. The main views from the item are from the rear veranda, from within the house and garden to the west. Otherwise the item is largely isolated from the public and does not depend upon its openness to survive.*

*C-2 Tree screening.*

*Adequate screen planting between the proposed development and the heritage items is achieved. It is noted that there is substantial tree screening in front of the heritage item and along the access handle.*

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*C-3 Aesthetic character.*

*The aesthetic character of this development is contemporary but it is a restrained and generally a reasonable response to the context of the item without copying design elements or details.*

*C-4 Colours and materials.*

*The application proposes a variety of colours, textures and building materials. The colours are generally mid colours with darker face brickwork and limited stone cladding. The variety and colours are considered acceptable.*

*C-5 Fences.*

*The proposed fence is new and is a rendered masonry base, with piers and timber infill with plantings behind. The proposed fencing is considered to be acceptable.*

*C-6 Heritage statement.*

*The application is supported by a heritage impact statement.*

**Comments**

*The subject site was formerly the front garden to "the Briars" and contained a tennis court which was removed for construction of the existing house c 1968. It still retains a large Turpentine tree that was part of the garden of "The Briars". In an ideal situation and given the State level of heritage significance of "The Briars" it would be appropriate and desirable to remove the existing house, reconstruct the former front garden and re-establish a street connection with the item. In the past the NSW Heritage Office have funded purchase of land adjoining State heritage items to re-establish curtilages where subdivision and subsequent development had resulted in destroying setting and important visual and functional connections between an heritage building and other elements. However, in this case, no funding is forthcoming and the applications must be assessed in accordance with the allowable development potential of the site and the merits of the application.*

*It should also be noted that the NSW Heritage Council does not have control over adjoining or nearby sites. That is an issue for the local heritage management. The State listing was applied to the existing reduced site. While it would be desirable to reduce the height of the subject development to the height of the existing single storey house, it is not considered essential to do so to ensure survival and continual conservation of the item.*

*In my opinion, the proposed development is a reasonable response to the heritage limitations on the site. However, the balconies proposed on the northern side of the building are large and are not consistent with the image of a large house within a garden. I recommend that the length of the veranda be reduced to a maximum of 3000mm and that the columns on the first floor and the pergola on the top floor be changed to timber, rather than steel to provide a more domestic appearance to the building consistent with the UCA and nearby heritage items. In my opinion this development should not impact adversely on other nearby heritage items.*

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***Conclusions and recommendations***

*The application is supported provided the northern verandas are reduced in length to a maximum of 3000mm and the top floor pergola is timber, rather than steel (See Condition No 18).*

**CONSULTATION – OUTSIDE COUNCIL**

The application was referred to the Heritage Office at the request of the adjoining property owner at 14 Woonona Avenue, Wahrenona. This property is listed on the State Heritage Register. The Heritage Office commented on the proposal, as follows:

*"The Heritage Office has reviewed the new development proposal (DA0416/07) as referred and acknowledges the improved design resolution and treatment of the building. Notwithstanding, the above, the Heritage Office is concerned that the ridgeline height of the proposed building is only marginally less than that of the previously refused three storey apartment building (DA 518/06). As such the Heritage Office maintains that the height of the building is still likely to overwhelm the single storey 'The Briars'. Furthermore, the justification for the proposed height of this building still seems to rely on the indefinite presence of mature vegetation located within the boundary of 'The Briars' to screen and hence diminish the visual impact and dominance of the development. The Heritage Office is not aware of any guarantees that this mature screening vegetation will remain in place for the life of the proposed development.*

*In light of potential adverse impacts presented by the height of the proposed development on the heritage values of 'The Briars', the Heritage Office recommends that the overall height of the building should be reduced so as to adequately address and respond to the objectives of Clause 25D in the Ku ring gai Planning Scheme Ordinance."*

This issue has been addressed by Council's Heritage Advisor.

**STATUTORY PROVISIONS**

**State Environmental Planning Policy No. 1 – Development Standards**

The applicant has lodged a SEPP 1 Objection to the minimum 1200m<sup>2</sup> site area requirement prescribed under clause 25E of KPSO. Despite the minimum site area requirement, Clause 25I(4) allows a site area of less than 1200m<sup>2</sup> if the proposed development complies with all other requirements of the KPSO. However, it is not clear whether a non-compliance with an objective constitutes a part of 'all other requirements'. The proposal cannot comply with Clause 25D(2)(a) because there is a battle axe allotment to the rear of the site.:

*"to provide rear setbacks that ensure rear gardens are adjacent to rear gardens of to other properties and that sufficient ground area is available for tall tree planting, consistent with the objectives of this Part"*

It was considered prudent for the applicant to lodge a SEPP 1 Objection and draft State Environmental Planning Policy – Application of Development Standards 2004 (DSEPP ADS 2004)

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submission to the minimum site area requirement. The following is an extract from the Objection to the standard:

*"Strict compliance with the 1200m<sup>2</sup> minimum lot size for multi-unit development is both unreasonable and unnecessary in the circumstances on the following grounds:*

*5.1 The proposed residential flat building development complies with all other development standards of LEP 194, as well as with development controls of Ku-ring-gai DCP 55 and may be approved at Council's discretion under clause 25(4) – Multi-unit housing on smaller sites of LEP 194.*

*5.2 The proposed development satisfies all of the Objectives of Clause 25H – Subdivision in the Residential zones as it:*

- (1) Constitutes a development which provides generous setbacks and maintains the garden setting which incorporates existing mature trees and allows for planting of additional six tall trees (13m or more).*
- (2) Provides for 44% of the site as common area, which is significantly more than the 30% required for sites of 1200m<sup>2</sup>.*

*5.3 The development also meets the aims and objectives of Ku-ring-gai LEP 194 set out in Clause 25c as it:*

- Is consistent with the desired future character of the 2(d3) zone and protects and enhances the environmental and heritage qualities of Wahrenonga.*
- Contributes to orderly development of land and utilisation of resources of Ku-ring-gai.*
- Contributes to environmental, economic, social and physical well being of residents of Ku-ring-gai.*
- Increases housing choice.*
- Achieves high quality urban and architectural design.*
- Achieves high level of residential amenity for its occupants.*

*5.4 Strict adherence to minimum site area would unreasonably affect the development potential of the site without any commensurate urban design contextual or amenity benefits. It would be contrary to the underlying purpose for preparation of Ku-ring-gai LEP 194, which was specifically introduced to realise the development potential of areas of high accessibility and thus contribute to urban consolidation in accordance with State Environmental Planning Policy No.53 – Metropolitan Residential Development."*

*"Draft SEPP 2004 – Development Standards*

*6.3 Satisfaction of the requirements of the Draft SEPP*

*6.3.1 Better environmental planning outcome*

*The form, scale and bulk of the development are consistent with the desired future character of Wahrenonga.*

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*The proposed development fully complies with the non discretionary development standards of Ku-ring-gai Planning Scheme Ordinance for sites of 1200m<sup>2</sup> concerning site coverage, car parking and adaptable housing. It exceeds the minimum development standards concerning deep soil landscaping, street frontage and perimeter ceiling height.*

*The proposal also fully complies with the objectives and design control of DCP No.55 concerning landscape design, density, setbacks, built form, residential amenity, safety and security and environmental sustainability. It will have acceptable impact on the amenity of the surrounding residences in terms of visual privacy, solar access and traffic generation.*

6.3.2 The public interest

*The site has been zoned Residential 2(d3) to allow for multi unit development. The proposed development is consistent with the aims and objectives of LEP 194 set out in Part 3A, as well as with the objectives for the Residential 2(d3) zone as it constitutes all orderly development of land and utilisation of resources of Ku-ring-gai, provides housing choice, achieves high quality urban and architectural design and high level of residential amenity for multi unit development.*

*While the site is below the minimum standard, it can accommodate a three unit development which will provide economic and social benefits to the community, as well as financial benefits to the developer. It would increase housing choice, reduce construction cost and unit price, and contribute to more efficient utilisation of the existing physical and social infrastructure of Ku-ring-gai."*

The following is an assessment of the adequacy of the SEPP 1 and DSEPP ADS 2004 using criteria established in this instrument and by the Land and Environment Court.

**1. Whether the planning control in question is a development standard.**

Clause 25E is a development standard.

**2. The underlying objective or purpose behind the standard**

The objective of this clause are set out under Clause 25H(1), they are:

- (a) to set minimum lot areas that reflect previous minimum lot sizes;
- (b) to set minimum lot areas and minimum street frontage lot widths that provide for development to occur in a garden setting by substantial setbacks to enable long term sustainability of trees;
- (c) to permit the subdivision of multi unit housing;
- (d) to provide for substantial common landscaped area to encourage good streetscape quality and areas for trees for each development.

**3. Whether compliance with the development standard is consistent with the aims of the Policy and does compliance tend to hinder the attainment of the objects specified in section 5(a)(i) and (ii) of the EP & A Act 1979.**

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The proposed development complies with the relevant provisions that determine the acceptable bulk, scale and minimum soft landscaped area, which in turn will provide for the development within a landscape setting. The proposal is also generally compliant with the relevant considerations as prescribed under DCP 55. The minor variations to the front setback of the courtyard and balcony projection will not result in the development being contrary to the objectives of the minimum lot area requirement.

The inconsistency with Objective 25D(2)(a) is an anomaly between sites having direct street frontage and the battle axe allotments. To insist on compliance would unnecessarily restrict the future development of the subject site contrary to the site's zoning. In addition, the proposal does not seek to alter the existing and compatible subdivision pattern. The development will maintain this continuity and the general compliance with the controls in conjunction with sympathetic design and materials ensures the development reflects the expectations of the site's zoning.

Given the general compliance with Council's policy, the zoning of the site, which permits residential flat buildings, and minimal impacts to the adjoining properties, if the Objection was not supported, compliance with the requirement would hinder the orderly and economic development of the site contrary to the objects in Section 5(a)(i) and (ii) of the Environmental Planning and Assessment Act, 1979.

**4. Whether compliance with the development standard is unreasonable or unnecessary in the circumstance.**

Compliance is unreasonable and unnecessary in the circumstance for the reasons given by the applicant and the above assessment.

**5. Whether the objection is well founded**

The objection is well founded and is supported for the reasons given in the above review of the SEPP 1 Objection.

**State Environmental Planning Policy No.65 – Design quality of residential flat development**

SEPP No.65 applies to residential flat buildings with three or more storeys and four or more units. As the proposed development contains three units, SEPP 65 does not apply to the subject application.

**Draft State Environmental Planning Policy – Application of Development Standards 2004**

The proposal has been assessed against the considerations as outlined within the Draft SEPP ADS 2004. The applicant has demonstrated that the proposal is consistent with this policy and the requested variation to the requirement is supported for the reasons given above and those contained within the applicant's Draft SEPP ADS 2004 submission.

**State Environmental Planning Policy No. 55 – Remediation of Land**

Clause 7 of SEPP 55 requires Council to consider whether the land is contaminated and if so it is satisfied that it is suitable in its contaminated state or will be suitable after remediation for the



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development. The site has historically been used for residential purposes therefore it is unlikely to be contaminated. No further investigation is necessary in this instance.

### State Environmental Planning Policy – Building sustainability Index (BASIX)

A BASIX certificate (146816M) has been submitted with the development application.

### Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

The aim of this Plan is to protect and provide total catchment management for the environment of the Hawkesbury-Nepean River by ensuring that the impacts of future land uses are considered in a regional context. Subject to conditions relating to construction management the development will not result in a detrimental impact contrary to the provisions of the SREP.

### Ku-ring-gai Planning Scheme Ordinance (KPSO)

COMPLIANCE TABLE		
Development standard	Proposed	Complies
Site area (min): 1200m <sup>2</sup> (however can be reduced subject to clause 25I(4))	929.5m <sup>2</sup>	YES – (SEPP 1)
Deep landscaping (min): 40%	50.3%	YES
Street frontage (min): 23m	32.62m	YES
Number of storeys (max): 3	3	YES
Site coverage (max): 35%	33%	YES
Top floor area (max): 60% of level below	<60%	YES
Storeys and ceiling height (max): 3 and 7.2m	3 & <7.2m	YES
Car parking spaces (min): • 1 (visitors) • 5 (residents) • 6 (total)	1 5 6	YES YES YES
Zone interface setback (min): 9m	9m	YES
Manageable housing (min): 10% or 1	1 or 33%	YES
Lift access: required if greater than three storeys	Lift provided	YES

### Residential zone objectives and impact on heritage (cl25D(1)(2)):

The development satisfies the objectives for residential zones as prescribed in clause 25D.

### Site area (cl.25E):

The Objection to the minimum site area requirement is well founded and supported for the reasons given earlier within the SEPP No.1 and DSEPP ADS 2004 assessment.

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## Heritage /conservation areas (cl.61D – 61I):

Adjoining the subject site to the rear on a battle axe allotment is 'The Briars' at 14 Woonona Avenue, which is listed on the State Heritage Register. In accordance with Clause 61E of KPSO Council shall not grant consent to an application to carry out development on land in the vicinity of a heritage item unless it has made an assessment of the effect the carrying out of that development will have on the heritage significance of the item and its setting.

The proposed development will not result in a significant detrimental impact in relation to the 'The Briars' for the reasons given by Council's Heritage Advisor. This is subject to the conditions to reduce the width of the northern balconies to a maximum of 3 metres and replacement of the steel frame of the pergola to timber (See Condition No 18). The proposal also seeks to retain the Turpentine tree located within the front yard which has a historical connection with the earlier subdivision pattern that relates to the greater land holding of 'The Briars'.

## POLICY PROVISIONS

Development Control Plan No. 55 – Railway/Pacific Highway Corridor & St Ives Centre

COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>Part 3 Local context:</b>		
<b>Development adjacent to a heritage item:</b>		
• 10m setback (1 <sup>st</sup> & 2 <sup>nd</sup> storeys)	16.2m	YES
• 15m setback (3 <sup>rd</sup> & 4 <sup>th</sup> storeys)	16.2m	YES
<b>Part 4.1 Landscape design:</b>		
<b>Deep soil landscaping (min)</b>		
• 150m <sup>2</sup> per 1000m <sup>2</sup> of site area = 150m <sup>2</sup>	467.5m <sup>2</sup>	YES
<b>No. of tall trees required (min): 3 trees</b>	3 trees	YES
<b>Part 4.2 Density:</b>		
<b>Building footprint (max):</b>		
• 35% of total site area	33%	YES
<b>Floor space ratio (max):</b>		
• 0.7:1	0.6:1	YES
<b>Part 4.3 Setbacks:</b>		
<b>Street boundary setback (min):</b>		
• 10-12 metres (<40% of the zone occupied by building footprint)	10-12m <40% occupied by building footprint	YES YES
<b>Rear boundary setback (min):</b>		
• 6m	6m	YES

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>Side boundary setback (min):</b> <ul style="list-style-type: none"> <li>3m(&lt;3 storeys on site less than 1200m<sup>2</sup>)</li> </ul>	3m	YES
<b>Setback of ground floor courtyards to street boundary (min):</b> <ul style="list-style-type: none"> <li>8m</li> </ul>	5.4m to 8m (northern courtyard) >8m (southern courtyard)	NO YES
<b>% of total area of front setback occupied by private courtyards (max):</b> <ul style="list-style-type: none"> <li>15%</li> </ul>	15%	YES
<b>Part 4.4 Built form and articulation:</b>		
<b>Façade articulation:</b> <ul style="list-style-type: none"> <li>Wall plane depth &gt;600mm</li> </ul>	>600mm	YES
<ul style="list-style-type: none"> <li>Wall plane area &lt;81m<sup>2</sup></li> </ul>	<81m <sup>2</sup>	YES
<b>Built form:</b> <ul style="list-style-type: none"> <li>Building width = or &lt; 36m</li> </ul>	36m	YES
<ul style="list-style-type: none"> <li>Balcony projection &lt; 1.2m</li> </ul>	>1.2m	NO
<b>Part 4.5 Residential amenity</b>		
<b>Solar access:</b> <ul style="list-style-type: none"> <li>&gt;70% of units receive 3+ hours direct sunlight in winter solstice</li> </ul>	100%	YES
<ul style="list-style-type: none"> <li>&gt;50% of the principle common open space of the development receives 3+ hours direct sunlight in the winter solstice</li> </ul>	>50%	YES
<b>Visual privacy:</b> Separation b/w windows and balconies of a building and any neighbouring building on site or adjoining site: Storeys 1 to 4 <ul style="list-style-type: none"> <li>12m b/w habitable rooms</li> <li>9m b/w habitable and non-habitable rooms</li> <li>6m b/w non-habitable rooms</li> </ul>	>12m >9m >6m	YES YES YES

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>Internal amenity:</b> <ul style="list-style-type: none"> <li>Habitable rooms have a minimum floor to ceiling height of 2.7m</li> <li>1-2 bedroom units have a minimum plan dimension of 3m in all bedroom</li> <li>3+ bedroom units have a minimum plan dimension of 3m in at least two bedrooms</li> <li>Single corridors: <ul style="list-style-type: none"> <li>- serve a maximum of 8 units</li> <li>- &gt;1.5m wide</li> <li>- &gt;1.8m wide at lift lobbies</li> </ul> </li> </ul>	2.7m – 3m >3m >3m 1 unit >1.5m 1.8m	YES YES YES YES YES YES
<b>Outdoor living:</b> <ul style="list-style-type: none"> <li>ground floor apartments have a terrace or private courtyard greater than 25m<sup>2</sup> in area</li> <li>Balcony sizes: <ul style="list-style-type: none"> <li>- 10m<sup>2</sup> – 1 bedroom unit</li> <li>- 15m<sup>2</sup> – 3 bedroom unit</li> </ul> </li> </ul> NB. At least one space >10m <sup>2</sup> <ul style="list-style-type: none"> <li>primary outdoor space has a minimum dimension of 2.4m</li> </ul>	>25m <sup>2</sup> >10m <sup>2</sup> >15m <sup>2</sup> >2.4m	YES YES YES YES
<b>Part 4.7 Social dimensions:</b>		
<b>Visitable units (min):</b> <ul style="list-style-type: none"> <li>70%</li> </ul>	100%	YES
<b>Housing mix:</b> <ul style="list-style-type: none"> <li>Mix of sizes and types</li> </ul>	Mix of 1 and 3 bedroom units	YES
<b>Part 4.8 Resource, energy and water efficiency:</b>		
<b>Energy efficiency:</b> <ul style="list-style-type: none"> <li>&gt;65% of units are to have natural cross ventilation</li> <li>25% of kitchens are to have an external wall for natural ventilation and light</li> <li>&gt;90% of units are to have a 4.5 star NatHERS rating with 10% achieving a 3.5 star rating</li> </ul>	66% 66% Complies with BASIX	YES YES YES

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>Part 5 Parking and vehicular access:</b>		
<b>Car parking (min):</b>		
• 5 resident spaces	5 spaces	YES
• 1 visitor spaces	1 spaces	YES
• 6 total spaces	6 spaces	YES

**Part 2 Elements of good design**

The objectives to Section 2 seek to provide good design. Consideration must be given to the site's context, building street alignment, building entry, articulation and construction materials.

The proposed development is consistent with the provisions of Part 2. The built form will add positively to the character of the street supported by a good selection of materials including dark face brick, sandstone and dark coloured roof tiles.

The development reflects the future context of the area particularly in relation to the surrounding sites that are zoned 2(d3), which permits higher density development in the form of residential flat buildings. The built form of two storeys plus attic level provides a good transition between the higher density development permissible to the south of the site along Bundarra Avenue (south) and east along Woonona Avenue and the lower density development along Woonona Avenue to the north.

This is supported by the retention of the existing Turpentine Tree, good deep soil landscape area, which is 10.8% or 100.39m<sup>2</sup> in excess of the minimum requirement.

The development maintains the front boundary setback of the adjoining of the two storey SEPP Seniors Living development to the north at 18 Woonona Avenue. In addition, the design has incorporated a clearly defined building entry with a good connection to the street.

The above demonstrates the proposal is consistent with the provisions of Part 2 of the DCP consequently the proposal is supported in this regard.

**Part 3 Local context:**

Part 3 provides considerations in relation to the landscape and visual character of the area and development within the vicinity of a heritage item. In addition, consideration is to be given to the local context in relation to the existing and desired future character.

The proposed development is consistent with the provisions of Part 3. The development substantially exceeds the minimum deep soil landscaped area requirement, maintains established vegetation, in particular the Turpentine tree, which has a historical relationship with the adjoining heritage item. The choice of planting for the landscaping of the site is supported by Council's Landscape Assessment Officer. The development provides good private and open space areas that reflect the local character.

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The 'soft' element of the proposal is supported by the reasonable design of the built form that sits well within its context, as discussed above under the Part 2 assessment. The development will not have a significant impact on the adjoining heritage item for the reasons discussed in this report.

The above demonstrates that the proposal is consistent with the provisions of Part 3 of DCP 55.

**Part 4.1 Landscape design:**

Development should reinforce the landscaped and treed character of the area. Deep soil planting is to be established surrounding the built form to increase visual amenity, screening and to maintain consistency with the surrounding garden and leafy landscape. This includes the provision of appropriate fencing to define the boundaries and respond to the character of the streetscape.

As noted within the Compliance Table, the proposal complies with the numerical requirements of the LEP and DCP in relation to the ratio of built form to deep soil landscaping and tree replenishment. Subject to standard conditions, Council's Landscape Development Officer considers the proposed landscaping concept plan to be acceptable. The planting proposed integrates the development with the surrounding area and provides reasonable screening for adjoining properties.

However, there is a concern regarding the front fence which has a maximum height of 2 metres for its piers. The proposed front fence is to be constructed as a metal palisade fence with pier and dwarf walls. The height of the piers is up to 2 metres. There is one example of a similar style fence, which has a similar height. It adjoins the subject site to the south at 8 Woonona Avenue. This fence reflects the larger size of this lot. The remaining street has a mixture of no fences, small dwarf wall fences measuring less than 400 millimetres and open palisade fencing measuring approximately 1.2 metres in height.

The height of the front fence is unacceptable as will result in a detrimental visual impact and is contrary to the design concept of a lower single dwelling house scale present in the subject proposal. It is recommended that the height of the front fence is reduced to a maximum 1.6 metres for the piers and 1.2 metres for the palisade infill. The reduced height will reflect the design concept of a lower density, single dwelling house scale reflected within the general streetscape. A condition to this effect (**Condition No.18**) is recommended.

**Part 4.2 Density:**

Site density should be balanced with the need to provide appropriate deep soil landscaping on a site. The proposed development is below the maximum 35% site coverage and exceeds the minimum 40% deep soil landscape area requirements. The proposal is under the maximum FSR of 0.7:1 and meets the maximum height controls. Given the compliance with these controls the proposed density is acceptable.

**Part 4.3 Setbacks:**

The relevant objectives of Part 4.3 seek to provide buildings behind gardens dominated by canopy trees, which screen buildings and to provide a consistent urban form providing definition of the street edge.

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There is a minor non-compliance with the minimum 8 metres front setback for private courtyards, as noted in the compliance table. The variation is part of the northern private Courtyard. A second courtyard, located towards the southern end of the building is compliant with the control. The variation is reasonable in this instance as the proposal will meet the underlying objectives of the control.

The site will contain in excess of the minimum landscaped area, there is adequate space to provide effective landscaping and tree planting to the street frontage. The courtyard will be landscaped and will positively contribute to the landscaping setting of the building. This is supported by the proposal's compliance with the maximum 15% of total front setback occupation by private courtyards provision. There will not be a significant privacy or overshadowing impact to the adjoining properties and the development provides for a good urban edge given the compliance with the building setback controls. Therefore, the variation to the courtyard setback control is supported in this instance.

**Part 4.4 Built form and articulation:**

The objectives of Part 4.4 seek to provide high architectural quality, predominance of soft landscape features, a mitigated change in scale between new development and existing lower density housing, varying articulation in buildings, elements of the building to integrate into the overall building form and visual connection between dwellings and the public domain.

The ground and first floor balconies exceed the maximum 1.2 metres projection from the outer most part of the building control by 2.5 metres, equating to a width of 3.7 metres. The upper level balcony projects 500mm in excess of the requirement. Council's Heritage Advisor has recommended a reduction of the ground and first floor balcony projections down to 3.0 metres to provide more of a lower density housing scale to the development. A condition to this effect is recommendation (**Condition No. 18**). As a consequence there would be a reduced non-compliance of 1.8 metres to the ground and lower floor balconies. Whilst, the upper floor balcony would comply with the control.

Subject to the reduction of the balcony widths, the variation to the requirement is reasonable in this instance. The balconies, as conditioned to be amended will integrate with the overall scale of the building. They will visually form an ancillary element of the building and support the positive design within the site's context. The balconies reflect the lower density scale of the development and will architecturally balance the building form. The balconies will provide good amenity to its occupants and will not result in a significant amenity impact to the adjoining development.

**Part 4.5 Residential amenity:**

The aims and objectives of Part 4.5 seek to provide good solar, visual and acoustic and outdoor living amenity within the subject site and to the neighbouring properties.

The proposed development meets these objectives, which is demonstrated by the numerical compliance with the provisions contained within Part 4.5 of the DCP. The proposed development is supported in this regard.

**Part 4.6 Safety and security:**

The objective of Part 4.6 seeks to provide a safe and secure housing for residents and visitors.

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The proposed development meets these objectives in that common open spaces and the public street can be viewed from window openings and balconies, which provides good passive surveillance. The open space areas have been designed to minimise concealment/ entrapment spaces, the access points will be lit and the entry to the site is clearly visible from the street.

**Part 4.7 Social dimensions:**

As indicated in the DCP 55 Compliance Table, the proposal provides 10% manageable housing and over 70% 'visitable' units, internal paths of travel and visitor and resident parking spaces in accordance with DCP 55 clause 4.7 C-3. The development provides a reasonable mix of housing types and size to meet market demand for a range of medium density accommodation needs.

**Part 4.8 Resource, energy and water efficiency:**

The proposal meets the BASIX requirements, which address the resource, energy and water efficiency provisions contained within Part 4.8 of the DCP.

**Part 5 Parking and vehicular access:**

Car parking is provided in accordance with the numerical requirements of DCP 55 and DCP 43 – Car Parking for residents, visitor, accessible parking spaces and minimum bicycle spaces. Clearly defined, separate pedestrian access routes are provided through the development reducing any pedestrian or vehicular conflicts.

**Development Control Plan 31 – Access**

Matters for assessment under DCP 31 have been taken into account in the assessment of this application against DCP 55 and the proposal is satisfactory.

**Development Control Plan 40 – Construction and Demolition Waste Management**

Matters for assessment under DCP 40 have been taken into account in the assessment of this application against DCP 55 and the proposal is satisfactory.

**Development Control Plan No. 43 – Car Parking**

Matters for assessment under DCP 43 have been taken into account in the assessment of this application against DCP 55 and the proposal is satisfactory.

**Development Control Plan 47 – Water Management**

Matters for assessment under DCP 47 have been taken into account in the assessment of this application against DCP 55 and the proposal is satisfactory.

**Section 94 Plan**

The development attracts a section 94 contribution of \$44,120.00, which is required to be paid by Condition No.38.



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**LIKELY IMPACTS**

The proposal will not have any significant impact on the environment, landscape or scenic quality of the locality, threatened species, populations or ecological communities or their habitats or any other protected fauna or protected native plants. The site is not within a wilderness area nor an area of critical habit. The site can be adequately landscaped and conditions relating to soil erosion are recommended. There is unlikely to be any significant impact on the existing or likely future amenity of the neighbourhood.

**SUITABILITY OF THE SITE**

The site is suitable for the proposed development for the reasons given in the above assessment.

**ANY SUBMISSIONS**

All submissions received have been considered in the assessment of this application.

**PUBLIC INTEREST**

The approval of the application is considered to be in the in the public interest.

**ANY OTHER RELEVANT MATTERS CONSIDERATIONS NOT ALREADY ADDRESSED**

There are no other matters for consideration.

**CONCLUSION**

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory. Therefore, it is recommended that the application be approved.

**RECOMMENDATION:**

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

**1. APPROVAL – SEPP 1 REQUIRED**

THAT Council, as the consent authority, is of the opinion that the objection under *State Environmental Planning Policy No. 1 – Development Standards* to minimum site area requirement under CL25E of the Ku-ring-gai Planning Scheme Ordinance is well founded. The Council is also of the opinion that strict compliance with the development standard is unreasonable and unnecessary in the circumstances of this case as the development meets the underlying objectives of the control and strict compliance with the development standard would tend to hinder the achievement of the Objects of Section 5(a)(i) and (ii) of the Environmental Planning and Assessment Act, 1979.

**AND**

THAT Council, as the consent authority, being satisfied that the objection under SEPP No. 1 is well founded and also being of the opinion that the granting of consent to DA 416/07 is consistent with the aims of the Policy, grant development consent for a residential flat building on land at 12

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Woonona Avenue, Wahrenoona, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

**CONDITIONS THAT IDENTIFY APPROVED PLANS:**

**1. Approved architectural plans and documentation (new development)**

The development must be carried out in accordance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

<i>Plan no.</i>	<i>Drawn by</i>	<i>Dated</i>
DA01a, DA02a, DA03, DA04a, DA05a, DA06a	Wolski Lycenko Brecknock Architects	May 2007
Survey Plan 060106CP Sheet 1 of 2 & 2 of 2	V W Cochrane & Associates Pty Ltd	17 - 01 - 06
Hydraulic Details S-07-20094	Civil & Structural Engineering Design Services Pty Ltd	08/08/2007
EF01 External Finishes	Wolski Lycenko Brecknock Architects	May 2007

<i>Document(s)</i>	<i>Dated</i>
Statement of Environmental Effects by Metroplan	May 2007
SEPP 1 Objection by Metroplan	August 2007
Assessment of Traffic and Parking Implications by Transport and Traffic Planning Associates	August 2007
Preliminary Geotechnical Report by Jack Hodgson Consultants	18 April 2006
Tree Management Report by Naturally Trees Arboricultural Consulting	11 May 2007
Landscape specification by iScape Landscape Architecture	May 2007
BASIX Certificate 146816M	4 July 2007

**Reason:** To ensure that the development is in accordance with the determination of Council.

**2. Inconsistency between documents**

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

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**Reason:** To ensure that the development is in accordance with the determination of Council.

3. **Approved landscape plans**

Landscape works shall be carried out in accordance with the following landscape plan(s), listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

<b>Plan no.</b>	<b>Drawn by</b>	<b>Dated</b>
30.07/050, Rev A & 30.07/051	iScape	May 2007

**Reason:** To ensure that the development is in accordance with the determination of Council.

**CONDITIONS TO BE SATISFIED PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION:**

3. **Notice of commencement**

At least 48 hours prior to the commencement of any development or excavation works, a notice of commencement of building or subdivision work form and appointment of the principal certifying authority form shall be submitted to Council.

**Reason:** Statutory requirement.

4. **Notification of builder's details**

Prior to the commencement of any development or excavation works, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

**Reason:** Statutory requirement.

5. **Dilapidation survey and report (public infrastructure)**

Prior to the commencement of any development or excavation works on site, the Principal Certifying Authority shall be satisfied that a dilapidation report on the visible and structural condition of all structures of the following public infrastructure, has been completed and submitted to Council:

**Public infrastructure**

- Full road pavement width, including kerb and gutter, of Woonona Avenue over the site frontage.
- All driveway crossings and laybacks opposite the subject site.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both written and photographic) existing

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damaged areas on the aforementioned infrastructure so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

The developer may be held liable to any recent damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded by the requirements of this condition prior to the commencement of works.

**Note:** A written acknowledgment from Council must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any excavation works.

**Reason:** To record the structural condition of public infrastructure before works commence.

6. **Construction and traffic management plan**

Prior to the commencement of any works on site, the applicant must submit for review by Council's engineers a construction and traffic management plan. The following matters must be specifically addressed in the plan:

A. **A plan view of the entire site and frontage roadways indicating:**

- dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways
- turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site
- the locations of proposed work zones in the frontage roadways
- location of any proposed crane and concrete pump and truck standing areas on and off the site
- a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected
- an on-site parking area for employees, tradespersons and construction vehicles as far as possible

B. **Traffic control plan(s) for the site**

All traffic control plans must be in accordance with the RTA publication "Traffic Control Worksite Manual" and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of 4 weeks prior

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to the activity proposed being undertaken.

**C. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided.**

Light traffic roads and those subject to a load or height limit must be avoided where alternate routes exist.

A copy of this route is to be made available to all contractors and shall be clearly depicted at a location within the site.

The plan must provide evidence of RTA concurrence where construction access is provided directly from or within 20m of an arterial road.

The plan must provide a schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of their construction management obligations. These must specify that construction-related vehicles are to comply with the approved requirements.

The plan must provide measures for minimising construction related traffic movements during school peak periods.

For those construction personnel that drive to the site, the applicant shall attempt to provide on-site parking so that their personnel's vehicles do not impact on the current parking demand in the area.

The construction and traffic management plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation.

As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council's Development Engineer. Written acknowledgment from Council's Engineer shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site.

**Reason:** To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

**7. Work zone**

If a work zone is proposed, the applicant must make a written application to the Kuring-gai Local Traffic Committee to install the work zone. Work zones are provided

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specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Work zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site.

If the work zone is approved by the Local Traffic Committee, the applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit this to the Principal Certifying Authority prior to commencement of any works on site.

Where approval of the work zone is resolved by the Committee, the necessary work zone signage shall be installed (at the cost of the applicant) and the adopted fee paid prior to commencement of any works on site. At the expiration of the work zone approval, the applicant is required to remove the work zone signs and reinstate any previous signs at their expense.

In the event the work zone is required for a period beyond that initially approved by the Traffic Committee, the applicant shall make a payment to Council for the extended period in accordance with Council's schedule of fees and charges for work zones prior to the extended period commencing.

**Reason:** To ensure that appropriate measures have been made for the operation of the site during the construction phase.

8. **Erosion and drainage management**

Earthworks and/or demolition of any existing buildings shall not commence until an erosion and sediment control plan is submitted to and approved by the Principal Certifying Authority. The plan shall comply with the guidelines set out in the NSW Department of Housing manual "Managing Urban Stormwater: Soils and Construction" certificate. Erosion and sediment control works shall be implemented in accordance with the erosion and sediment control plan.

**Reason:** To preserve and enhance the natural environment.

9. **Tree protection fencing**

To preserve the following tree/s, no work shall commence until the area beneath their canopy is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

**Schedule**

Tree/location	Radius in metres
Tree 7 <i>Syncarpia glomulifera</i> (Turpentine)	5 metres
Tree 12 <i>Cupressus macrocarpa</i> (Monterey Cypress)	5 metres
Tree 14 <i>Jacaranda mimosifolia</i> (Jacaranda)	5 metres

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**Reason:** To protect existing trees during the construction phase.

**10. Tree protection signage**

Prior to works commencing, tree protection signage is to be attached to each tree protection zone, displayed in a prominent position and the sign repeated at 10 metres intervals or closer where the fence changes direction. Each sign shall contain in a clearly legible form, the following information:

- tree protection zone
- this fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted
- any encroachment not previously approved within the tree protection zone shall be the subject of an arborist's report
- the arborist's report shall provide proof that no other alternative is available
- the arborist's report shall be submitted to the Principal Certifying Authority for further consultation with Council
- The name, address, and telephone number of the developer.

**Reason:** To protect existing trees during the construction phase.

**11. Tree protection mulching**

Prior to works commencing and throughout construction, the area of the tree protection zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood.

**Reason:** To protect existing trees during the construction phase.

**12. Tree fencing inspection**

Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

**Reason:** To protect existing trees during the construction phase.

**13. Construction waste management plan**

Prior to the commencement of any works, the Principal Certifying Authority shall be satisfied that a waste management plan, prepared by a suitably qualified person, has

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been prepared in accordance with Council's DCP 40 – Construction and Demolition Waste Management.

The plan shall address all issues identified in DCP 40, including but not limited to: the estimated volume of waste and method for disposal for the construction and operation phases of the development.

**Note:** The plan shall be provided to the Certifying Authority.

**Reason:** To ensure appropriate management of construction waste.

14. Archival recording of buildings

Prior to the commencement of any development or excavation works on site, the Principal Certifying Authority shall be satisfied that an archival report has been submitted to Council's Heritage Advisor.

The report must consist of an archival standard photographic record of the building (internally and externally), its garden and views of it from the street illustrating its relationship to neighbouring properties and the streetscape. Recording shall be undertaken in accordance with the guidelines for "Photographic Recording of Heritage Items Using Film or digital Capture (2006)" prepared by the New South Wales Heritage Office.

Information shall be bound in an A4 report format. It shall include copies of photographs, referenced to plans of the site. Two (2) copies, one (1) copy to include negatives or CD of images shall be submitted to Council's Heritage Advisor. The recording document will be held in the local studies collection of Ku-ring-gai Library, the local historical society and Council's files.

**Note:** A written acknowledgement from Council must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works.

**Reason:** To ensure the proper management of historical artefacts and to ensure their preservation.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE:

15. Amendments to approved landscape plan

Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the approved architectural plans, listed below and endorsed with Council's stamp, have been amended in accordance with the requirements of this condition as well as other conditions of this consent:

Plan no.	Drawn by	Dated
Da02	Wolski Lycenko Brecknock Architects	May 2007



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The above architectural plan(s) shall be amended in the following ways:

- i) To minimise impacts on Tree 7 *Syncarpia glomulifera* (Turpentine) the proposed steps adjacent to the eastern side of the family room of unit 1 shall be deleted and replaced with a low retaining wall. The retaining wall shall be constructed as a dry stone wall or similar that doesn't require a footing.
- ii) All existing trees shall be numbered to correspond with the approved landscape plan.

**Reason:** To protect existing trees.

16. Long service levy

In accordance with Section 109F(i) of the Environmental Planning and Assessment Act a Construction Certificate shall not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided to Council.

**Reason:** Statutory requirement.

17. Builder's indemnity insurance

The applicant, builder, developer or person who does the work on this development, must arrange builder's indemnity insurance and submit the certificate of insurance in accordance with the requirements of Part 6 of the Home Building Act 1989 to the Certifying Authority for endorsement of the plans accompanying the Construction Certificate.

It is the responsibility of the applicant, builder or developer to arrange the builder's indemnity insurance for residential building work over the value of \$12,000. The builder's indemnity insurance does not apply to commercial or industrial building work or to residential work valued at less than \$12,000, nor to work undertaken by persons holding an owner/builder's permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).

**Reason:** Statutory requirement.

18. Design changes

The following design changes shall be implemented:

- a) The verandas on the northern elevation at the ground and first floor levels shall be reduced in width from 3.7 metres to a maximum 3.0 metres. The second floor veranda shall also be proportionally reduced in width. The hipped roof form is to be

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- retained;
- b) The pergola on the second floor is to be constructed of timber instead of steel;
- c) A continuous length planter box is to be constructed above the top of the slab at the ground floor level over the driveway/ entry ramp to account for the shortfall of veranda width;
- d) All existing trees shall be numbered on the architectural plans to correspond with the approved landscape plan; and
- e) The piers of the front fence are to be reduced in height to a maximum 1.6 metres and the metal palisade in fill is to be reduced to have a maximum height of 1.2 metres. The dwarf wall to the front fence is to be reduced in height relative to the reduction of the piers and metal in-fill palisade. The heights are to be measured from the finished footpath level.

Details of the above are to be provided prior to the issue of the Construction Certificate.

**Reason:** To ensure minimal impacts to the adjoining heritage item and existing trees located on and adjoining the subject site

19. Engineering construction details

Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the engineering construction details for the basement car park, complies with the following requirements:

The engineering construction plans shall note the following details:

- i) To preserve the following trees the basement car park shall be excavated with near vertical angles. The side surfaces of the excavated basement shall be covered with water proof covers whenever work is not being carried out. All up slope run-off shall be diverted away from the cut surfaces.
- ii) The construction details shall indicate the following trees on the plans.
- iii) the construction details shall indicate that the following trees are to be protected with no over excavation of the basement to take place.

**Schedule**

**Tree/location**

- Tree 7 *Syncarpia glomulifera* (Turpentine)
- Tree 12 *Cupressus macrocarpa* (Monterey cypress)
- Tree 13 *Liquidambar styraciflua* (Liquidambar)
- Tree 14 *Jacaranda mimosifolia* (Jacaranda)

**Tree works**

- Front yard on site
- Adjoining property to rear.
- Adjoining property to rear.
- Adjoining property to rear.

**Reason:** To protect existing trees.

20. Air drying facilities

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Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that a common open space area dedicated for open air drying of clothes is provided. This area is to be located at ground level behind the building line and in a position not visible from the public domain.

In lieu of the above, written confirmation that all units will be provided with internal clothes drying facilities prior to the Occupation Certificate is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** Amenity & energy efficiency.

**21. Access for people with disabilities (residential)**

Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that access for people with disabilities to and from and between the public domain, residential units and all common open space areas is provided. Consideration must be given to the means of dignified and equitable access.

Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided to the Principal Certifying Authority prior to the issue of the Construction Certificate. All details shall be prepared in consideration of the Disability Discrimination Act, and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS 1735.12.

**Reason:** To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

**22. Adaptable units**

Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that all the nominated adaptable units within the development application [Units 1, 2, 3], are designed as adaptable housing in accordance with the provisions of Australian Standard AS4299-1995: Adaptable Housing.

**Note:** Evidence from an appropriately qualified professional demonstrating compliance with this control is to be submitted to and approved by the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** Disabled access & amenity.

**23. Stormwater management plan**

Prior to issue of the Construction Certificate, the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:

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- exact location and reduced level of discharge point to the public drainage system
- Layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater plumbing - all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence)
- location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems and where proprietary products are to be used, manufacturer specifications or equivalent shall be provided
- specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with Ku-ring-gai Council Development Control Plan 47 and/or BASIX commitments
- details of the required on-site detention tanks required by Ku-ring-gai Water Management DCP 47, including dimensions, materials, locations, orifice and discharge control pit details as required (refer Chapter 6 and Appendices 2, 3 and 5 of DCP 47 for volume, PSD and design requirements)
- the required basement stormwater pump-out system is to cater for driveway runoff and subsoil drainage (refer appendix 7.1.1 of Development Control Plan 47 for design)

The above construction drawings and specifications are to be prepared by a qualified and experienced civil/hydraulic engineer in accordance with Council's Water Management Development Control Plan 47, Australian Standards 3500.2 and 3500.3 - Plumbing and Drainage Code and the Building Code of Australia. The plans may be generally based on the hydraulic details submitted with the development application, which are to be advanced as necessary for construction certificate issue purposes.

**Reason:** To protect the environment.

**24. Stormwater retention**

Prior to the issue of a Construction Certificate, the Principal Certifying Authority is to be satisfied that:

1. A mandatory rainwater retention and re-use system, comprising storage tanks and ancillary plumbing is provided. The minimum total storage volume of the rainwater tank system, and the prescribed re-use of the water on site must satisfy all relevant BASIX commitments and the requirements specified in Chapter 6 of Ku-ring-gai Water Management Development Control Plan 47; and

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2. An on-site stormwater detention system must be provided to control the rate of runoff leaving the site. The minimum volume of the required on-site detention system must be determined in accordance with Chapter 6 of the Ku-ring-gai Council Water Management Development Control Plan 47 - having regard to the specified volume concession offered in lieu of installing rainwater retention tanks. The on-site detention system must be designed by a qualified civil/hydraulic engineer and must satisfy the design controls set out in Appendix 5 of DCP 47.

**Reason:** To protect the environment.

25. **Excavation for services**

Prior to the issue of the Construction Certificate, the Principal Certifying shall be satisfied that no proposed underground services (ie water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

**Note:** A plan detailing the routes of these services and trees protected under the Tree Preservation Order, shall be submitted to the Principal Certifying Authority.

**Reason:** To ensure the protection of trees.

26. **Landscape plan**

Prior to the issue of the Construction Certificate, the Principal Certifying Authority shall be satisfied that a landscape plan has been completed in accordance with Council's DA Guide, relevant development control plans and the conditions of consent by a landscape architect or qualified landscape designer.

**Note:** The landscape plan must be submitted to the Principal Certifying Authority.

**Reason:** To ensure adequate landscaping of the site.

27. **Noise from plant in residential zone**

Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the Construction Certificate the Certifying Authority, shall be satisfied that the operation of an individual piece of equipment or operation of equipment in combination will not exceed more than 5dB(A) above the background level during the day when measured at the site's boundaries and shall not exceed the background level at night (10.00pm -6.00 am) when measured at the boundary of the site.

**Note:** A certificate from an appropriately qualified acoustic engineer is to be submitted with the Construction Certificate, certifying that all mechanical ventilation equipment or other noise generating plant in isolation or in combination with

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other plant will comply with the above requirements.

**Reason:** To comply with best practice standards for residential acoustic amenity.

**28. Location of plant (residential flat buildings)**

Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that all plant and equipment (including but not limited to air conditioning equipment) is located within the basement.

**Note:** Architectural plans identifying the location of all plant and equipment shall be provided to the Certifying Authority.

**Reason:** To minimise impact on surrounding properties, improved visual appearance and amenity for locality.

**29. Driveway crossing levels**

Prior to issue of the Construction Certificate, driveway and associated footpath levels for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Ku-ring-gai Council. Such levels are only able to be issued by Council under the Roads Act 1993. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings".

Specifications are issued with alignment levels after completing the necessary application form at Customer Services and payment of the assessment fee. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant development application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment.

This development consent is for works wholly within the property. Development consent does not imply approval of footpath or driveway levels, materials or location within the road reserve, regardless of whether this information is shown on the development application plans. The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels.

The construction of footpaths and driveways outside the property in materials other than those approved by Council is not permitted.

**Reason:** To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

**30. Driveway grades – basement car-parks**

Prior to the issue of the Construction Certificate, longitudinal driveway sections are to be

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prepared by a qualified civil/traffic engineer and be submitted for to and approved by the Certifying Authority. These profiles are to be at 1:100 scale along both edges of the proposed driveway, starting from the centreline of the frontage street carriageway to the proposed basement floor level. The traffic engineer shall provide specific written certification on the plans that:

- vehicular access can be obtained using grades of 25% (1 in 4) maximum and
- all changes in grade (transitions) comply with Australian Standard 2890.1 – “Off-street car parking” (refer clause 2.5.3) to prevent the scraping of the underside of vehicles.

If a new driveway crossing is proposed, the longitudinal sections must incorporate the driveway crossing levels as issued by Council upon prior application.

**Reason:** To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

### 31. Basement car parking details

Prior to issue of the Construction Certificate, certified parking layout plan(s) to scale showing all aspects of the vehicle access and accommodation arrangements must be submitted to and approved by the Certifying Authority. A qualified civil/traffic engineer must review the proposed vehicle access and accommodation layout and provide written certification on the plans that:

- all parking space dimensions, driveway and aisle widths, driveway grades, transitions, circulation ramps, blind aisle situations and other trafficked areas comply with Australian Standard 2890.1 – 2004 “Off-street car parking”
- a clear height clearance of 2.5 metres (required under DCP40 for waste collection trucks) is provided over the designated garbage collection truck manoeuvring areas within the basement
- no doors or gates are provided in the access driveways to the basement car park which would prevent unrestricted access for internal garbage collection at any time from the basement garbage storage and collection area
- the dimensions of all parking spaces, including lengths and widths, comply with the State Environmental Planning Policy for Senior Living relating to height clearances and space dimensions (delete clause if not seniors living)
- the vehicle access and accommodation arrangements are to be constructed and marked in accordance with the certified plans

**Reason:** To ensure that parking spaces are in accordance with the approved development.

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32. Car parking allocation

Car parking within the development shall be allocated in the following way:

Resident car spaces	5
Visitor spaces	1
Total spaces	6

Each adaptable dwelling must be provided with car parking complying with the dimensional and location requirements of AS2890.1 – parking spaces for people with disabilities.

At least one visitor space shall also comply with the dimensional and location requirements of AS2890.1 – parking spaces for people with disabilities.

Consideration must be given to the means of access from disabled car parking spaces to other areas within the building and to footpath and roads and shall be clearly shown on the plans submitted with the Construction Certificate.

**Reason:** To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with federal legislation.

33. Number of bicycle spaces

The basement car park shall be adapted to provide 2 bicycle spaces in accordance with DCP 55. The bicycle parking spaces shall be designed in accordance with AS2890.3. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

**Reason:** To provide alternative modes of transport to and from the site.

34. Energy Australia requirements

Prior to issue of the Construction Certificate, the applicant must contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority for approval prior to issue of the Construction Certificate.

Any structures or other requirements of Energy Australia shall be indicated on the plans issued with the Construction Certificate, to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia must be met in full prior to issue of the Occupation Certificate.

**Reason:** To ensure compliance with the requirements of Energy Australia.



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**35. Utility provider requirements**

Prior to issue of the Construction Certificate, the applicant must make contact with all relevant utility providers whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained. All utility services or appropriate conduits for the same must be provided by the developer in accordance with the specifications of the utility providers.

**Reason:** To ensure compliance with the requirements of relevant utility providers.

**36. Underground services**

All electrical services (existing and proposed) shall be undergrounded from the proposed building on the site to the appropriate power pole(s) or other connection point. Undergrounding of services must not disturb the root system of existing trees and shall be undertaken in accordance with the requirements of the relevant service provider. Documentary evidence that the relevant service provider has been consulted and that their requirements have been met are to be provided to the Certifying Authority prior to the issue of the Construction Certificate. All electrical and telephone services to the subject property must be placed underground and any redundant poles are to be removed at the expense of the applicant.

**Reason:** To provide infrastructure that facilitates the future improvement of the streetscape by relocation of overhead lines below ground.

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE OR PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION (WHICHEVER COMES FIRST):**

**37. Public liability insurance – works on public land**

Any person or contractor undertaking works on public land must take out public risk insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent.

The policy is to note and provide protection for Ku-ring-gai Council as an interested party and a copy of the policy must be submitted to Council prior to the commencement of any development (including demolition) or prior to the issue of the Construction Certificate (whichever comes first). The policy must be valid for the entire period that the works are being undertaken on public land.

**Note:** Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

**Reason:** To ensure the community is protected from the cost of any claim for damages arising from works on public land

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38. Infrastructure restorations fee

To ensure that damage to Council Property as a result of construction activity is rectified in a timely matter:

- a) All work or activity taken in furtherance of the development the subject of this approval must be undertaken in a manner to avoid damage to Council Property and must not jeopardise the safety of any person using or occupying the adjacent public areas.
- b) The applicant, builder, developer or any person acting in reliance on this approval shall be responsible for making good any damage to Council Property, and for the removal from Council Property of any waste bin, building materials, sediment, silt, or any other material or article.
- c) The Infrastructure Restoration Fee must be paid to the Council by the applicant prior to both the issue of the Construction Certificate and the commencement of any earthworks or construction.
- d) In consideration of payment of the Infrastructure Restorations Fee, Council will undertake such inspections of Council Property as Council considers necessary and also undertake, on behalf of the applicant, such restoration work to Council Property, if any, that Council considers necessary as a consequence of the development. The provision of such restoration work by the Council does not absolve any person of the responsibilities contained in (a) to (b) above. Restoration work to be undertaken by the Council referred to in this condition is limited to work that can be undertaken by Council at a cost of not more than the Infrastructure Restorations Fee payable pursuant to this condition.
- e) In this condition:

**"Council Property"** includes any road, footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, letter bins, trees, shrubs, lawns, mounds, bushland, and similar structures or features on any road or public road within the meaning of the Local Government Act 1993 (NSW) or any public place; and

**"Infrastructure Restoration Fee"** means the Infrastructure Restorations Fee calculated in accordance with the Schedule of Fees & Charges adopted by Council as at the date of payment and the cost of any inspections required by the Council of Council Property associated with this condition.

**Reason:** To maintain public infrastructure

39. Section 94 contribution – residential development

A contribution pursuant to section 94 of the Environmental Planning and Assessment Act as specified in Ku-ring-gai Section 94 Contributions Plan 2004-2009 for the services

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detailed in column A and for the amount detailed in Column B is required.

Column A	Column B
community facilities	\$9,199.16
park acquisition and embellishment works	\$54,104.38
sportsgrounds works	\$10,849.77
aquatic / leisure centres	\$228.95
traffic and transport	\$1,236.80
section 94 Plan administration	\$823.33
Sub Total:	<u>\$76442.39</u>
Credit for existing very large dwelling	\$32,324.00
<b>Total contribution is:</b>	<b>\$44,120.00</b>

The contribution shall be paid to Council prior to the commencement of any development (including demolition) or prior to the issue of the Construction Certificate (whichever comes first). The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index. Prior to payment, you are advised to check the contribution amount required with Council.

**Reason:** To ensure the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of the development.

**CONDITIONS TO BE SATISFIED DURING THE DEMOLITION, EXCAVATION AND CONSTRUCTION PHASES:**

**40. Approved plans to be on site**

A copy of all approved and certified plans, specifications and documents incorporating conditions of consent and certification (including the Construction Certificate if required for the work) shall be kept on site at all times during the demolition, excavation and construction phases and must be readily available to any officer of Council or the Principal Certifying Authority.

**Reason:** To ensure that the development is in accordance with the determination of Council.

**41. Prescribed conditions**

The applicant shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A (11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for

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development that involves any building work:

- The work must be carried out in accordance with the requirements of the Building Code of Australia
- In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any works commence.

**Reason:** Statutory requirement.

**42. Statement of compliance with Australian Standards**

The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposal contained in the work plan comply with the safety requirements of the Standard. The work plan and the statement of compliance shall be submitted to the satisfaction of the Principal Certifying Authority prior to the commencement of any works.

**Reason:** To ensure compliance with the Australian Standards.

**43. Demolition, excavation and construction work hours**

Demolition, excavation, construction work and deliveries of building material and equipment must not take place outside the hours of 7.00am to 5.00pm Monday to Friday and 8.00am to 12.00pm Saturday. No work and no deliveries are to take place on Sundays and public holidays.

Excavation or removal of any materials using machinery of any kind, including compressors and jack hammers, must be limited to between 9.00am and 4.00pm Monday to Friday, with regular breaks of 15 minutes each hour.

**Reason:** To ensure reasonable standards of amenity to neighbouring properties.

**44. Construction noise**

During excavation, demolition and construction phases, noise generated from the site shall be controlled in accordance with the recommendations of the approved noise and vibration management plan.

**Reason:** To ensure reasonable standards of amenity to neighbouring properties.

**45. Site notice**

A site notice shall be erected on the site prior to any work commencing and shall be displayed throughout the works period.

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The site notice must:

- be prominently displayed at the boundaries of the site for the purposes of informing the public that unauthorised entry to the site is not permitted
- display project details including, but not limited to the details of the builder, Principal Certifying Authority and structural engineer
- be durable and weatherproof
- display the approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction noise complaint are to be displayed on the site notice
- be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted

**Reason:** To ensure public safety and public information.

46. Dust control

During excavation, demolition and construction, adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood. The following measures must be adopted:

- physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust
- earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed
- all materials shall be stored or stockpiled at the best locations
- the ground surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs
- all vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust
- all equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays
- gates shall be closed between vehicle movements and shall be fitted with shade cloth
- cleaning of footpaths and roadways shall be carried out daily

**Reason:** To protect the environment and amenity of surrounding properties.

47. Post-construction dilapidation report

The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the Principal

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Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Principal Certifying Authority must:

- compare the post-construction dilapidation report with the pre-construction dilapidation report
- have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

A copy of this report is to be forwarded to Council at the completion of the construction works.

**Reason:** Management of records.

**48. Use of road or footpath**

During excavation, demolition and construction phases, no building materials, plant or the like are to be stored on the road or footpath without written approval being obtained from Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.

**Reason:** To ensure safety and amenity of the area.

**49. Guarding excavations**

All excavation, demolition and construction works shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.

**Reason:** To ensure public safety.

**50. Toilet facilities**

During excavation, demolition and construction phases, toilet facilities are to be provided, on the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

**Reason:** Statutory requirement.

**51. Recycling of building material (general)**

During demolition and construction, the Principal Certifying Authority shall be satisfied that building materials suitable for recycling have been forwarded to an appropriate registered business dealing in recycling of materials. Materials to be recycled must be kept in good order.

**Reason:** To facilitate recycling of materials.

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**52. Construction signage**

All construction signs must comply with the following requirements:

- are not to cover any mechanical ventilation inlet or outlet vent
- are not illuminated, self-illuminated or flashing at any time
- are located wholly within a property where construction is being undertaken
- refer only to the business(es) undertaking the construction and/or the site at which the construction is being undertaken
- are restricted to one such sign per property
- do not exceed 2.5m<sup>2</sup>
- are removed within 14 days of the completion of all construction works

**Reason:** To ensure compliance with Council's controls regarding signage.

**53. Road reserve safety**

All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials must not be stored in the road reserve. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.

**Reason:** To ensure safe public footways and roadways during construction

**54. Road repairs necessitated by excavation and construction works**

It is highly likely that damage will be caused to the roadway at or near the subject site as a result of the construction (or demolition or excavation) works. The applicant, owner and builder (and demolition or excavation contractor as appropriate) will be held responsible for repair of such damage, regardless of the Infrastructure Restorations Fee paid (this fee is to cover wear and tear on Council's wider road network due to heavy vehicle traffic, not actual major damage).

Section 102(1) of the Roads Act states "A person who causes damage to a public road is liable to pay to the appropriate roads authority the cost incurred by that authority in making good the damage."

Council will notify when road repairs are needed, and if they are not carried out within 48 hours, then Council will proceed with the repairs, and will invoice the applicant, owner

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and relevant contractor for the balance.

**Reason:** To protect public infrastructure.

55. Services

Where required, the adjustment or inclusion of any new utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the applicants full responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services (including water, phone, gas and the like). Council accepts no responsibility for any matter arising from its approval to this application involving any influence upon utility services provided by another authority.

**Reason:** Provision of utility services.

56. Erosion control

Temporary sediment and erosion control and measures are to be installed prior to the commencement of any works on the site. These measures must be maintained in working order during construction works up to completion. All sediment traps must be cleared on a regular basis and after each major storm and/or as directed by the Principal Certifying Authority and Council officers.

**Reason:** To protect the environment from erosion and sedimentation.

57. Drainage to street

Stormwater runoff from all new impervious areas and subsoil drainage systems shall be piped to the street drainage system. New drainage line connections to the street drainage system shall conform and comply with the requirements of Sections 5.3 and 5.4 of Ku-ring-gai Water Management Development Control Plan No. 47.

**Reason:** To protect the environment.

58. Grated drain at garage

A 200mm wide grated channel/trench drain, with a heavy-duty removable galvanised grate is to be provided in front of the garage door/basement parking slab to collect driveway runoff. The channel drain shall be connected to the main drainage system and must have an outlet of minimum diameter 150mm to prevent blockage by silt and debris.

**Reason:** Stormwater control.

59. Sydney Water Section 73 Compliance Certificate

The applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing



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CoOrdinator. The applicant is to refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-develop" icon or telephone 13 20 92. Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the CoOrdinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

**Reason:** Statutory requirement.

60. **Arborist's report**

The trees to be retained shall be inspected, monitored and treated by a qualified arborist during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the arborist to the Principal Certifying Authority are required at the following times or phases of work:

**Schedule**

**Tree/location**

Tree7 *Syncarpia glomulifera* (Turpentine)

Tree 12 *Cupressus macrocarpa* (Monterey cypress)

Tree 13 *Liquidambar styraciflua* (Liquidambar)

**Time of inspection**

During excavation and construction of the basement car park.

During excavation and construction of the basement car park.

During excavation and construction of the basement car park.

**Reason:** To ensure protection of existing trees.

61. **Completion of landscape works**

Prior to the release of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works, including the removal of all noxious and/or environmental weed species, have been undertaken in accordance with the approved plan(s) and conditions of consent.

**Reason:** To ensure that the landscape works are consistent with the development consent.

62. **Canopy/root pruning**

Canopy and/or root pruning of the following tree(s) which is necessary to accommodate

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the approved building works shall be undertaken by an experienced arborist/horticulturist, with a minimum qualification of the horticulture certificate or tree surgery certificate:

**Schedule**

**Tree/location**

Tree 7 *Syncarpia glomulifera* (Turpentine)

Tree 12 *Cupressus macrocarpa* (Monterey cypress)

Tree 13 *Liquidambar styraciflua* (Liquidambar)

Tree 14 *Jacaranda mimosifolia* (Jacaranda)

**Tree works**

Canopy and root pruning.

Root pruning.

Root pruning.

Root pruning.

**Reason:** To protect the environment.

**63. Approved tree works**

Approval is given for the following works to be undertaken to trees on the site:

**Schedule**

**Tree location**

Tree1 *Camellia sasanqua* (Chinese Camellia)

Tree2 *Camellia japonica* (Japanese Camellia)

Tree 3 *Acer palmatum* (Japanese Maple)

Tree 4 *Chamaecyparis sp.* (Cypress)

Tree 5 *Cotoneaster sp.* (Cotoneaster)

Tree 6 *Acer negundo* (Box Elder)

Tree 7 *Syncarpia glomulifera* (Turpentine)

**Approved tree works**

Removal

Removal

Removal

Removal

Removal

Removal

Minor pruning of branches on outside edge of canopy to clear the approved building.

Tree 8 *Jacaranda mimosifolia* (Jacaranda)

Tree A *Camellia sasanqua* (Chinese Camellia)

Tree B *Camellia sasanqua* (Chinese Camellia)

Tree D *Camellia sasanqua* (Chinese Camellia)

Removal

Removal

Removal

Removal

Removal or pruning of any other tree on the site is not approved.

**Reason:** To ensure that the development is in accordance with the determination of Council.

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**64. Excavation near trees**

No mechanical excavation shall be undertaken within the specified radius of the trunk(s) of the following tree(s) until root pruning by hand along the perimeter line of such works is completed:

**Schedule**

**Tree/location**

Tree 7 *Syncarpia glomulifera* (Turpentine)

**Radius from trunk**

8 metres

**Reason:** To protect existing trees.

**65. No storage of materials beneath trees**

No activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.

**Reason:** To protect existing trees.

**66. Removal of refuse**

All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.

**Reason:** To protect the environment.

**67. Canopy replenishment trees to be planted**

The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species

**Reason:** To maintain the treed character of the area.

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE:**

**68. Compliance with BASIX Certificate**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall be satisfied that all commitments listed in BASIX Certificate No. 146816M have been complied with.

**Reason:** Statutory requirement.

**69. Clotheslines and clothes dryers**

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Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that the units either have access to an external clothes line located in common open space or have a mechanical clothes dryer installed.

**Reason:** To provide access to clothes drying facilities.

**70. Mechanical ventilation**

Following completion, installation and testing of all the mechanical ventilation systems, the Principal Certifying Authority shall be satisfied of the following prior to the issue of any Occupation Certificate:

1. The installation and performance of the mechanical systems complies with:
  - The Building Code of Australia
  - Australian Standard AS1668
  - Australian Standard AS3666 where applicable
2. The mechanical ventilation system in isolation and in association with other mechanical ventilation equipment, when in operation will not be audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and public holidays. The operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measured at the nearest adjoining boundary.

**Note:** Written confirmation from an acoustic engineer that the development achieves the above requirements is to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

**Reason:** To protect the amenity of surrounding properties.

**71. Accessibility**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall be satisfied that:

- the lift design and associated functions are compliant with AS 1735.12 & AS 1428.2
- the level and direction of travel, both in lifts and lift lobbies, is audible and visible
- the controls for lifts are accessible to all persons and control buttons and lettering are raised
- international symbols have been used with specifications relating to signs, symbols and size of lettering complying with AS 1428.2
- the height of lettering on signage is in accordance with AS 1428.1 – 1993
- the signs and other information indicating access and services incorporate tactile communication methods in addition to the visual methods

Item 5

**Reason:** Disabled access & services.

**72. Retention and re-use positive covenant**

Prior to issue of the Occupation Certificate, the applicant must create a positive covenant and restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the property with the requirement to maintain the site stormwater retention and re-use facilities on the property.

The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instruments for protection of retention and re-use facilities" and to the satisfaction of Council (refer to appendices of Ku-ring-gai Water Management Development Control Plan No. 47). For existing titles, the positive covenant and the restriction on the use of land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the reuse and retention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

**Reason:** To protect the environment.

**73. Provision of copy of OSD designs if Council is not the PCA**

Prior to issue of the Occupation Certificate, the following must be provided to Council's Development Engineer:

- a copy of the approved Construction Certificate stormwater detention/retention design for the site
- A copy of any works-as-executed drawings required by this consent
- The Engineer's certification of the as-built system.

**Reason:** For Council to maintain its database of as-constructed on-site stormwater detention systems.

**74. Certification of drainage works (dual occupancies and above)**

Prior to issue of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that:

- the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans

Item 5

- the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Water Management Development Control Plan No. 47 respectively, have been achieved
- retained water is connected and available for use
- basement and subsoil areas are able to drain via a pump/sump system installed in accordance with AS3500.3 and Appendix 7.1.1 of Ku-ring-gai Water Management Development Control Plan No. 47
- all grates potentially accessible by children are secured
- components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage Code AS3500.3 2003 and the Building Code of Australia
- all enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices

The rainwater certification sheet contained in Appendix 13 of the Ku-ring-gai Water Management Development Control Plan No. 47, must be completed and attached to the certification. Where an on-site detention system has been constructed, the on-site detention certification sheet contained in Appendix 4 of DCP 47 must also be completed and attached to the certification.

**Note:** Evidence from a qualified and experienced consulting civil/hydraulic engineer documenting compliance with the above is to be provided to Council prior to the issue of an Occupation Certificate.

**Reason:** To protect the environment.

**75. WAE plans for stormwater management and disposal (dual occupancy and above)**

Prior to issue of the Occupation Certificate, a registered surveyor must provide a works as executed survey of the completed stormwater drainage and management systems. The survey must be submitted to and approved by the Principal Certifying Authority prior to issue of the Occupation Certificate. The survey must indicate:

- as built (reduced) surface and invert levels for all drainage pits
- gradients of drainage lines, materials and dimensions
- as built (reduced) level(s) at the approved point of discharge to the public drainage system
- as built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site

Item 5

- the achieved storage volumes of the installed retention and detention storages and derivative calculations
- as built locations of all access pits and grates in the detention and retention system(s), including dimensions
- the size of the orifice or control fitted to any on-site detention system
- dimensions of the discharge control pit and access grates
- the maximum depth of storage possible over the outlet control
- top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of the on-site detention system

The works as executed plan(s) must show the as built details above in comparison to those shown on the drainage plans approved with the Construction Certificate prior to commencement of works. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifying Authority stamped construction certificate stormwater plans.

**Reason:** To protect the environment.

**76. Basement pump-out maintenance**

Prior to issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that a maintenance regime has been prepared for the basement stormwater pump-out system.

**Note:** A maintenance regime specifying that the system is to be regularly inspected and checked by qualified practitioners is to be prepared by a suitable qualified professional and provided to the Principal Certifying Authority.

**Reason:** To protect the environment.

**77. OSD positive covenant/restriction**

Prior to issue of the Occupation Certificate, the applicant must create a positive covenant and restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot.

The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" and to the satisfaction of Council (refer to appendices of Ku-ring-gai Council Water Management DCP 47). For existing titles, the positive covenant and the restriction on the use of land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the on-site detention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

Registered title documents, showing the covenants and restrictions, must be submitted

Item 5

and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

**Reason:** To protect the environment.

**78. Sydney Water Section 73 Compliance Certificate**

Prior to issue of an Occupation Certificate the Section 73 Sydney water Compliance Certificate must be obtained and submitted to the Principal Certifying Authority

**Reason:** Statutory requirement.

**79. Certification of as-constructed driveway/car park – RFB**

Prior to issue of an Occupation Certificate, the Principal Certifying Authority is to be satisfied that:

- the as-constructed car park complies with the approved Construction Certificate plans
- the completed vehicle access and accommodation arrangements comply with Australian Standard 2890.1 – 2004 “Off-Street car parking” in terms of minimum parking space dimensions
- finished driveway gradients and transitions will not result in the scraping of the underside of cars
- the vehicular headroom requirements of Australian Standard 2890.1 – “Off-street car parking”,

**Note:** Evidence from a suitably qualified and experienced traffic/civil engineer indicating compliance with the above is to be provided to and approved by the Principal Certifying Authority prior to the issue of an Occupation Certificate.

**Reason:** To ensure that vehicular access and accommodation areas are compliant with the consent.

**80. Reinstatement of redundant crossings and completion of infrastructure works**

Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that the following works in the road reserve have been completed:

- new concrete driveway crossing in accordance with levels and specifications issued by Council
- removal of all redundant driveway crossings and kerb laybacks (or sections



Item 5

thereof) and reinstatement of these areas to footpath, turfed verge and upright kerb and gutter (reinstatement works to match surrounding adjacent infrastructure with respect to integration of levels and materials)

- full repair and resealing of any road surface damaged during construction
- full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing

All works must be completed in accordance with the General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council, dated November 2004. The Occupation Certificate must not be issued until all damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council. Repair works shall be at no cost to Council.

**Reason:** To protect the streetscape.

**81. Infrastructure repair**

Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council Development Engineer and at no cost to Council.

**Reason:** To protect public infrastructure.

**82. Mechanical ventilation**

Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that all mechanical ventilation systems are installed in accordance with Part F4.5 of the Building Code of Australia and comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building.

**Reason:** To ensure adequate levels of health and amenity to the occupants of the building.

**CONDITIONS TO BE SATISFIED AT ALL TIMES:**

**83. Car parking**

At all times, the visitor car parking spaces are to be clearly identified and are to be for the exclusive use of visitors to the site. On site permanent car parking spaces are not to be used by those other than an occupant or tenant of the subject building. Any occupant, tenant, lessee or registered proprietor of the development site or part thereof shall not

Item 5

enter into an agreement to lease, license or transfer ownership of any car parking spaces to those other than an occupant, tenant or lessee of the building.

These requirements are to be enforced through the following:

- restrictive covenant placed on title pursuant to Section 88B of the Conveyancing Act, 1919
- restriction on use under Section 68 of the Strata Schemes (Leasehold Development) Act, 1986 to all lots comprising in part or whole car parking spaces

**Reason:** To ensure adequate provision of visitor parking spaces.

Shaun Garland  
**Executive Assessment Officer**

Selwyn Segall  
**Team Leader  
Development Assessment**

Matthew Prendergast  
**Manager  
Development Assessment Services**

Michael Miocic  
**Director  
Development and Regulation**

**Attachments:** Location plan - 827790  
Zoning plan - 827790  
Shadow diagrams - 827800  
Survey plan - 827806  
Architectural plans – 827795, 827796  
Landscape plans - 827806  
Hydraulic concept plans - 827806

# LOCATION SKETCH

## 12 Woonona Avenue, WAHROONGA

### DEVELOPMENT APPLICATION No 416/07



Scale : 1:2000

14-09-2007



OBJECTION



SUBJECT LAND

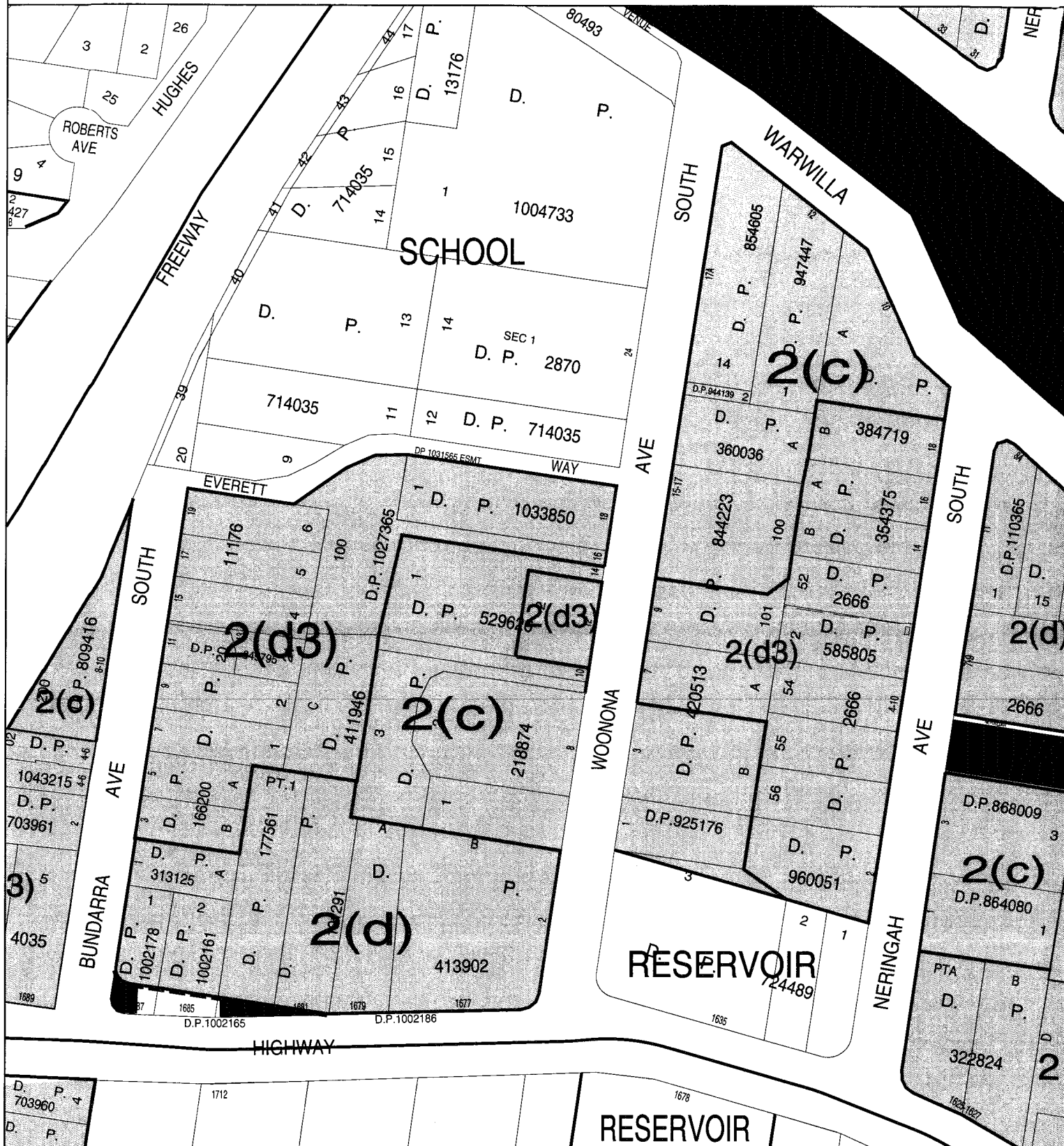


CIRCULATED AREA



# Zoning Extract

12 WOONONA AVE WAHROONGA DA 416/07



## ZONES

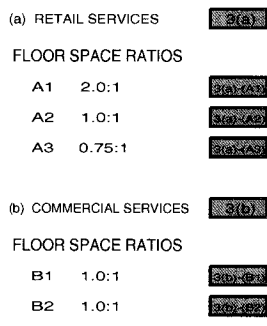
### 2. RESIDENTIAL

- (a) RESIDENTIAL A
- (b) RESIDENTIAL B
- (c) RESIDENTIAL C
- (c1) RESIDENTIAL C1
- (c2) RESIDENTIAL C2
- (d) RESIDENTIAL D
- (d3) RESIDENTIAL D3
- (e) RESIDENTIAL E
- (f) RESIDENTIAL F
- (g) RESIDENTIAL G
- (h) RESIDENTIAL H



### 3. BUSINESS

- (a) RETAIL SERVICES
- FLOOR SPACE RATIOS
- A1 2.0:1
- A2 1.0:1
- A3 0.75:1
- (b) COMMERCIAL SERVICES
- FLOOR SPACE RATIOS
- B1 1.0:1
- B2 1.0:1



### 5. SPECIAL USES

- (a) SPECIAL USES A (Schools etc)
- (a1) SPECIAL USES A1
- (b) SPECIAL USES (Railway)



### 6. OPEN SPACE

- (a) RECREATION EXISTING
- (b) RECREATION PRIVATE
- (c) RECREATION PROPOSED



## RESERVATIONS

### OPEN SPACE

- (a) OPEN SPACE (Public Parks & Recreation)
- (b) COUNTY OPEN SPACE

### SPECIAL USES

- SPECIAL USES (Parking etc) PARKING

### ROADS

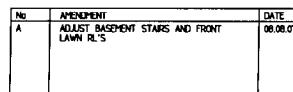
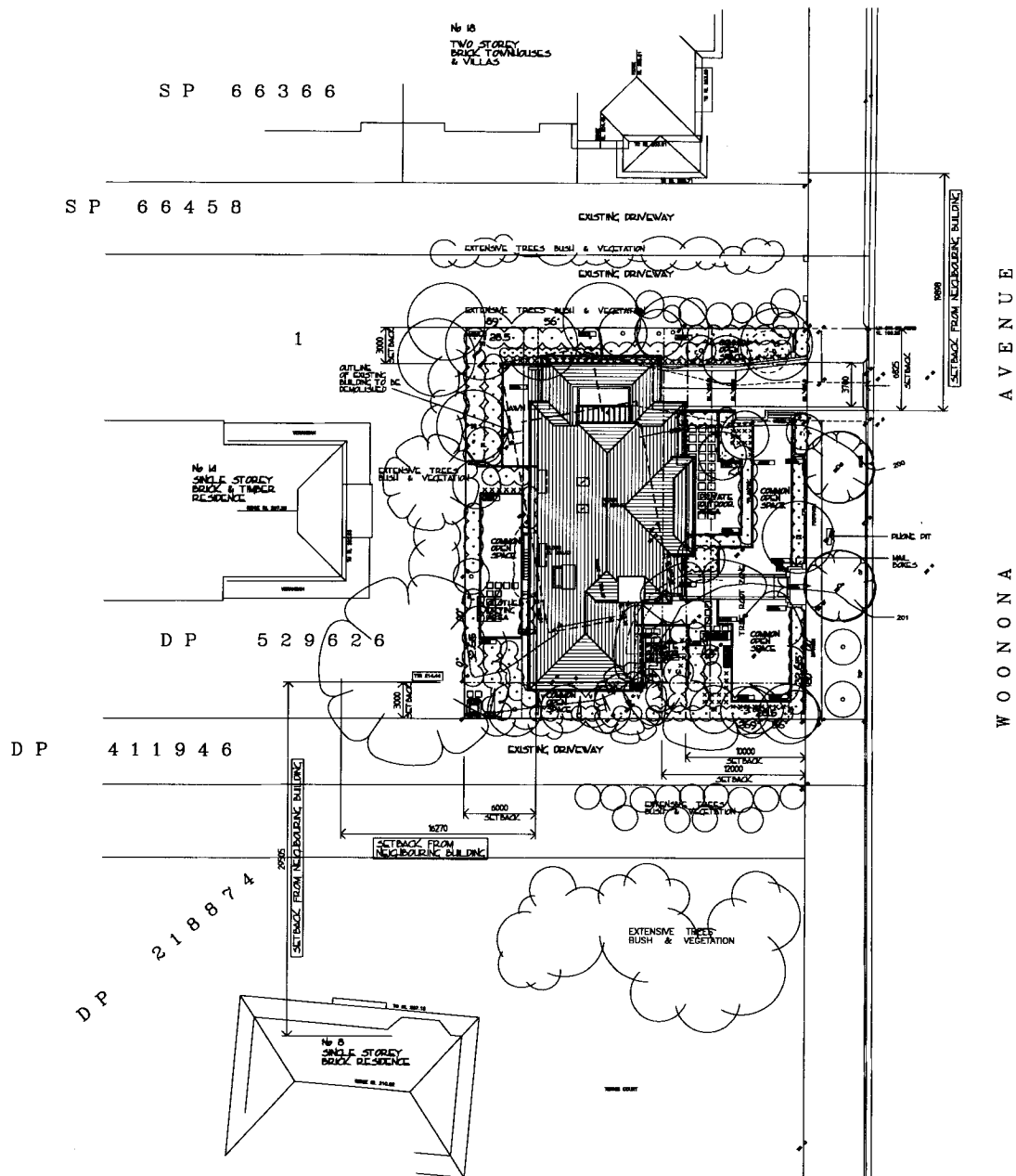
- (a) COUNTY ROAD PROPOSED
- (b) COUNTY ROAD WIDENING
- (c) LOCAL ROAD PROPOSED
- (d) LOCAL ROAD WIDENING

## GENERAL

- EXISTING COUNTY ROAD
- OTHER PLANNING INSTRUMENTS



Scale: 1:2000  
Date: 14-09-2007



RESIDENTIAL DEVELOPMENT  
12 WOONONA AVENUE, WAHROONGA  
FOR MR PETER SOTIRIOU

WOLSKI LYCENKO BRECKNOCK ARCHITECTS  
118 MILITARY ROAD NEUTRAL BAY 2089  
Tel: 0065 2473 Fax: 0065 2473

## SITE PLAN & ROOF PLAN

da01a



NOTE  
ENVIRONMENTAL PLUMBING SERVICES  
TO BE CONNECTED TO W/C, LAUNDRY  
AND GARDEN



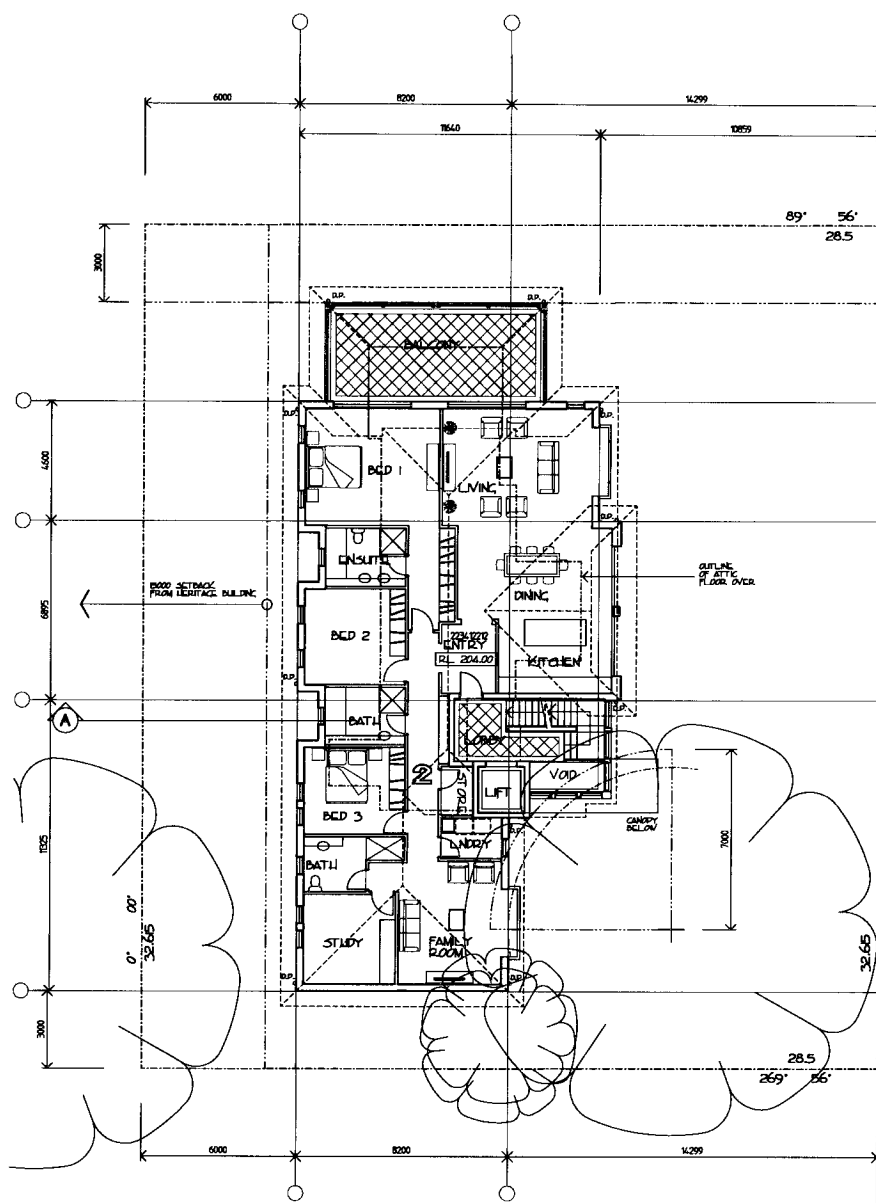
No	AMENDMENT	DATE
A	RELOCATE RETENTION TANK TO COMMON OPEN SPACE AND EXTEND VISITOR PARKING BAY TOWARDS STREET BOUNDARY, ADD ADDITIONAL CARSPACE AND ADJUST STAIR.	08.08.01

RESIDENTIAL DEVELOPMENT  
12 WOONONA AVENUE, WAHROONGA  
FOR MR PETER SOTIRIOU

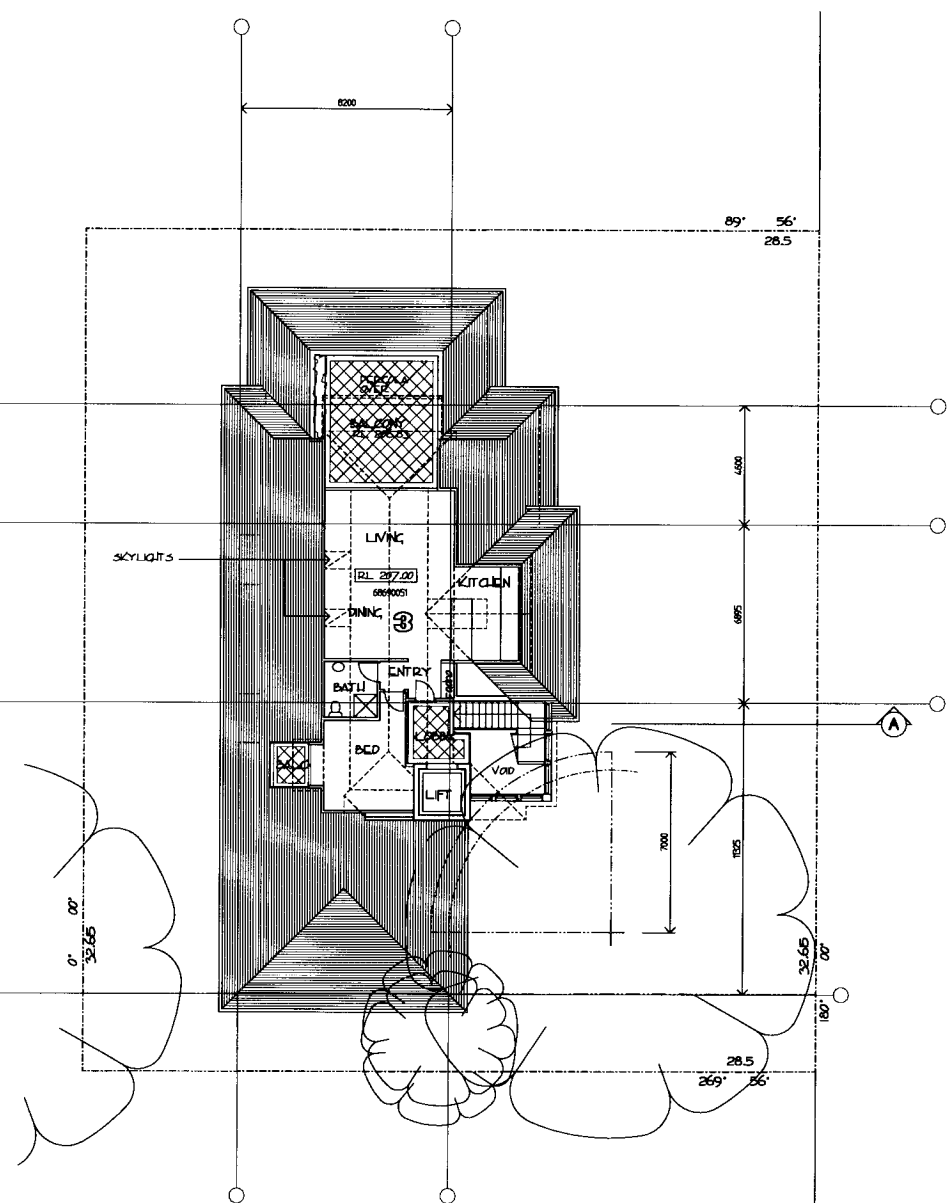
WOLSKI LYCENKO BRECKNOCK ARCHITECTS  
115 MILITARY ROAD NEUTRAL BAY 2089  
Tel: 0065 8477 Fax: 0065 8527

BASEMENT FLOOR PLAN &  
GROUND FLOOR PLAN

da02a



FIRST FLOOR PLAN  
FIRST FLOOR RL 204.00

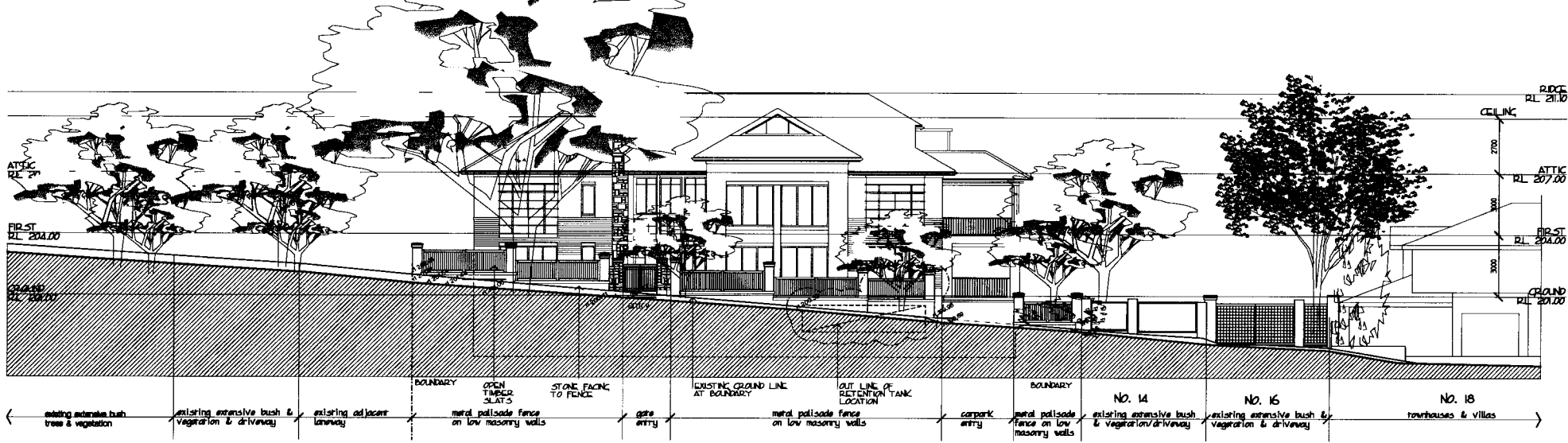


ATTIC FLOOR PLAN  
ATTIC RL 207.00





EAST ELEVATION



WOONONA AVENUE ELEVATION

PLOT DATE 30/04/07

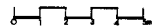
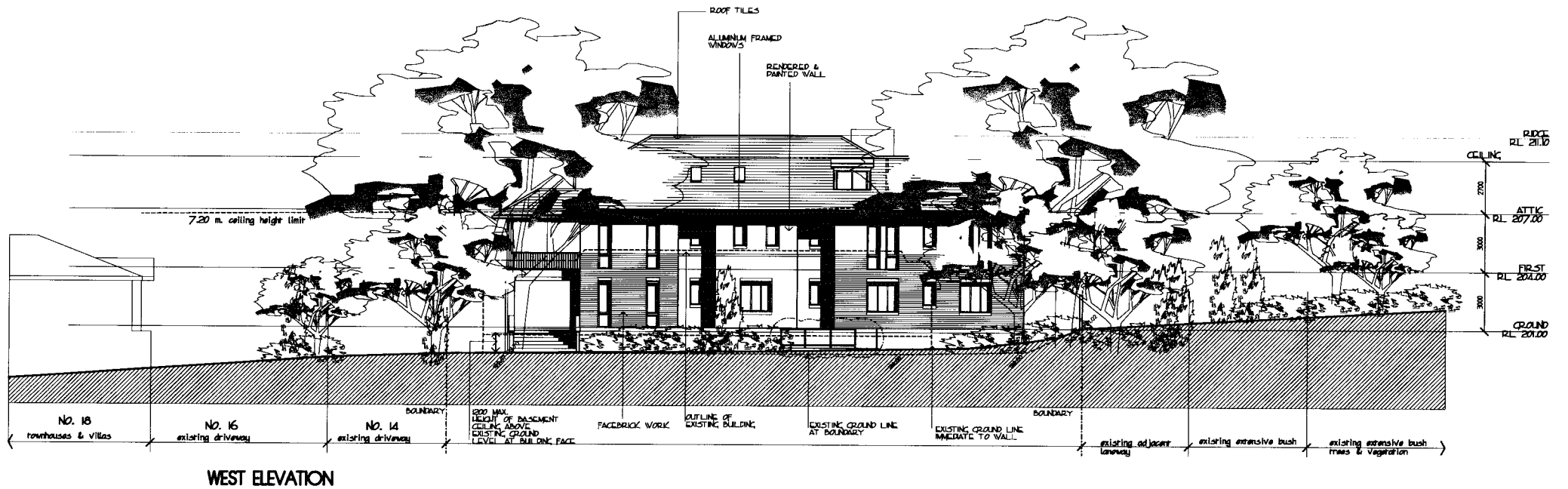
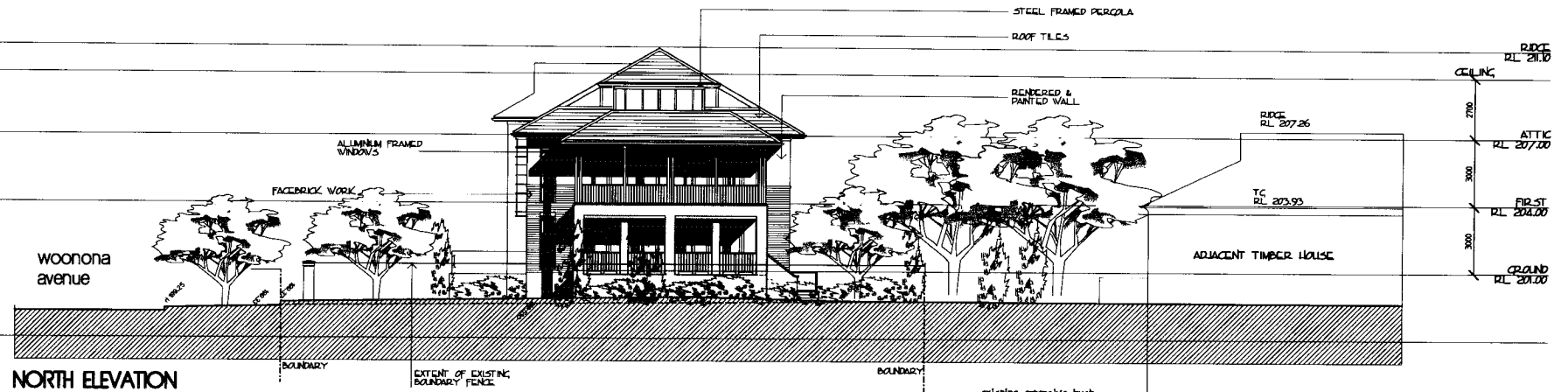
NO	AMENDMENT	DATE
A	ADJUST COMMON LAWN RL AND SHOW RETENTION TANK LOCATION	08.08.07

RESIDENTIAL DEVELOPMENT  
12 WOONONA AVENUE, WAHROONGA  
FOR MR PETER SOTIRIOU

EAST ELEVATION &  
STREET ELEVATION

da04a  
DATE: MAY 2007  
SCALE: M60





PLOT DATE 30AUG07

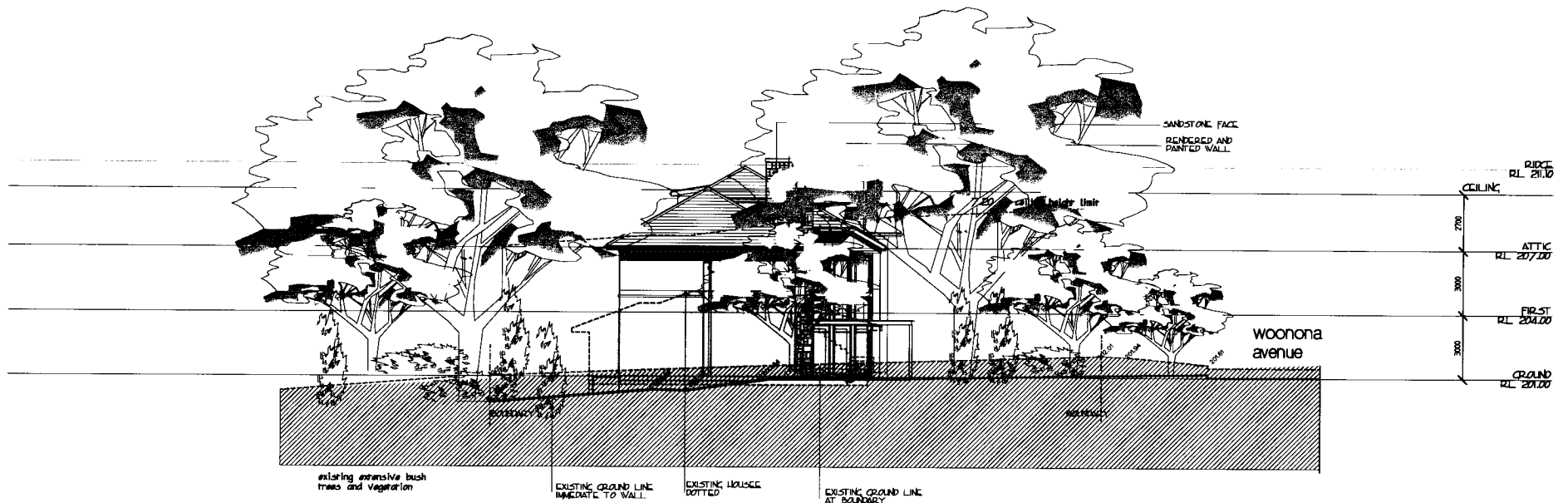
NO	REVISION	DATE
A	ADJUST EXTERNAL STAIR FROM BASEMENT	08.08.07

**RESIDENTIAL DEVELOPMENT**  
**12 WOONONA AVENUE, WAHROONGA**  
**FOR MR PETER SOTIRIOU**

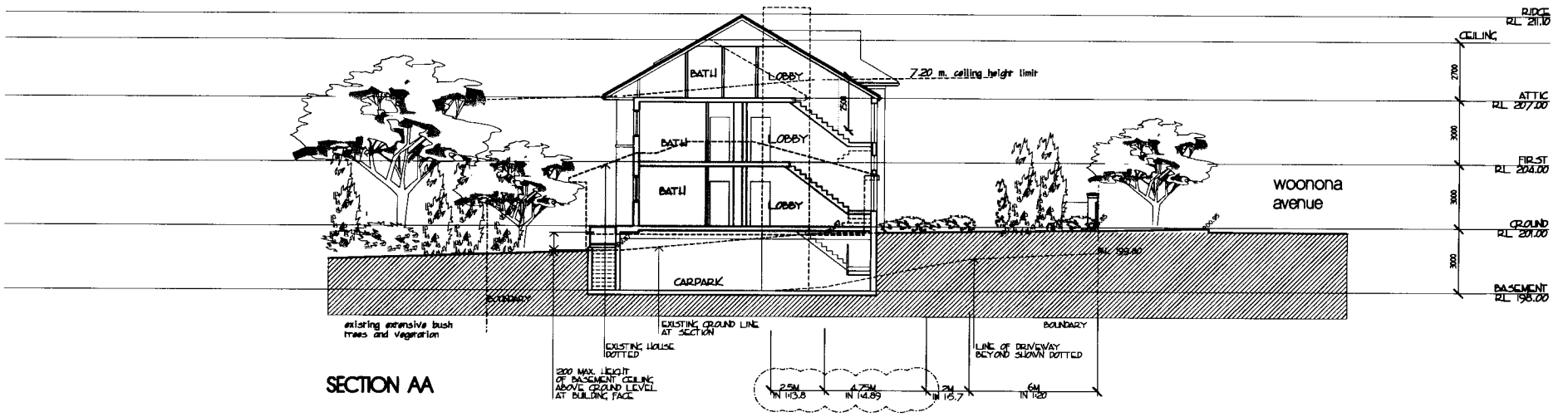
WOLFE LLOYD BROS ARCHITECTS  
 115-117 GERRARD STREET NORTH, SYDNEY  
 TEL: 02 9359 5555 FAX: 02 9359 5556

**NORTH ELEVATION &  
 WEST ELEVATION**

**da05a**  
 DATE: MAY 2007 270  
 SCALE: 1:50



SOUTH ELEVATION



SECTION AA

No	REVISION	DATE
1	ADJUST DRIVEWAY GRADES	08.08.07

1



W O O N O N A A V E N U E

EXISTING SHADOW

PROPOSED SHADOW



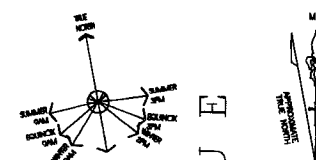
RESIDENTIAL DEVELOPMENT  
12 WOONONA AVENUE, WAHROONGA  
FOR MR PETER SOTIRIOU

WOLSKI LYCENKO BRECKNOCK ARCHITECTS  
115 MILITARY ROAD NEUTRAL BAY 2080  
Tel: 001-202-841-1700 Fax: 001-202-841-1701

9 am JUNE 21, SHADOW

sh 01

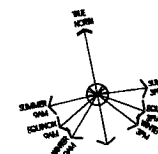
EXISTING DRIVEWAY







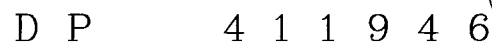
EXISTING DRIVEWAY



W O O N O N A  
A V E N U E  
F E

EXISTING SHADOW

PROPOSED SHADOW



EXISTING DRIVEWAY

EXISTING DRIVEWAY

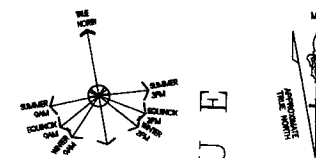
EXTENSIVE TREES  
BUSH & VEGETATION

RESIDENTIAL DEVELOPMENT  
12 WOONONA AVENUE, WAHROONGA  
FOR MR PETER SOTIRIOU

EQUINOXE  
12 noon SEP/MAR 21, SHADOW

sh 05  
DATE MAY, OF 270  
SCALE 1000

EXISTING DRIVEWAY

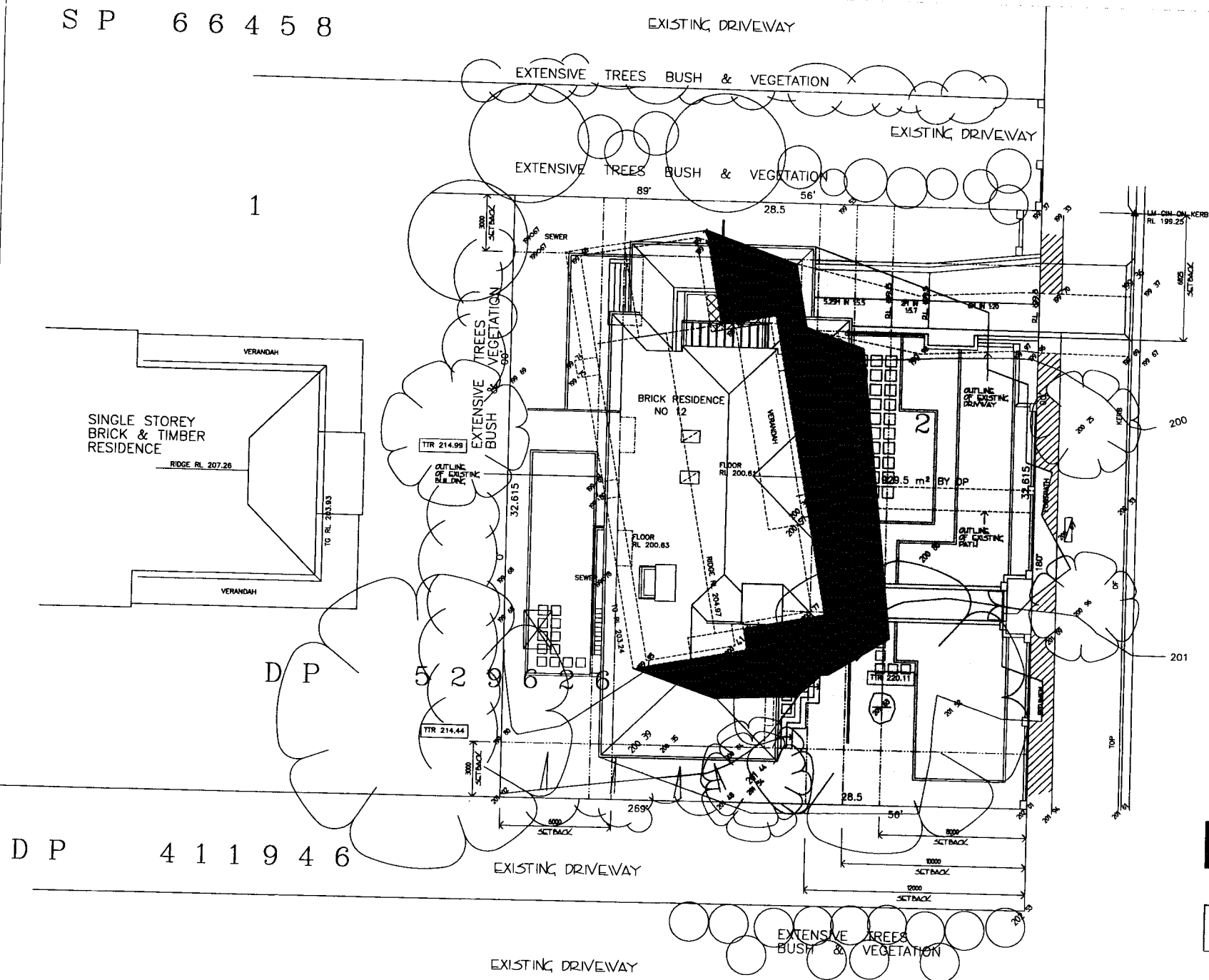


A V E N U E

W O O N O N A

EXISTING SHADOW

PROPOSED SHADOW



D P            4 1 1 9 4 6

EXISTING DRIVEWAY

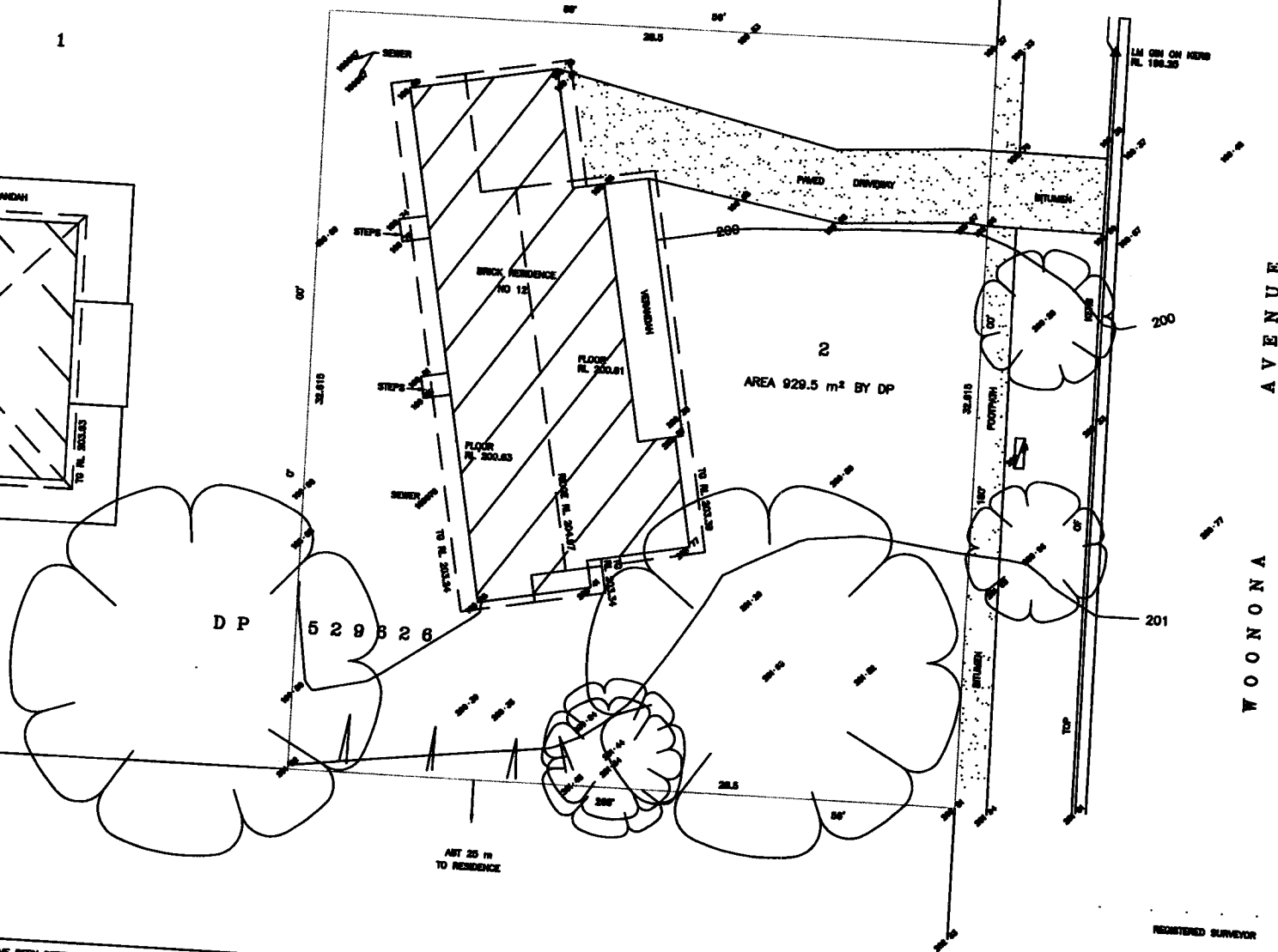
RESIDENTIAL DEVELOPMENT  
12 WOONONA AVENUE, WAHROONGA  
FOR MR PETER SOTIRIOU

WOLSKI LYCENKO BRECKNOCK ARCHITECTS  
718 MILITARY ROAD NEUTRAL BAY 2088  
TEL 0003 8477 0-0003

EQUINOXE  
3 pm SEP/MAR 21, SHADOW

sh 06





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**ISSUED BY A DESIGN APPROVED UNDER  
THE PATENT ACT 1990.**

- 1 TITLE BOUNDARIES HAVE BEEN DETERMINED BY
- 2 PLAN DIMENSIONS ONLY AND NOT BY FIELD SURVEY
- 3 SERVICES ABOVE AND UNDERGROUND HAVE NOT BEEN
- 4 LOCATED UNLESS INDICATED
- 5 DO NOT SCALE DIMENSIONS FROM THE DIGITAL PLAN
- 6 REFER TO THE TITLE FOR RESTRICTIONS IF ANY
- 7 FOR ANY CONSTRUCTION OR ON ADJACENT TO THE
- 8 BOUNDARIES SURVEY MARKING IS REQUIRED
- 9 THREE DIMPLES ARE APPROXIMATE
- 10 USE SPOT LEVELS IN PREFERENCE TO CONTOURS

AMENDMENTS		
NO	REVISION	DATE

CLIENT: PETER SOTIRIOU  
RE: 12 WOONONA AVENUE  
WAHROONGA

APPROVED : WVC	SCALE : 1 : 300	DATE : *
DRAWN : NC	DATE : 17-1-85	SURVEYOR : K. NELLO
CHECKED : WVC	OLD DRAWING FILE NO :	PERM
SHEET 1 OF 1	060108CP	

\* ORIGIN OF LEVELS PM 40801 RL 210.0 AND BY DEPT OF LANDS

**VW COCHRANE & ASSOCIATES PTY LTD**  
(08N 37 087 418 217)  
CONSULTING LAND AND ENGINEERING SURVEYORS  
REGISTERED SURVEYORS

1033 OLD PRINCES HIGHWAY - ENGINE N.S.W. 2233  
P.O. BOX 882 - ENGINE N.S.W. 2883  
PHONE : 9548 1338 FAX : 9548 1014

## SCHEDULE OF PLANT MATERIAL

CODE	BOTANICAL NAME	COMMON NAME	QUANTITY	HEIGHT	POT SIZE	STAKES
AN	Asplenium nidus	Birds Nest Fern	5	1.5m	5 litre	-
BE	Barlosia ericifolia	Heath Barlosia	6	2m	5 litre	-
BSp	Barlosia apiculata	Hairy Barlosia	17	0.8m	5 litre	-
BC	Blechnum carlivagnum	Gristle Fern	15	0.4m	140mm pot	-
CC	Callistemon citrinus	Crimson Bottlebrush	16	2.5m	5 litre	-
CT	Clerodendrum tomentosum	Hairy Clerodendrum	5	2m	5 litre	-
CR	Cornus alba	White Cornus	7	1.5	5 litre	-
CR	Cornus reflexa	Native Fuchsia	3	1.5	5 litre	-
CA	Cyrtanthus australis	Tree-Fern	6	2.5m	25 litre	-
DC	Dianella caerulea	Paroo Lily	48	0.4m	140mm pot	-
DR	Dianella revoluta	Black Anther Lily	12	0.5m	140mm pot	-
ER	Elaeocarpus reticulatus	Blueberry Ash	6	5m	100 litre	2
EB	Eucalyptus saligna #	Sydney Blue Gum	2	25m	25 litre	2
KA	Kunzea ambigua	Tick Bush	10	1.5m	5 litre	-
LL	Lomandra longifolia	Spiry Headed Met Rush	23	0.4m	140mm pot	-
LL	Lomandra longifolia 'Tanika'	Lomandra Tanika	17	0.4m	140mm pot	-
NL	Notelasma longifolia	Mock Olive	1	4m	5 litre	-
PR	Pittosporum revolutum	Yellow Pittosporum	21	1.5m	5 litre	-
SAC	Syzygium 'Aussie Compact'	Bush Cherry	21	1.3m	25 litre	-
SPD	Syzygium paniculatum Dwarf	Dwarf Bush Cherry	19	3m	25 litre	-
SG	Syzygium glomerulifera #	Turpentine	3	25m	100 litre	2
TL	Tristania laurina	Water Gum	2	6m	100 litre	2
V	Viola hederacea	Native Violet	17	prostrate	140mm pot	-

# 5 x Species that have or will attain a height of 13m in accordance with Council requirements.

Plant species in this schedule have been selected from Ku-ring Gai Council's list of Indigenous plants within the BASIX Specification, Ku-ring Gai Council's list of Sydney Blue Gum High Forest Species and Sydney Water's One Water Drop Low Water Use Plant Species.

ADJACENT RESIDENCE

## SCHEDULE OF EXISTING PLANTS

KEY	BOTANICAL NAME	COMMON NAME	HEIGHT X SPREAD
1.	Camellia sp.	Camellia	4 x 5m
2.	Camellia sp.	Camellia	4 x 4m
3.	Acer palmatum	Japanese Maple	4 x 4m
4.	Chamaecyparis sp.	Cypress	4 x 3m
5.	Colonnaster sp.	Colonnaster	5 x 5m
6.	Acer negundo	Box Elder	5 x 4m
7.	Syzygium glomerulifera	Turpentine	10 x 18m
8.	Jacaranda	Jacaranda	10 x 7m
9.	Callistemon sp.	Bottlebrush	4 x 3m
10.	Callistemon sp.	Bottlebrush	4 x 3m
11.	Sapitum sebiferum	Tallowwood	4 x 4m
12.	Cupressus sempervirens	Italian Cypress	14 x 10m
13.	Liquidambar styraciflua	Liquidambar	14 x 10m
14.	Jacaranda mimosaefolia	Jacaranda	9 x 5m
15.	Fraxinus raywood	Ash Clarat	4 x 5m
16.	Fraxinus raywood	Ash Clarat	4 x 5m
17.	Jacaranda mimosaefolia	Jacaranda	3 x 3m
18.	Jacaranda mimosaefolia	Jacaranda	4 x 3m
19.	Pittosporum undulatum	Sweet Pittosporum	5 x 3m
20.	Cinnamomum camphora	Camphor Laurel	10 x 5m
21.	Cinnamomum camphora	Camphor Laurel	9 x 5m
22.	Pittosporum undulatum	Sweet Pittosporum	6 x 4m
23.	Pittosporum undulatum	Sweet Pittosporum	7 x 4m
24.	Pittosporum undulatum	Sweet Pittosporum	7 x 4m
25.	Pittosporum undulatum	Sweet Pittosporum	7 x 4m
26.	Erythrina crista galli	Coral Tree	9 x 9m
A.	Camellia sp.	Camellia	3 x 3m
B.	Camellia sp.	Camellia	3 x 3m
C.	Camellia sp.	Camellia	3 x 3m
D.	Camellia sp.	Camellia	3 x 3m

This Schedule should be read in conjunction with the Arborist Report prepared by Naturally Trees.

# 1 x existing tree that has attained a height of 13m in accordance with Council requirements.

## LEGEND

- 188.95 EXISTING LEVELS
- + 189.50 PROPOSED LANDSCAPE LEVELS
- EXISTING TREE TO BE REMOVED
- EXISTING TREES TO BE RETAINED
- BOUNDARY
- STEPPING STONES
- NEW TURF AREAS: 'SOFT LEAF BUFFALO'
- UNIT PAVING (REFER TO ARCHITECTS DETAILS)
- BRICK GARDEN EDGING
- CLOTHESLINE
- STRUCTURES TO BE REMOVED
- MASONRY WALL
- 1.2M HIGH TIMBER SCREEN TO ARCHITECTS DETAILS

## NOTES

This plan is to be read in conjunction with all documentation prepared by Woleid Lyonsen Blackrock Architects.

Also refer to the Landscape Specification.

**iSpace**  
LANDSCAPE ARCHITECTURE

25 bent street  
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ph 9416 4290 fax 9416 4735  
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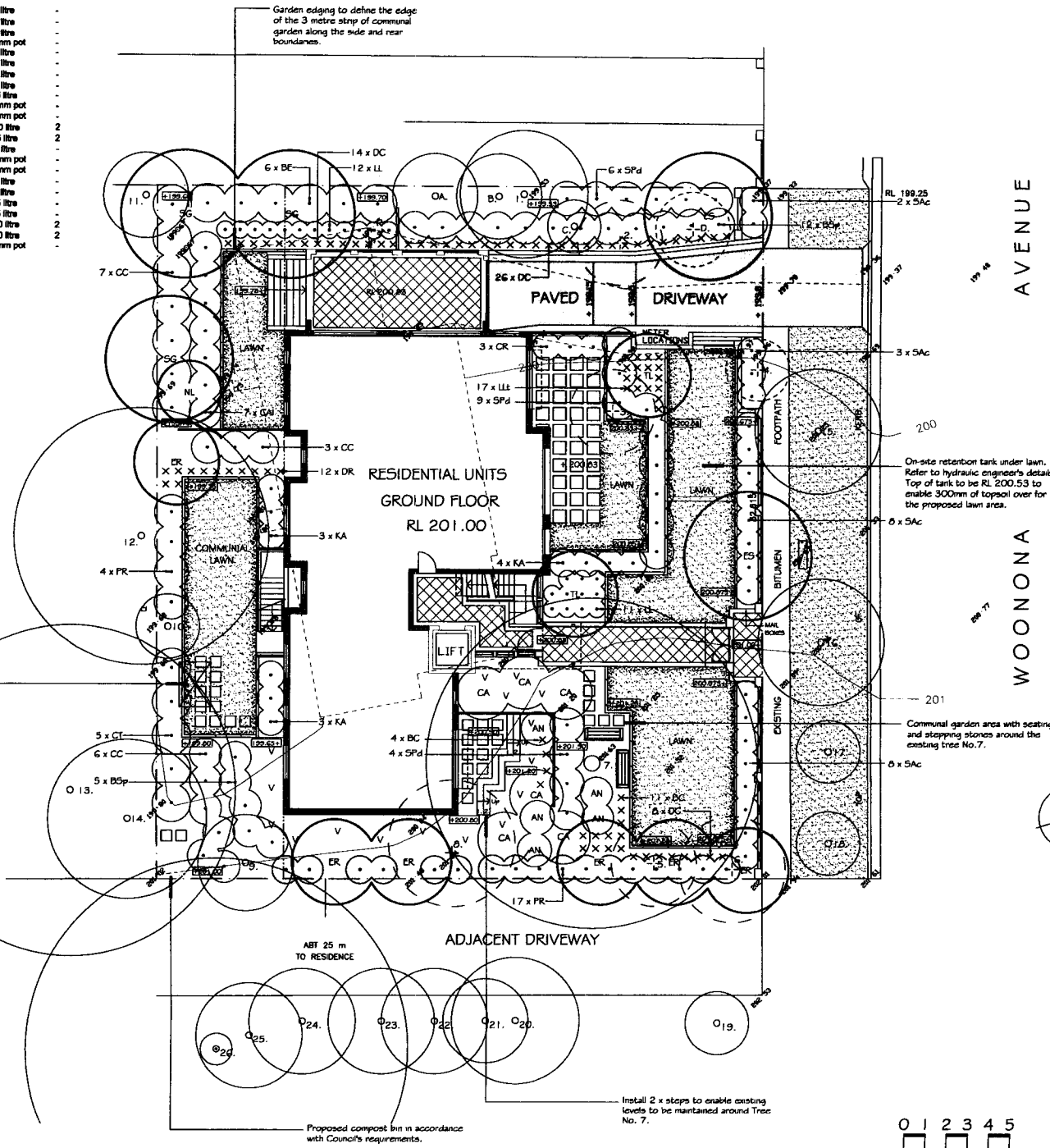
project  
Residential Units  
12 Woonona Avenue, Wahnroong

drawing  
Landscape Plan

client  
Mr P. Sotiriou

date  
May 2007  
scale  
1:100 @ A1  
1:200 @ A3

job.dwg no.  
30.07/050  
no. in set  
ONE/ONE  
designed by  
IJ  
drawn by  
CSJM





**Anita Andrew**

---

**From:** Mr John Fuller [libnjohn@bigpond.net.au]  
**Sent:** Wednesday, 17 October 2007 2:04 PM  
**To:** Jennifer Anderson; nebbeck@kmc.nsw.gov.au; icross@kmc.nsw.gov.au;  
thall@kmc.nsw.gov.au; aandrew@kmc.nsw.gov.au; arian@kmc.nsw.gov.au;  
mshelley@kmc.nsw.gov.au; lbennett@kmc.nsw.gov.au; mlane@kmc.nsw.gov.au;  
emalicki@kmc.gov.au  
**Subject:** The Briars...heritage issues

Dear Councilors,

We look forward to seeing you all on Saturday morning.

I have set out below the heritage issues as we see them. I hope you will have the opportunity to read this email prior to your visit.

Without the support of Council's Heritage Advisor, Council's Development Assessment Officers could not make a recommendation to Councilors to approve the proposed development: See clause 25 D of LEP 194 and clause 61 E of the KPSO.

I have had the opportunity of reviewing the following documents prepared by Council's Heritage Officer;

- Memorandum dated 8 August 2006, commenting on the first proposal.
- Memorandum dated 1 March 2007 commenting on the S82A Review Application.
- Statement of Evidence filed in the NSW Land and Environment Court dated 10 January 2007
- Memorandum dated 16 August 2007 part of which was incorporated in the Planning Report to Councilors

We are at a loss to understand why Council's Heritage Officer has moved so far away from the views he expressed to the Court and in earlier reports prepared by him concerning The Briars. There is no rational explanation why he has chosen not respond to the views of the NSW Heritage Office or other independent reports concerning The Briars received by Council.

There are a number of fundamental inconsistencies between what Council's Heritage Officer said in the first 3 documents and in what he has told Councilors in the Planning Report

In the first document, Council's Heritage Officer stated that as the advice received from the NSW Heritage Office is "very clear, Council should take their advice into careful consideration". However, in his report to Councilors he carefully avoids dealing with the issues raised by the NSW Heritage Office and says "it is an issue for local heritage management". This is a State issue involving a State Heritage Item. The NSW Heritage Office has advised Councilors that the overall height of the building should be reduced and there should be a greater distance between the footprint of the proposed development and the boundary of The Briars.

Council's Heritage Officer carefully avoids commenting on the design objectives under DCP55 in relation to visual domination of a heritage item, reduced views to and from the item. and impact on the garden setting.

Council's Heritage Officer told the Court that he was concerned about the further visual isolation of the Briars from the public realm. In documents 1 and 2 he opposed the development proposals. He stated; "the proposed application would permanently isolate the State Heritage item from its immediate context and eliminate any views that the item currently has to and from the public realm and would eliminate any possibility of regaining its former setting and curtilage". He told the Court that it is possible to see parts of the roof shape of the Briars from Woonona Ave and due to the presentation of the entrance drive and carefully planted garden, there is the

- impression that a gracious and historic residence exists behind the one storey house at No 12 Woonona.. However he tells Councilors "there are very limited views of the item from the public realm with only the gateposts, the gravel driveway and the landscaping being visually obvious". He is no longer concerned about the isolation of the Briars and in fact promotes its isolation by approving the planting of trees along the western boundary.

In the first document, Council's Heritage Officer states "The statement in the application that the trees at the front of the heritage item would provide sufficient screening is naïve and demonstrates a lack of understanding about the item". However, in his report to Councilors he notes there is substantial tree screening in front of the heritage item.

In his report to Councilors, Council's Heritage Officer quotes from the Applicant's Heritage Impact Statement in apparent reliance on it. The Applicant's Heritage Impact Statement is almost identical to the one considered by him in the second document. In the second document he rejects the proposal on the basis that it would isolate the Briars from its immediate context and eliminate any views that the item has to and from the public realm and would eliminate any possibility of regaining a sense of its former setting. The height of the current proposal is 50 cm lower than the proposal considered in the second document.

Council's Heritage Officer does not mention in his report to Councilors the recent decision of the Land and Environment Court in respect of a proposed development 26 metres to the south west of the Briars' rear boundary. In that case, the main issue was the effect of the proposed development on The Briars. As you are aware, the Court reduced the height of that development by 2 storeys (from 5 to 3) and even then, the Court expressed views that there would still be some impact on The Briars.

Council's Heritage Officer told the Court that he considered the front of the Briars to be more important than the rear and that The Briars was an important heritage item. His consideration of the issues does not reflect this statement to the Court.

Council's Heritage Officer does not address the issues raised in the report on The Briars by Council's own independent Consultants, Permula Murphy Alessi in 2006. That report recommended mitigation of the zoning to a preferably single storey development further away from the Briars.

Council's Heritage Officer does not mention the fact that the National Trust supports the recommendations of Perumal Murphy Alessi.

Council's Heritage Officer does not mention that The Briars is a zoning interface site and therefore should be treated with more sensitivity, particularly in relation to overlooking and overshadowing of the Briars garden.

Councilors are also being asked to waive one of the main objectives of LEP 194 which was designed to ensure that when applying the 2(d) zoning that backyards should be adjacent to backyards so that overlooking, overshadowing and dominance of one building over another does not occur. Councilors are also asked to ignore the failure by the proposal to meet the set back design control which requires a development to be no further forward than a heritage item.

How can this proposal and the waivers of these fundamental objectives be in the interests of the public?

Applying the views expressed by Council's Heritage Officer in the first three documents, the principles expressed by the Land and Environment Court and the views expressed by the NSW Heritage Office, the only reasonable conclusion is for Councilors to refuse the Development Application and if necessary allow the Land and Environment Court make the final decision.

Regards

Libby and John Fuller



Department of Planning

Contact Anthony Mitchell  
Telephone: 02 9873 8552  
anthony.mitchell@heritage.nsw.gov.au  
File: S90/04972 Pt 3  
Our Ref:  
Your Ref:

Mr John McKee  
General Manager  
Ku-ring-gai Council  
DX 8703 GORDON

Dear Mr McKee,

**Re. DA 0416/07 12 Woonona Avenue, Wahroonga**

I am writing to advise that the Heritage Office, Department of Planning, has reviewed Ku-ring-gai Council's Report on Development Application DA0416/07 and wishes to provide further comments on this application for Council's consideration prior to determination.

As you may be aware the Heritage Office has previously provided submissions to Council in relation to DA 518/06 (dated 4 August, 2006, 22 December, 2006 and 15 March 2007), and the subsequent DA 0416/07 on 13 July, 2007. While the Heritage Office does not have a consent role in this matter, the Office is concerned about the potential negative impacts of the proposed development on the adjacent single storey State Heritage Register listed 'The Briars' at 14 Woonona Avenue.

In respect of DA 0416/07 the Heritage Office's submission of 13 July, 2007 (attached), acknowledged the improved design resolution and treatment of the building. However, the Heritage Office remains concerned that the ridgeline height of the proposed building is only marginally less than that of the previously refused three storey apartment building (DA 518/06). As such the Heritage Office maintains that the height of the building is still likely to overwhelm the single storey 'The Briars.' Furthermore, the justification for the proposed height of the apartment building seems to rely on the indefinite presence of mature vegetation located within the boundary of 'The Briars' to screen and hence diminish the visual impact and dominance of the proposed development.

In respect of the siting of the proposed development in relation to 'The Briars,' the Heritage Office notes that the distance remains unchanged from the previously refused DA 518/06. As such, I reiterate the Heritage Office's advice of 22 December, 2006, and 15 March, 2007, that this distance is considered "inadequate" to mitigate any negative impacts. The Heritage Office notes that the pertinent Development Control Plan (DCP) No. 55 provides for a 10 metre set back (1<sup>st</sup> & 2<sup>nd</sup> storeys) and 15 metre setback for (3<sup>rd</sup> and 4<sup>th</sup> storeys) in respect of "development adjacent to a heritage item." Whilst Council considers the three level building (two storeys + attic level) to exceed the required setback at 16.2 metres, the means by which this measure is arrived at in respect of the meaning of a heritage item is at odds with the Heritage Office's understanding of the same. The Heritage Office understands a heritage item to include the whole of a listed Lot and DP, not being limited to the built structure but including its setting and landscape features. As such the Heritage Office understands the heritage item to begin at the listed boundary being the Lot and DP, and therefore any setback should work back from the boundary on the proposed development site as opposed to the front wall of the actual item as is this the case in this instance.



Heritage Office

*Working with the community to know, value and care for our heritage*

Heritage Office, 3 Marist Place, Parramatta NSW 2150 | Locked Bag 5020, Parramatta NSW 2124 | DX 8225 PARRAMATTA  
Phone 61 2 9873 8500 Fax 61 2 9873 8599 Email [heritageoffice@heritage.nsw.gov.au](mailto:heritageoffice@heritage.nsw.gov.au) Website [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au)

The potential impact of the development in this regard is further highlighted by the recent appeal in the Land and Environment Court (Coles & Merc v Ku-ring-gai Council [2007] NSWLEC 249) which considered the impact of a proposed 2(d3) development on an adjoining property at the rear of 'The Briars'. In assessing the impact of the proposal on 'The Briars' the Court noted that the two heritage experts in the case (representing the applicant and Council respectively) "agreed that 'The Briars' was an important item of heritage" and "that the front of the building was more important than the rear."

In light of potential adverse impacts presented by the height and siting of the proposed development on the heritage values of 'The Briars,' the Heritage Office recommends that: the overall height of the building should be reduced; and that there should be as great as possible a separation between the footprint of the proposed development and the boundary of 'The Briars;' so as to adequately address and respond to the objectives of Clause 25D in the Ku-ring-gai Planning Scheme Ordinance. Furthermore, it is requested that this submission be tabled at tonight's Council meeting.

The Heritage Office would appreciate being informed of the outcome of Council's deliberations. In the meantime should you have any questions, please contact Anthony Mitchell, Heritage Officer, on telephone 9873 8552 or by email [anthony.mitchell@heritage.nsw.gov.au](mailto:anthony.mitchell@heritage.nsw.gov.au).

Yours sincerely,

*R.A. McDougall*  
Reece McDougall  
Executive Director  
Heritage Office

25/9/07





NSW GOVERNMENT

## Department of Planning

Contact: Anthony Mitchell  
Telephone: 02 9873 8552  
anthony.mitchell@heritage.nsw.gov.au  
File: S90/04972 Pt 3  
Our Ref: HRL45673  
Your Ref:

Mr John McKee  
General Manager  
Ku-ring-gai Council  
DX 8703 GORDON

Dear Mr McKee,

**Re. DA 0416/07 12 Woonona Avenue, Wahroonga**

Thank you for referring the Development Application No. 0416/07 for the demolition of 12 Woonona Avenue, Wahroonga, and the construction of a residential flat building (two storeys + attic level) containing three units plus basement parking. This referral was received by the Heritage Office - Department of Planning, on 24 May, 2007.

The Heritage Office has previously provided submissions to Council relating to the proposed development of 12 Woonona Avenue dated 4 August, 2006, 22 December, 2006 and 15 March, 2007. The submissions relating to the then development proposal (DA 518/06) raised significant concern with regard to the potential negative impacts on the single storey State Heritage Register listed 'The Briars' at 14 Woonona Avenue, Wahroonga and recommended refusal of the said application.

The Heritage Office has reviewed the new development proposal (DA 0416/07) as referred and acknowledges the improved design resolution and treatment of the building. Notwithstanding the above, the Heritage Office is concerned that the ridgeline height of the proposed building is only marginally less than that of the previously refused three storey apartment building (DA 518/06). As such the Heritage Office maintains that the height of the building is still likely to overwhelm the single storey 'The Briars.' Furthermore, the justification for the proposed height of this building still seems to rely on the indefinite presence of mature vegetation located within the boundary of 'The Briars' to screen and hence diminish the visual impact and dominance of the development. The Heritage Office is not aware of any guarantees that this mature screening vegetation will remain in place for the life of the proposed development.

In light of potential adverse impacts presented by the height of the proposed development on the heritage values of 'The Briars,' the Heritage Office recommends that the overall height of the building should be reduced so as to adequately address and respond to the objectives of Clause 25D in the Ku-ring-gai Planning Scheme Ordinance.



Heritage Office

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The Heritage Office would appreciate being informed of the outcome of Council's deliberations. In the meantime should you have any questions, please contact Anthony Mitchell, Heritage Officer, on telephone 9873 8552 or by email [anthony.mitchell@heritage.nsw.gov.au](mailto:anthony.mitchell@heritage.nsw.gov.au).

Yours sincerely,



Cameron White  
Acting Executive Director 13/7/07  
Heritage Office

Cc. Mr John Fuller 'The Eriars'

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	15 CARINYA ROAD, PYMBLE - SECTION 96 MODIFICATION OF DA 947/03 PROPOSING REMOVAL OF A LIQUIDAMBAR
<b>WARD:</b>	St Ives
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	MOD0301/07
<b>SUBJECT LAND:</b>	15 Carinya Road, Pymble
<b>APPLICANT:</b>	Mr & Mrs Thalagala
<b>OWNER:</b>	Mr & Mrs Thalagala
<b>DESIGNER:</b>	N/A
<b>PRESENT USE:</b>	Residential
<b>ZONING:</b>	Residential 2(c)
<b>HERITAGE:</b>	No
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	Ku-ring-gai Planning Scheme Ordinance, Development Control Plan No. 38
<b>COMPLIANCE WITH CODES/POLICIES:</b>	No
<b>GOVERNMENT POLICIES APPLICABLE:</b>	Not Applicable
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Not Applicable
<b>DATE LODGED:</b>	2 August 2007
<b>40 DAY PERIOD EXPIRED:</b>	11 September 2007
<b>PROPOSAL:</b>	Section 96 modification of DA 947/03 proposing removal of a Liquidambar
<b>RECOMMENDATION:</b>	Refusal

Item 2

**DEVELOPMENT APPLICATION N<sup>o</sup>** MOD0301/07  
**PREMISES:** 15 CARINYA ROAD, PYMBLE  
**PROPOSAL:** SECTION 96 MODIFICATION OF DA 947/03  
 PROPOSING REMOVAL OF A  
 LIQUIDAMBAR  
**APPLICANT:** MR & MRS THALAGALA  
**OWNER:** MR & MRS THALAGALA  
**DESIGNER** N/A

**PURPOSE FOR REPORT**

To determine a Section 96 modification of consent to Development Application No 947/03 to permit the removal of a Liquidambar tree from the front of the site. The Liquidambar is required to be retained and protected by conditions of consent.

This matter has been called by Councillor Hall.

**EXECUTIVE SUMMARY**

**Issues:** Landscaping, tree preservation and nuisance trees.

**Submissions:** Three (3) submissions received.

**Land and Environment Court Appeal:** N/A

**Recommendation:** Refusal

**HISTORY**

The following applications relate to the site and the current proposal.

DA No.	Description	Decision	Date
947/03	Demolition of a dwelling and construct new two storey dwelling	Refused	11-03-2004
947/03 (S82A No: 05/00003)	S.82A Review of the above application for demolition of a dwelling and construct new two storey dwelling	Approved	23-02-2005
947/03A	S.96 Modification - amendment to stormwater and landscape conditions	Approved	21-07-2005
947/03B	S.96 Modification - amendment to stormwater and landscape conditions	Refused	29-06-2006

Item 2

**DA947/03 – Original proposal**

On 23 February 2005, Council refused development consent to Development Application No. 947/03 for the demolition of a dwelling and construction of a new two storey dwelling. Consent was refused partly due to the proposed removal of the large Liquidambar located on the front boundary and adjoining the proposed new driveway.

**DA 947/03 – S.82A Review**

On 23 February 2005 Council granted consent to Development Application No. 947/03 under Section 82A of the Environmental Planning and Assessment Act 1979 following the submission of amended plans and a formal application for review.

Condition No. 79 of the consent to DA947/03 requires retention of the existing Liquidambar tree situated on the front boundary of the site.

**947/03A – S.96 Modification (stormwater and landscape conditions)**

On 21 July 2005 Council approved a Section 96 modification of the consent to Development Application No. 947/03 relating to conditions affecting stormwater management system and amendments to landscape conditions.

The application involved, in part, the removal of condition Nos 76 & 77 relating to cash bonds for landscaping and tree protection, respectively.

The application also involved amendments to conditions to permit the removal of an existing *Acer palmatum* (Japanese Maple) from the rear yard as well as changes to the approved landscape design. Approval was granted for the removal of the *Acer Palmatum* (Japanese Maple) by the modification of Condition Nos 71 & 75.

Council granted consent to delete Conditions Nos 76 & 77 relating to cash bonds for landscaping and tree protection.

The approved modifications did not affect the Liquidambar tree that is the subject of the current application.

**947/03B – S.96 Modification (remove Liquidambar)**

On 29 June 2006 Council refused to further modify the consent to Development Application No 947/03 to permit the removal of the Liquidambar. The application was refused on the following grounds:

- "1. The removal of the Liquidambar styraciflua (Liquidambar) located in the centre of the front boundary is not supported for the following reasons.*
  - The tree is considered to be significant in the landscape in particular to the streetscape.*
  - The removal of the tree will have a negative impact on the amenity of the surrounding area.*
  - The tree is considered to be in good health and displays good vigour.*

Item 2

- *The impact to the tree's root system can be minimised by relocating the rainwater tanks from beneath the tree's canopy in accordance with Condition 78 of the development consent.*
  - *The impact to the tree's root system will be minimal as the driveway, dwelling and garage will be constructed at or above existing soil levels.*
  - *There is adequate access to the site for the construction of a new dwelling therefore no additional pruning is required retaining the existing good form of the tree.*
2. *The removal of the Liquidambar styraciflua (Liquidambar) is unsatisfactory for the development having regard to the following aims and objectives for residential development as outline by Schedule 9 of the Ku-ring-gai Planning Scheme Ordinance.*
- *Objection 1(a) which requires the maintenance and, when appropriate, the improvement of existing and environmental character of residential zones;*
  - *Objection 1(b) which permits new residential development only when it is compatible with the existing environmental character of the locality, and has a sympathetic and harmonious relationship with adjoining development.*

*The proposed development fails to satisfy Objection 1(a) and 1(b).*

*Particulars:*

- *The removal of the tree will have a negative impact on the amenity of the surrounding area. The tree is considered to be significant to the streetscape.*
3. *The proposed development is inappropriate having regard to, Clause 4.3.4 of Ku-ring-gai Residential design Manual (DCP 38). The development fails to maintain & enhance the landscape character of the area*

*Particulars:*

*The proposal will not retain and protect the existing significant Liquidamber tree located on the subject site.*

**Other relevant decisions – 71 Arnold Street, Killara**

In response to concerns raised by Councillor Hall, Council's staff have reviewed the matter of the removal of a large Liquidambar at No. 71 Arnold Street, Killara under Section 96 of the Act.

In this case development consent was granted to DA 890/03 for demolition of a dwelling and construction of a new two storey dwelling. Specific conditions (38, 42, 43 & 44) were imposed on the consent requiring the retention of a large Liquidambar on the front boundary of the site adjoining the proposed new driveway.

In this case, consent was granted under Section 96 to modify the consent to permit the removal of the tree. Consent to remove the tree was granted on the basis that the location of the tree was impinged upon by the approved driveway location and because of an existing drainage easement which affected the location of the driveway. The approved development in this case resulted in a greater impact to the tree such that removal was required.

## Item 2

Council's Landscape Development Officer has also advised that the Liquidambar at No. 71 Arnold Street had a lower landscape significance than the subject tree on No. 15 Carinya Road, St Ives. This, in conjunction with a lack of any significant constraint on the retention of the tree, provides sufficient grounds to suggest that the two cases in question are not comparable. Notwithstanding, Council's Landscape Development Officer and Tree Management Officer have provided a detailed assessment of the tree.

**THE SITE AND SURROUNDING AREA**

Zoning:	Residential 2(c)
Visual Character Study Category:	1945-1968
Easements/rights of way:	No
Lot & DP Number:	Lot 16 in DP 13451
Heritage Affected:	No
Integrated Development:	No
Bush Fire Prone Land:	No
Endangered Species:	Yes - Blue Gum High Forest (no impact)
Urban Bushland:	No
Contaminated Land:	No

**The site**

The subject site is identified as Lot 16 Section 3 in DP 13451 and is known as 15 Carinya Road, Pymble. The site is a regular shaped allotment and is located on the northern side of Carinya Road. The property has a total area of 919.66m<sup>2</sup>, with a frontage of 20.115 metres to Carinya Road. The depth of the site is approximately 45.72 metres.

The dwelling approved under DA 947/03 is currently under construction at the site with works forward of the dwelling limited to the installation of rainwater tanks and an open trench for services. The approved driveway and front fence are yet to be constructed.

The subject tree, *Liquidambar styraciflua* (Liquidambar) is located adjacent to the eastern edge of the approved driveway at the front of the site. The tree is located prominently on the site, has a height of approximately 18 metres and a canopy spread of 20 metres. At the time of inspection, there was some construction activity in the front of the site, with two new rainwater tanks constructed approximately 6 metres away from the tree and a trench for services traversing the front of the site through the primary root zone of the tree. There is some evidence of recent root pruning.

**Surrounding development**

The area is characterised by large detached dwellings situated on large allotments within an open landscaped setting. The landscape character comprises generous setbacks for dwellings with low height gardens punctuated by tall canopy trees. Properties in Carinya Road support a number of large canopy trees, both locally occurring indigenous species as well as exotic species.

The adjoining property to the west (No. 17 Carinya Road) contains a detached dwelling having a generous setback from the street and driveway along the common boundary with No. 15 Carinya

Item 2

Road (the subject site). There is a large Liquidambar situated on the common boundary that is located forward of both dwellings which is of a similar height to the Liquidambar on No. 15. The Liquidambar on the adjoining site is situated approximately 8.5 metres from the trunk of the tree on No. 15.

Korangi street to the west of the site contains a number of street trees planted as avenue plantings, which are identified as Liquidambars. The avenue plantings in Korangi Street are smaller in size than the tree on the subject site.

Maddison Reserve is located to the west of Carinya Road and Korangi Street. The reserve is identified as a Natural Area and supports a large stand of bushland containing a large number of mature canopy trees, mostly eucalypts.

## THE PROPOSAL

Under the provisions of section 96 of the Environmental Planning and Assessment Act 1979, consent is sought to modify the development in the following manner:

- To delete Condition No. 79 of the consent and permit the removal of a large Liquidambar located at the front of the site adjoining the approved driveway and front fence.

The applicant has submitted an Arborist's report in support of the removal of the tree. This report is supplementary to the original Arborist's report submitted with the original development application. The recommendations of both Arborist's reports with respect to the subject tree are summarised as follows:

*"Tree Assessment by Melanie Howden of Footprint Green*

*Arborist's report dated 1 December 2003*

*The mature Liquidambar is located on the southern boundary adjacent the Carinya Road street frontage.*

*The tree has a height of 18m a canopy spread of 20m and a trunk Diameter at Breast Height (DBH) of 800mm. It is a mature single trunk specimen with an upright form and balanced canopy and branch development. There is evidence of minor pruning in the past.*

*The tree appears stable and the branch attachments appear sound. The tree is considered to be in good health and displays good vigour supporting a healthy canopy. The foliage condition is considered to be good and the tree is carrying approximately 5% deadwood. There is no evidence of pest and disease.*

*The tree has been assessed as having a Safe Useful Life Expectancy (SULE) category rating of 1(Long>40 years) and is considered to be significant in the landscape.*



Item 2

*However as outlined in the previous correspondence Liquidambar styraciflua are listed as Nuisance Plants in Appendix C and considered to be pest species as identified in the Ku-ring-gai Council Weed Management Policy Adopted October 2001.*

*Summary*

*Tree No 1 the Liquidambar is considered significant in the landscape however consideration should be given to the removal of the tree as it is considered a pest species.*

***Supplementary Arborist's report dated 22 March 2006***

*Concern has been raised regarding the feasibility of retaining the Liquidambar given the extent of pruning works to the existing canopy that will be required to enable safe clearance/access to the site during construction works and also regarding the substantial loss/damage to the root system of the tree to enable the construction of the approved stormwater management plan and to achieve the levels for the garage and driveway.*

*The Liquidambar styraciflua specimen will require removal of several significant low horizontal limbs both on the northern and southern side of the tree. The limbs range in diameter from approximately 200-400mm and will require removal to the branch collar. The loss of these limbs will result in a detrimental impact on the health, condition and structural integrity of the tree but also visually, resulting in an unbalanced specimen.*

*The approved drainage works indicate the installation of four 5000 litres below ground tanks on the eastern side of the property located within the Identified Critical Root Zone(CRZ) of 4 metres and the Primary Root Zone(PRZ) of 8 metres from the tree.*

*It is clearly visible on site that the Liquidambar, has an extensive and vigorous root system, with numerous large surface roots visible emanating from the tree in all directions.*

*Given the approved works further disturbance and damage to the root system will occur to achieve the house, garage and driveway levels.*

*Since the original inspection in October 2003 the tree appears to have had several limb failures. Evidence of this is visible in the form of stubs and wounds throughout the tree. A significant wound/tear is visible at approximately 8 metres above ground level on the northern side of the tree where a large limb has failed resulting in a weakening of the remaining section of limb.*

*The tree also appears to be terminally loaded throughout the canopy, with many large horizontal branches therefore increasing the likelihood of further significant limb failure.*

*Whilst it is recognised that the mature Liquidambar contributes to the streetscape and character of Carinya Road, its retention is not consistent with Ku-ring-gai Council's*

Item 2

*Weed Management Policy adopted in October 2001 which outlines Council's weed philosophy in respect to relevant legislation and informed community concerns.*

*It is clearly identified that Liquidambar styraciflua (Sweet Gum) are listed as Nuisance Plants and widely considered to be a pest species. Many neighbouring local government areas support this view and it is recognised and supported by the wider community.*

*As stated in earlier correspondence the Weed Management Policy outlines that it is Council Policy to 'require the removal of nuisance plants as a condition of development consent within 300m of a Natural Area except where nuisance plants are to be mown and physical barriers are constructed that are capable of restricting vegetative spread'.*

*The site is located within 300m of Maddison Reserve to the west a listed Natural Area that is bounded by Korangi Road and Merrivale Road Pymble.*

*The approved development will have a significant detrimental impact on the Liquidamber and will result in a severely compromised specimen. Therefore it is recommended that consideration be given to the removal of the tree."*

The recommendations of the applicant's Arborist are addressed in the comments from Council's Tree Management Officer below.

## **CONSULTATION - COMMUNITY**

In accordance with Council's Notification DCP, adjoining owners were given notice of the application.

A total of three (3) submissions were received from following:

1. Mr GB Howes & Mrs WC Howes 7 Carinya Road
2. Mr RM Hunter & Mrs DJ Hunter 11 Carinya Road
3. Mr ME Courtney & Mrs JH Courtney 16 Carinya Road

Concerns raised in the submissions include the following:

***Objection to the removal of the tree on grounds that the tree is significant in the street and the removal of the tree would detract from the landscape character of the street.***

It is agreed that the tree is significant in the street and that removal of the tree will reduce the landscaped character of the area. The application is recommended for refusal on the basis that removal of the tree is unnecessary and would unreasonably impact upon the landscape character of Carinya Street.

***The removal of the tree would significantly reduce fauna habitat in the area.***

There is no evidence that the removal of the Liquidambar would significantly reduce fauna habitat in the local area. There are significant stands of Eucalypts within Maddison Reserve to the west of the site and a large number of trees which line both Carinya Street and Korangi Street that provide

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large areas of trees for local wildlife. The removal of one tree would not present a serious risk to fauna habitat.

## CONSULTATION - WITHIN COUNCIL

### Tree Management Officer

Council's Tree Management Officer, Steve McKay, inspected the subject tree on two separated occasions, has assessed the findings of the arborist's reports submitted by the applicant and has provided the following comments on the health of the tree:

#### *"Inspection 1 - 17 May 2006*

*The tree has good health, symmetrical form & good vigour. Branches & scaffolds appeared to have good attachment with good taper and extensive adaptive growth supporting horizontal scaffold branches near the branch collar.*

*No obvious structural defects were noted at the time of the inspection which would indicate that predictable tree failure was likely.*

*Previous failure of two branches was noted in mid canopy on the north side of the tree, however the wounds exhibit active wound wood callousing & are not considered to be major issues in regard to significant weakening of these two branches. These branches appear to have been partly included (growth defect) which may have been the reason why they failed.*

*It was noted that a large lower scaffold has been recently removed without consent on the north side of the tree. The branch has not been removed correctly resulting in an extended branch stub that has torn on the underside. This stub should be recut by a tree professional in accordance with the Australian Pruning Standards (AS4373/1996)*

*Several surface roots were noted on the northern side of the tree which is typical for this species. Given the setback of the dwelling none of these roots within the critical root zone will be affected by construction of the dwelling and I believe that the proposed below ground stormwater tanks are to be constructed outside the critical root zone as well.*

*No obvious surface tree roots were noted in the area to the west of the tree where the original driveway has been removed so it is reasonable to assume that construction of the new drive at or above the existing grade will not impact detrimentally on the tree.*

*I am advised that no further pruning of the tree is necessary to allow construction of the dwelling as such the integrity of the tree's current symmetrical form will be maintained. If however, pruning of the two lowest large scaffolds on the east side of the tree was required this would still maintain the tree's overall symmetrical form & would not be detrimental to the long term health of the tree.*

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*Inspection 2 - 21 August 2007*

**Overall health & condition**

*The tree was inspected in a completely deciduous state which provided an unobstructed view of the trunk and canopy structure.*

*There appeared to be no change in the form & structure of the tree since my last inspection in May 2006. That inspection indicated that "The tree has good health, symmetrical form & good vigour. Branches & scaffolds appeared to have good attachment with good taper and extensive adaptive growth supporting horizontal scaffold branches near the branch collar. No obvious structural defects were noted at the time of the inspection which would indicate that predictable tree failure was likely."*

*As the tree has not yet come into leaf, a detailed comment on canopy health cannot be made, however there was evidence of good leaf bud development which is consistent with a healthy tree.*

**Branches**

*Contrary to the owner's comments in the most recent Section 96 application there was no evidence that "there had been several limb failures recently with cracks appearing in the trunk of the tree".*

*Contrary to comments provided by the Arborist submission (March 2006) the "removal of several significant limbs... to provide access during construction works" has not occurred. As the dwelling has already been constructed this comment has been proven to be incorrect.*

**Roots**

- 1. An open trench for installation of electrical services was noted diagonally across the front yard to the north of the tree. Several large diameter roots (100 to 150mm diameter) were found intact across the trench approx 4.5 metres from the trunk. The service had been laid beneath the roots with minimal injury to the large roots. However, it was noted that multiple smaller diameter roots have been severed as a result of this excavation. The removal of these smaller roots is not considered to have a detrimental impact on the health of the tree, however the trenching has occurred beneath the canopy of the tree in contravention of conditions of the consent.*
- 2. Trenching beneath the tree canopy on the west side of the now removed drive has occurred to a depth of approx 500mm for installation of 2 stormwater pits & a stormwater line to the street. These works would also be in contravention of conditions of consent and may also have impacted on the roots of a Liquidambar on the neighbouring property at 17 Carinya Road. This trench had been backfilled and, as such, the impacts of trenching on any tree roots could not be determined.*

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3. *The owner pointed out on site an open trench with a 100mm diameter root next to the east side entry to the garage. As this root is approx 8 metres from the tree it can be pruned next to the dwelling without any detrimental impact to the tree. However, it is most likely that the root has already been pruned by construction of the foundations.*

*If the owner is concerned about future potential damage that roots may cause to the dwelling they can have a tree professional undertake root pruning near the foundations & install a root barrier to deflect the roots.*

4. *A stockpile of removed large diameter roots (up to 200mm diameter) was noted on the west side of the dwelling. Council has no information to indicate where these roots were removed from or from which Liquidambar the roots were removed.*

*To fully determine the impacts of the above works, Council should require the owner to provide detailed information relating to any roots that have been removed and any follow up treatment such as correct root pruning to repair torn/damaged roots.*

***Installation of detention tanks***

*The closest tank has been installed approx 6 metres from the outer trunk of the Liquidambar. A large number of small diameter roots have been severed for installation of the tanks however this has occurred well outside the critical root zone of the tree and would be within the range of tolerance of root disturbance for the species."*

**Comment:**

Council's Tree Management Officer does not support removal of the tree and has advised that removal of the tree would detract from the overall landscaped character of the site and surrounding areas.

**Landscaping**

Council's Landscape Development Officer, Robyn Askew, commented on the proposal to remove the tree as follows:

*"The application seeks to remove a Liquidambar styraciflua (Liquidambar) located on the front boundary and to amend Condition 79 which requires the tree to be retained.*

***Pruning works***

*The applicant considers that the loss of several significant low horizontal limbs on the northern and southern side of the tree to provide access to the site will result in the detrimental impact on the health, condition and structural integrity of the tree and also visually unbalance the tree.*

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Response

*During a recent site inspection of the property, it was noted that the existing dwelling had been demolished and all building materials removed from the site. A large horizontal branch on the northern side of the tree had been removed back to the main trunk. The removal of this branch will not have a detrimental impact on the health, condition and structural stability of the tree and does not visually unbalance the tree. No additional pruning will be required as there is good clearance for access under the tree's canopy. This is clearly the case as the demolition of the existing dwelling was able to be carried out with the removal of only one branch.*

**Stormwater works**

*The applicant claims that the installation of the underground storage tanks within the critical and primary root zones of the tree will damage the tree's root system.*

Response

*The stormwater plan by AFCE Environment & Building, drawing no. 333216/C2, Rev C and dated October 2005 indicates the installation of the rainwater tanks beneath the canopy of the Liquidambar. This plan may comply with the drainage conditions but it does not comply with Condition 78 of the development consent. This matter has been referred to the Compliance Unit for further action.*

*An amended stormwater plan will be required that complies with Condition 78. Following discussions with Council's Development Engineer, Masa Kimura, the rainwater tanks can be relocated closer to the dwelling leaving approximately an 8 metres setback from the tree's trunk.*

**Root system**

*The applicant states that as the tree has a visible, extensive and vigorous root system that the works required to construct the dwelling and driveway will damage the tree's root system.*

Response

*Liquidambars do characteristically have extensive root systems however, the proposed garage is located 8.5 metres from the tree's trunk at its closest point with the dwelling located at a distance of 12 metres which is well outside the critical root zone just beyond the primary root zone. The proposed dwelling, garage and driveway will be located at or slightly above existing soil levels therefore damage to the tree's root system will be minimal. Furthermore, the subject tree is a mature specimen and therefore the growth rate has slowed down resulting in very little expected increase to the size and number of the roots.*

*The proposed footing with slab construction of the dwelling will be reinforced concrete and is unlikely to be affected by the subject tree. However, there are various construction methods that will minimise any possible future damage to the dwelling*

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*eg, pier and beam footings. This method of construction has been mentioned to the owner.*

***Nuisance plants***

*The applicant points out that Council's Weed Management Policy lists Liquidambar as a nuisance plant which should be removed if they are within 300 metres of a natural area.*

***Response***

*Council is required to consider all aspects of the EP & A Act and the impact of the proposed removal of the subject tree. The impact on the amenity of the surrounding area if the Liquidambar is removed is considered significant and outweighs the negligible impact on the natural area.*

***Health of tree***

*The applicant's arborist has stated that the health of the tree has deteriorated since the original inspection in 2003 with the failure of several limbs. The arborist's original report states "The tree appears stable and the branch attachment appears sound. The tree is considered to be in good health and displays good vigour with a healthy full canopy."*

*I agree with the Council's Tree Management Officer's comments. There has been some disturbance to the tree's root system for the installation of the stormwater tanks and the installation of the electricity cables however, it is not likely to have any long term adverse impact on the tree.*

*The following issues have been raised by the applicant in the current submission;*

***Damage to previous driveway and dwelling***

*The previous driveway was a concrete strip driveway and it was noted during the first inspection of the property that the driveway had been displaced and cracked. This type of driveway was generally not reinforced and is of a light construction due to the narrow width of the concrete slabs. In my experience these driveways are very susceptible to damage from most species of trees not just Liquidambars.*

*The applicant claims that the Liquidambar had caused significant damage to the previous dwelling. During one of the previous inspections of the property, the owner pointed out some cracking in the front section of the entrance patio. No details were provided on the cause of the cracking to the patio nor was there any evidence of damage to the dwelling itself.*

***Branch failure***

*The applicant has stated that "There had been several limb failures recently with cracks appearing in the major part of the trunk of the tree."*

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*During the recent site inspection, there was no evidence of recent limb failure in the tree. There appeared to be some minor dead branches throughout the tree's canopy some of which may have fallen during the recent storms, however this would not be considered unusual for a tree of this age. It should be noted that all trees are susceptible to limb failure particularly during high winds.*

***Proposed driveway and front fence***

*The applicant is concerned that the driveway and front fence which are yet to be constructed will cause unavoidable damage to the tree's root system which will further impair the tree. The proposed driveway should only require minimal changes to the existing soil levels, therefore, any additional damage to the trees roots should be negligible. It should be noted that the applicant has not provided any additional information i.e. root mapping to justify his claims.*

*The impact of the proposed front fence on the Liquidambar is also considered negligible as it is constructed of isolated masonry piers with a metal palisade infill. Condition 79 was imposed to preserve the Liquidambar and stipulates that the fence piers are to be located such that no roots greater than 50mm in diameter are to be severed or injured.*

***CONCLUSION***

*The Landscape Section cannot support the removal of the tree for the following reasons;*

- The tree is considered to be significant in the landscape, in particular to the streetscape.*
- The removal of the tree will have a negative impact on the amenity of the surrounding area.*
- The tree is considered to be in good health and displays good vigour.*
- The impact to the tree's root system can be minimised by constructing the driveway at or very close to existing soil levels and constructing the front fence as per Condition 79.*
- The proposed dwelling, at a distance of 8.5 to 11.5 metres from the trunk of the tree, is considered to be sufficient setback from the tree. If the owner is concerned about future potential damage that roots may cause to the dwelling they can have a tree professional undertake root pruning near the foundations & install a root barrier to deflect the roots.*
- The subject tree is a mature specimen and therefore the growth rate has slowed down resulting in very little expected increase to the size and number of the roots.*
- The building works carried out to date has occurred well outside the critical root zone of the tree and would be within the range of tolerance of root disturbance for the species.*



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Comment:

Council's Landscape Development Officer does not support the proposed removal of the tree and has advised that removal of the tree would detract from the overall landscaped character of the site and surrounding areas. The replacement of the tree with similar species or other local endemic species will not outweigh the contribution of the existing tree to the existing streetscape.

## STATUTORY PROVISIONS

### Section 96 of the Environmental Planning and Assessment Act

The application has been submitted under the provisions of Section 96(2) under the Environmental Planning and Assessment Act 1979. The application involves the modification of conditions to permit the removal of a single tree at the front of the site.

Section 96(2) of the Act provides that:

*"(2) A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:*

- (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all) and*
- (b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) it has notified the application in accordance with:*
  - (i) the regulations, if the regulations so require*
  - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be."*

### **Part A: Substantially the same development**

The proposed development, as modified, would remain substantially the same development as that originally approved by Council. The proposed removal of the Liquidambar does not significantly alter the approved development, which remains a two storey dwelling.

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*Part B: Notification*

The proposed section 96 modification has been notified in accordance with the provisions of the regulations. Details of the submissions received following this notification have been addressed above.

*Part C: Consultation with the Minister*

Consultation with the Minister, public authority or approval body is not required under the current application. The proposed modifications do not affect any condition imposed by any Minister, public authority or approval body.

*Part D: Threatened species*

The proposed modification does not affect to any threatened species.

**Ku-ring-gai Planning Scheme Ordinance (KPSO)**

**Development standards**

The proposed modifications do not affect any development standard contained within the KPSO.

**Aims and objectives for residential zones:**

The development is unsatisfactory having regard to the following aims and objectives for residential development as outlined by Schedule 9:

- 1(a) to maintain and, where appropriate, improve the existing amenity and environmental character of residential zones; and*
- 1(b) to permit new residential development only where it is compatible with the existing environmental character of the locality and has a sympathetic and harmonious relationship with adjoining development.*

The proposal to remove the Liquidambar from the site will significantly alter the character of the site and the wider landscaped character of Carinya Road. The removal of the tree will therefore detract from the environmental character of the zone and is contrary to the above zone objectives

**POLICY PROVISIONS**

**Development Control Plan No 38 - Ku-ring-gai Residential Design Manual**

The proposed tree removal is contrary to the provisions of Part 4.3.4 of Ku-ring-gai Residential design Manual (DCP 38) which requires that new development maintain & enhance the landscape character of an area.

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The proposed removal of the Liquidambar will remove a significant landscape feature from the street and will detract from the overall landscaped character of the site and surrounding areas. The replacement of the tree with similar species or other local endemic species will not outweigh the contribution of the existing tree to the existing streetscape.

Removal of the tree is contrary to the provisions of DCP 38 and is not supported.

## LIKELY IMPACTS

All likely impacts have been considered in this report.

## ANY SUBMISSIONS

All submissions received have been considered in the assessment of this application.

## PUBLIC INTEREST

The approval of the application is considered not to be in the in the public interest.

## ANY OTHER RELEVANT CONSIDERATIONS

There are no other matters for consideration.

## CONCLUSION

Having regard to the provisions of section 96 & 79C of the Environmental Planning and Assessment Act 1979, the proposed development is unsatisfactory with regard to the residential zone objectives contained within the Ku-ring-gai Planning Scheme Ordinance and the landscape provisions contained within Development Control Plan No. 38 (Residential Design Manual).

The recommendations of the arborist's report submitted by the applicant to remove the tree are not supported by Council's Tree Management Officer and Landscape Development Officer. The tree is considered by both to be significant in the street and the removal of the tree would be detrimental to the landscaped character of the area.

The proposed removal of the liquid amber is therefore not supported. It is recommended that the application be refused.

## RECOMMENDATION

THAT Council, as the consent authority, refuse development consent to the proposed Section 96 Modification Application No. MOD0301/07 for the removal of a Liquidambar on land at 15 Carinya Road, Pymble for the following reasons:

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1. The removal of the *Liquidambar styraciflua* (Liquidambar) located in the centre of the front boundary is not supported for the following reasons.

**Particulars**

- i. The tree is considered to be significant in the landscape in particular to the streetscape.
  - ii. The removal of the tree will have a negative impact on the amenity of the surrounding area.
  - iii. The tree is considered to be in good health and displays good vigour.
  - iv. The impact to the tree's root system can be minimized by constructing the driveway at or very close to existing soil levels and constructing the front fence as per Condition 79.
  - v. The proposed dwelling, at a distance of 8.5 to 11.5 metres from the trunk of the tree, is considered to be sufficient setback from the tree. If the owner is concerned about future potential damage that roots may cause to the dwelling they can have a tree professional undertake root pruning near the foundations & install a root barrier to deflect the roots.
  - vi. The subject tree is a mature specimen and therefore the growth rate has slowed down resulting in very little expected increase to the size and number of the roots.
  - vii. The building works carried out to date has occurred well outside the critical root zone of the tree and would be within the range of tolerance of root disturbance for the species."
2. The removal of the *Liquidambar styraciflua* (Liquidambar) is unsatisfactory for the development having regard to the following aims and objectives for residential development as outline by Schedule 9 of the Ku-ring-gai Planning Scheme Ordinance.

**Particulars:**

- i. The proposed development fails to satisfy the objectives for Residential Zones contained within Schedule 9 of the KPSO
  - ii. The removal of the liquid amber is contrary to objective 1(a) of Sch. 9 which requires the maintenance and, when appropriate, the improvement of existing and environmental character of residential zones;
  - iii. The removal of the liquid amber is contrary to objective 1(b) of Sch. 9 which permits new residential development only when it is compatible with the existing environmental character of the locality, and has a sympathetic and harmonious relationship with adjoining development.
  - iv. The removal of the tree will have a negative impact on the amenity of the surrounding area. The tree is considered to be significant to the streetscape.
3. The proposed development is inappropriate having regard to, Part 4.3.4 of Ku-ring-gai Residential design Manual (DCP 38). The development fails to maintain & enhance the landscape character of the area

**Particulars:**

- i. The proposal will not retain and protect the existing significant Liquidamber tree located on the subject site.

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- ii. The replacement of the tree with similar species or other local endemic species will not outweigh the contribution of the existing tree to the streetscape.

D Hoy  
**Executive Assessment Officer**

S Segall  
**Team Leader**  
**Development Assessment - North**

M Prendergast  
**Manager**  
**Development Assessment Services**

M Miocic  
**Director**  
**Development & Regulation**

- Attachments:**
- 1. Arborist's report dated 1 December 2003 prepared by Melanie Howden of Footprint Green - 853271
  - 2. Arborist's report dated 22 March 2006 prepared by Melanie Howden of Footprint Green - 853268
  - 3. Photographs of the site – 853449, 853451, 853455



## Footprint Green

Pty Ltd

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ABN 34 097 138 817

1<sup>st</sup> December 2003

Ms Nolan  
Glendinning Minto & Associates  
P.O Box 225

THORNLEIGH NSW 2120

Dear Ms Nolan,

### **Re: Tree Assessment- 15 Carinya Road Pymble -DA No 947/03**

In response to your request a tree assessment was undertaken on the 16<sup>th</sup> October 2003 in relation to the proposed demolition of the existing dwelling and the construction of a new dwelling and consideration of comments from Council's Landscape Officer. This assessment should be read in conjunction with previous correspondence dated 24<sup>th</sup> October 2003 Footprint Green Pty Ltd relating to the *Liquidambar styraciflua* (Sweet Gum) specimen located on the southern boundary.

#### **Tree No 1, *Liquidambar styraciflua* (Sweet Gum)**

The mature *Liquidambar* is located on the southern boundary adjacent the Carinya Road street frontage.

The tree has a height of 18m a canopy spread of 20m and a trunk Diameter at Breast Height (DBH) of 800mm. It is a mature single trunk specimen with an upright form and balanced canopy and branch development. There is evidence of minor pruning in the past.

The tree appears stable and the branch attachments appear sound. The tree is considered to be in good health and displays good vigor supporting a healthy canopy. The foliage condition is considered to be good and the tree is carrying approximately 5% deadwood. There is no evidence of pest and disease.

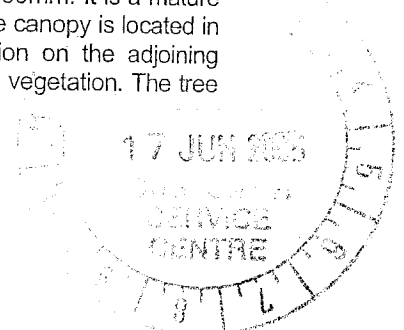
The tree has been assessed as having a Safe Useful Life Expectancy (SULE) category rating of 1 (Long>40 years) and is considered to be significant in the landscape.

However as outlined in the previous correspondence *Liquidambar styraciflua* are listed as Nuisance Plants in Appendix C and considered to be pest species as identified in the Ku-ring-gai Council Weed Management Policy Adopted October 2001.

#### **Tree No 2, *Acer palmatum* (Japanese Maple)**

The mature *Acer* specimen is located on the eastern boundary of the site at the front of the property.

The tree has a height of 9m a canopy spread of 5m and a trunk DBH of 300mm. It is a mature multi-trunk tree at 1.8m with an upright elliptical form and the majority of the canopy is located in a westerly direction due to the close proximity of surrounding vegetation on the adjoining property. The tree has a slight lean to the west as a result of the adjacent vegetation. The tree



appears to have had the central leader removed many years ago resulting in the multi-trunk specimen at 1.8m above ground level.

The tree appears stable however the branch attachment appears poor with a bark inclusion at 1.8m. The tree appears to be moderately healthy and displays fair vigor. The foliage condition is considered fair and the tree is carrying approximately 5% deadwood. There is Wisteria suppressing growth in the upper canopy. There is no evidence of pest and disease.

The tree has been assessed as having a SULE category rating of 3 (Short life span, 5-15 years) and is considered to be of low landscape significance.

If the *Acer* is to be retained no soil level changes are to occur within the Critical Root Zone (CRZ) of 1.5m from the tree.

### **Tree No 3, *Magnolia soulangeana* (Magnolia)**

The tree is located on the western boundary at the rear of the site.

The tree has a height of 7m a canopy spread of 5m and a trunk DBH of 200mm. It is a mature multi-trunk tree at 2m with an upright elliptical form and balanced canopy and branch development. The tree has a slight lean to the west. Minor pruning has occurred of the lower limbs.

The tree appears stable and the branch attachment appears sound. The tree appears to be in good health and displays good vigor. The tree currently supports < 5% deadwood and there is no evidence of pest and diseases.

The tree has been assessed as having a SULE category rating of 1 (Long > 40 years) and is considered to be of moderate landscape significance.

### **Tree No 4, *Jacaranda mimosifolia* (Jacaranda)**

The tree is located in the rear north western corner of the site.

The tree has a height of 9m a canopy spread of 8m and a DBH (Diameter Breast Height) 450mm. It is a mature specimen with a single trunk and an upright and spreading form and balanced branch and canopy development. The tree had previously been a twin trunk specimen that appears to have had one trunk removed on the northern side possibly when erecting the boundary fence.

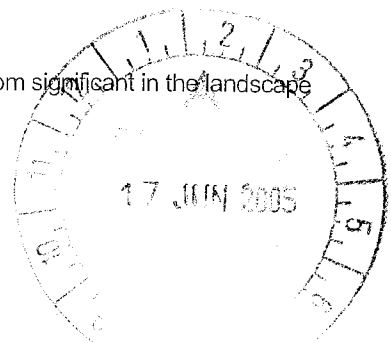
The tree appears stable and the branch attachment appears sound. The tree appears to be in good health and displays good vigour. The tree currently supports 5% deadwood and there is no evidence of pest and disease.

The tree has been assessed as having a SULE category rating of 2 (Medium-15-40 years) and is considered to be of moderate landscape significance.

If the *Jacaranda* specimen is to be retained on the site no soil level changes are to occur within the Critical Root Zone (CRZ) of 2.25 m from the tree.

## **Summary**

The tree assessment has identified four tree specimens ranging from significant in the landscape to low landscape significance.



Tree No 1 the *Liquidambar* is considered significant in the landscape however consideration should be given to the removal of the tree as it is considered a pest species.

Tree No 2 the *Acer* specimen is of low landscape significance and considered to be a fair specimen.

Tree No 3 the *Magnolia* is considered to be of moderate landscape significance and a healthy balanced specimen however Council have supported the removal of the tree.

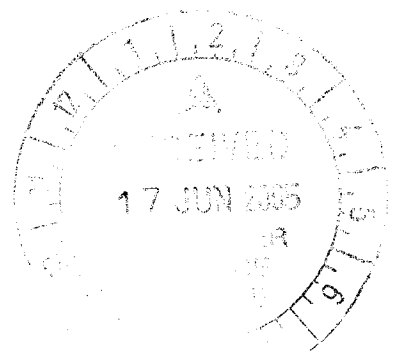
Tree No 4 the *Jacaranda* is considered to be of moderate landscape significance and in good health and condition and worthy of retention.

The proposed landscape plan should incorporate local endemic canopy tree species as part of the plant schedule to compensate for the removal of any of the above tree specimens if the application is approved. This will assist in making a positive long term contribution to the local landscape.

Yours sincerely

Melanie Howden

Ass Dip Hort (Haw Ag C) SoA Arb (TAFE), MAIH, MNAAA







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ABN 34 097 138 817

22<sup>nd</sup> March 2006

The Acting General Manager  
Ku-Ring-Gai Council  
818 Pacific Highway

GORDON NSW 2072

Dear Mr McKee,

**Re: Section 96 Application - 15 Carinya Road Pymble DA 947/03**

As requested a further site inspection and assessment was undertaken in relation to the mature *Liquidambar styraciflua* (Sweet Gum) located adjacent the Carinya Road frontage of the site. The tree was originally assessed by Footprint Green Pty Ltd in October 2003 and correspondence dated the 24<sup>th</sup> October 2003 was forwarded to Council. (copy attached).

The Development Application approval is for a new dwelling and garage, associated drainage works and landscaping.

Concern has been raised regarding the feasibility of retaining the *Liquidambar* given the extent of pruning works to the existing canopy that will be required to enable safe clearance/access to the site during construction works and also regarding the substantial loss/damage to the root system of the tree to enable the construction of the approved stormwater management plan (AFCE Environment + Building dated 10/2005) and to achieve site levels for the garage and driveway.

The *Liquidambar styraciflua* specimen will require removal of several significant low horizontal limbs both on the northern and southern side of the tree. The limbs range in diameter from approximately 200-400 mm and will require removal to the branch collar. The loss of these limbs will result in a detrimental impact on the health, condition and structural integrity of the tree but also visually, resulting in an unbalanced specimen.

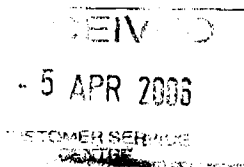
The approved drainage works indicate the installation of four 5000 litre below ground tanks on the eastern side of the property located within the Identified Critical Root Zone (CRZ) of 4 metres and the Primary Root Zone (PRZ) of 8 metres from the tree.

It is clearly visible on site that the *Liquidambar* has an extensive and vigorous root system, with numerous large surface roots visible emanating from the tree in all directions.

Given the approved works further disturbance and damage to the root system will occur to achieve the house, garage and driveway levels.

Since the original inspection in October 2003 the tree appears to have had several limb failures as supported by accompanying documentation from the property managers First National Real Estate St Ives and the owner of the site. Evidence of this is visible in the form of stubs and wounds throughout the tree. A significant wound/tear is visible at approximately 8 metres above ground level on the northern side of the tree where a large limb has failed resulting in a weakening of the remaining section of limb.

The tree also appears to be terminally loaded throughout the canopy with many large horizontal branches therefore increasing the likelihood of further significant limb failure.



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Whilst it is recognized that the mature *Liquidambar* contributes to the streetscape and character of Carinya Road, its retention is not consistent with Ku-Ring-Gai Council's Weed Management Policy adopted in October 2001 which outlines Council's weed philosophy in respect to relevant legislation and informed community concerns.

It is clearly identified that *Liquidambar styraciflua* (Sweet Gum) are listed as Nuisance Plants and widely considered to be a pest species. Many neighbouring local government areas support this view and it is recognized and supported by the wider community.

As stated in earlier correspondence the Weed Management Policy outlines that it be Council Policy to 'require the removal of nuisance plants as a condition of development consent within 300m of a Natural Area except where nuisance plants are to be mown and physical barriers are constructed that are capable of restricting vegetative spread'.

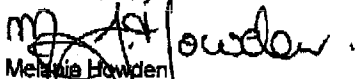
The site is located within 300m of Maddison Reserve to the west a listed Natural Area that is bounded by Korangi Road and Merrivale Road Pymble.

The approved development will have a significant detrimental impact on the *Liquidambar* and will result in a severely compromised specimen. Therefore it is recommended that consideration be given to the removal of the tree.

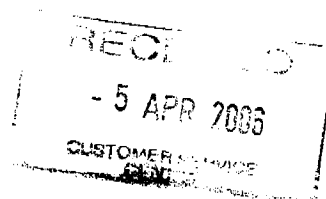
If approval is authorized to remove the tree, replacement with a suitable local endemic canopy species is recommended that will provide a more positive long term contribution to the local landscape and environment.

If you require any further information or would like to arrange a site inspection to discuss further please contact me on 9918 8877 or 0407 888 771.

Yours sincerely

  
Melanie Howden

Ass Dip Hort (Hort Ag C) SoA Arb (TAFE), MAIH, MNAAB, MIACA





22/11/2006



22/11/2006



22/11/2006

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## COUNCIL MEETING CYCLE FOR 2008

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To consider the proposed Council Meeting Cycle for 2008 which takes account of school holidays, public holidays, the 2008 Local Government Elections and the Christmas Recess.

**BACKGROUND:**

Council has in the past resolved to amend its meeting cycle to take into account the school holiday breaks, the Local Government Association Conference and the Christmas Recess.

**COMMENTS:**

Options for Council's consideration.

**RECOMMENDATION:**

That Council's Meeting Cycle for 2008 be adopted.

## PURPOSE OF REPORT

To consider the proposed Council Meeting Cycle for 2008 which takes account of school holidays, public holidays, the 2008 Local Government Elections and the Christmas Recess.

## BACKGROUND

The scheduled meeting cycle for 2008 is:

February:	5 February 2008	Ordinary Meeting of Council
	26 February 2008	Ordinary Meeting of Council
March:	11 March 2008	Ordinary Meeting of Council
	25 March 2008	Ordinary Meeting of Council
April:	8 April 2008	Ordinary Meeting of Council
	22 April 2008	Ordinary Meeting of Council
May:	13 May 2008	Ordinary Meeting of Council
	27 May 2008	Ordinary Meeting of Council
June:	10 June 2008	Ordinary Meeting of Council
	24 June 2008	Ordinary Meeting of Council
July:	8 July 2008	Ordinary Meeting of Council
	22 July 2008	Ordinary Meeting of Council
August:	12 August 2008	Ordinary Meeting of Council
	26 August 2008	Ordinary Meeting of Council
September:	9 September 2008	Ordinary Meeting of Council
	23 September 2008	Ordinary Meeting of Council
October:	14 October 2008	Ordinary Meeting of Council
	28 October 2008	Ordinary Meeting of Council
November:	11 November 2008	Ordinary Meeting of Council
	25 November 2008	Ordinary Meeting of Council
December:	9 December 2008	Ordinary Meeting of Council
	23 December 2008	Ordinary Meeting of Council

## COMMENTS

The school holiday periods for 2008 are:

Autumn:	Monday, 14 April 2008 to Friday, 25 April 2008 (including Anzac Day)
Winter:	Monday, 7 July 2008 to Friday, 18 July 2008

Item 3

S02355  
12 November 2007

Spring: Monday, 29 September 2008 to Friday, 10 October 2008  
Summer: Monday, 22 December 2008 to Monday, 26 January 2009

There are scheduled Council Meetings that fall within some of these periods. Council has in the past resolved to cancel scheduled meetings during school holidays.

It is recommended to amend the Meeting Cycle for 2008, as follows:

**School Holidays: 14 April to 25 April 2008**

8 April 2008	Ordinary Meeting of Council	
29 April 2008	Ordinary Meeting of Council	(transferred from 22 April 2008)

**School Holidays: 7 July to 18 July 2008**

22 July 2008	Ordinary Meeting of Council	
29 July 2008	Ordinary Meeting of Council	(transferred to 8 July 2008)

**2008 Local Government Elections**

As the Local Government Elections are to be held on 27 September 2008, it is recommended that the scheduled meeting on 23 September 2008 be cancelled with the last meeting of the current council being held on 9 September 2008.

9 September 2008	Ordinary Meeting of Council
23 September 2008	CANCELLED

**Local Government Association Conference**

The Local Government Association Conference is to be held from 25 October 2008 to 29 October 2008.

14 October 2008	Ordinary Meeting of Council	
21 October 2008	Ordinary Meeting of Council	(transferred from 28 October 2008)

**Christmas Recess 2008**

Council has traditionally held the last Council meeting for the year on the second Tuesday in December and resumed meetings in February, the next year.

It is recommended that the second meeting be brought forward to the first Tuesday - 2 December 2008 with the last Ordinary Meeting of Council being held on Tuesday, 9 December 2008. Following the recess, it is further recommended that the first meeting for 2009 be held on Tuesday, 3 February 2009 with the normal meeting cycle to resume on 24 February 2009.

**CONSULTATION**

Not applicable.



## FINANCIAL CONSIDERATIONS

Not applicable.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

## SUMMARY

Not applicable.

## RECOMMENDATION

- A. That Council amend its meeting cycle for 2008, as follows:

8 April 2008	Ordinary Meeting of Council
29 April 2008	Ordinary Meeting of Council
22 July 2008	Ordinary Meeting of Council
29 July 2008	Ordinary Meeting of Council
9 September 2008	Ordinary Meeting of Council
23 September 2008	Ordinary Meeting of Council (CANCELLED)
14 October 2008	Ordinary Meeting of Council
21 October 2008	Ordinary Meeting of Council
2 December 2008	Ordinary Meeting of Council
9 December 2008	Ordinary Meeting of Council

- B. That the first meeting for 2009 be held on 3 February 2009 and the normal meeting cycle resume on 24 February 2009.

Geoff O'Rourke  
**Senior Governance Officer**

John McKee  
**General Manager**

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## DRAFT SPONSORSHIP POLICY

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To provide a final report to Council on the draft Sponsorship Policy, following the public exhibition period.

**BACKGROUND:**

The draft Sponsorship Policy, which was developed according to the ICAC Guidelines for Sponsorship in the Public Sector, went to Council on 8 May 2007. Following this, the draft policy was put on public exhibition for 28 days.

**COMMENTS:**

The draft Sponsorship Policy provides guidelines for both receiving and granting sponsorship.

**RECOMMENDATION:**

That the draft Sponsorship Policy be adopted by Council.

## PURPOSE OF REPORT

To provide a final report to Council on the draft Sponsorship Policy, following the public exhibition period.

## BACKGROUND

The draft Sponsorship Policy, which was developed according to the ICAC Guidelines for Sponsorship in the Public Sector, went to Council on 8 May 2007. Following this, the draft policy was put on public exhibition for 28 days.

## COMMENTS

The objectives of the draft Sponsorship Policy are to:

1. Formalise general principles that apply to the negotiation and implementation of sponsorship agreements.
2. Outline the mechanisms that Council will use to achieve sponsorship of Council's assets, services, functions and programs, and
3. Outline the mechanisms that Council will use to grant sponsorship to organisations, events, or private individuals.

The draft Policy defines sponsorship as a commercial arrangement in which a sponsor provides a contribution in kind or money to support an activity, in return for certain specified benefits.

Sponsorship can be provided by the corporate sector or private individuals in support of a Council activity, or, by Council in support of private or public sector activities.

The draft Policy includes a policy statement which covers roles, responsibilities and resources, guidelines for seeking and accepting sponsorship, guidelines for appropriate activities for both achieving and granting sponsorship, and acceptable and unacceptable categories for sponsors or recipients of sponsorship.

Council currently receives sponsorship for a number of events and programs, and has sponsored a number of programs, for example, the Small Business Awards, over the past 4-5 years.

## CONSULTATION

The draft Sponsorship Policy was discussed at the Community Development Committee in April 2007 and at the Policy Committee in December 2006. Changes based on feedback from these committees have been made.

The policy was also on public exhibition for a period of 28 days from 10 August 2007 to 7 September 2007 with no submissions being received.

## FINANCIAL CONSIDERATIONS

Item 4

**S05650**  
**9 November 2007**

An amount of \$10,000 has been proposed in the 2007-2008 budget for Council to use to provide sponsorship. It is anticipated that Council will receive an approximate total value of \$20,000 for sponsorship of events and festivals in the next financial year.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Strategy, Operations and Corporate departments have all been consulted in the development of the draft Sponsorship Policy.

## **SUMMARY**

Sponsorship of Council's events and functions is an ideal way to provide quality productions to the community in a cost effective manner. Sponsorship, in return, delivers benefits for the sponsor. The draft Sponsorship Policy provides Council with guidelines for both granting and accepting sponsorship, and its adoption and implementation will ensure a consistent approach to sponsorship for the future.

## **RECOMMENDATION**

That the draft Sponsorship Policy be adopted by Council.

Tiffany Kellar  
**Acting Communications Co-ordinator**

Janice Bevan  
**Director Community**

**Attachments:**      **Draft Sponsorship Policy - 850690**

## **Draft Ku-ring-gai Council Sponsorship Policy**

**Implementation date:** November 2007

**Proposed review date:** November 2009

**Contact officer:** Communications Coordinator

### **Related policies/documents:**

Ku-ring-gai Council Code of Conduct

Independent Commission Against Corruption Guidelines to Sponsorship in the Public Sector

Sponsorship Criteria (to be developed)

Sponsorship Agreement Template (to be developed)

Sponsorship Database (to be developed)

Sponsorship Procedures (to be developed)

Register of sponsorships (to be established)

**Responsible division:** Communications

## **Objectives**

1. To formalise general principles to apply to the negotiation and implementation of sponsorship agreements.
2. To outline the mechanisms Council will use to achieve sponsorship of Council's assets, services, functions and programs.
3. To outline the mechanisms Council will use to grant sponsorship to organisations, events, or private individuals.

## **Defining Sponsorship**

Sponsorship is a commercial arrangement in which a sponsor provides a contribution in money or in kind to support an activity in return for certain specified benefits. Sponsorship can be provided:

- By the corporate sector or private individuals, in support of a Council activity, or
- By Council in support of related and worthwhile private or public sector activities.

Sponsorship does not include:

- Selling advertising space
- Joint ventures
- Consultancies
- Grants
- Unconditional gifts, donations, bequests or endowments.

Sponsorship is not philanthropic. A sponsor expects to receive a reciprocal benefit beyond a modest acknowledgement.

## **Policy statement**

The main points of the policy are concerned with:

1. The methods to be used in seeking, granting and negotiating sponsorship.
2. Setting levels of sponsorship benefits
3. The monitoring procedures to be used to measure sponsorship outcomes for the Council, the general public and the sponsor.

## **Roles, responsibilities and resources**

1. All sponsorship arrangements should be approved by the General Manager or an officer authorised by the General Manager.
2. All sponsorship arrangements greater than \$2,000 excluding GST in value will be described in the Ku-ring-gai Council Annual Report.
3. Council will maintain a database of all sponsorships to allow data to be collected for internal audit and annual reports.

## **Seeking and accepting sponsorship**

1. Council must make sponsorship opportunities widely known by using broadly based, open processes that are not limited solely to invited sponsors.
  - (i) This may be achieved by a call for expressions of interest advertised in metropolitan and/or local print media and the Council website. The advertisement may contain the criteria against which expressions will be assessed.
  - (ii) In some cases, for example if sponsor interest is poor or restricted to potential sponsors with highly specialised characteristics, it may be appropriate to deal directly with potential sponsors.
2. On receipt of an expression of interest the criteria (predetermined) for sponsorship will be sent to the respondent together with any other material that Council considers necessary.
3. After expressions of interest have been received, a written formal contract, which shall be a public document, will be entered into by the parties. The contract should be the entire arrangement between the parties and no privileges for either party shall exist outside the agreement.

## **Suitable activities for achieving sponsorship**

Activities suitable for seeking and accepting sponsorship are non-core, non-operational activities including but not limited to:

- Festivals and events – e.g. Festival on the Green.
- Competitions – e.g. Fitz Band Comp
- Educational programs e.g. Waste Schools Education Kit
- Awards
- Scholarships

## **Suitable activities for granting sponsorship**

Suitable activities for sponsorship by Council could include:

- Cultural or community events
- Community education
- Conferences
- Scholarships
- Awards
- Research and publications.

## **Acceptable sponsors or recipients of sponsorship**

1. Sponsors or recipients must be reputable individuals or bodies.
2. The objectives and products of potential sponsors or recipients must not conflict with the values and the objectives of Council.
3. Sponsors or recipients should have an acceptable sponsorship record.
4. The objectives and missions of potential sponsors' or recipients' parent companies or subsidiaries must not conflict with those of Council.

## **Unacceptable sponsors or recipients of sponsorship**

Ku-ring-gai Council will not enter into sponsorship agreements with the following:

1. Companies, Partnerships or Sole Traders involved in the manufacture, distribution and wholesaling of tobacco and tobacco-related products.
2. Companies, Partnerships or Sole Traders involved in the manufacture, distribution and wholesaling of alcoholic products where such a sponsorship would be related to services or activities for youth.
3. Companies, Partnerships or Sole Traders involved in the manufacture, distribution and sale of illicit/inappropriate drugs or services.
4. Companies, Partnerships or Sole Traders whose services or products are injurious to health, or are perceived to be in conflict with Council's policies and responsibilities to the community.
5. Companies, Partnerships or Sole Traders who are in legal conflict with Council.
6. Companies, Partnerships or Sole Traders with an active involvement in the building industry in Ku-ring-gai.
7. Companies, Partnerships or Sole Traders which are, or may be, subject to Council regulation or inspection during the life of the sponsorship. This could include restaurants undergoing a public health inspection, an organisation with a development application awaiting approval.
  - (i) It is recognised that Council may have difficulty attracting sponsorship if it adheres to this principle in all cases. For example, Council may find that sponsorship for a particular event or activity is only forthcoming from parties it regulates or inspects or is likely to regulate or inspect.
  - (ii) When considering whether to enter into a sponsorship with such a party, Council should consider the best interests of the public, public accountability, public perceptions and the potential risks as well as the potential benefits.
  - (iii) If Council decides to enter into such an arrangement, Council should record the circumstances resulting in this decision and the decision-making process e.g. taking minutes from meetings.
  - (iv) All parties should understand clearly that the sponsorship arrangement has no bearing on Council's exercise of its regulatory or inspectorial functions. This should be clearly stated and acknowledged in all documentation.
  - (v) Council should ensure that the people or division involved in the sponsorship arrangement have no involvement in the regulation or inspection of the party or in general. All regulations and inspections will be conducted in an open, fair, accountable and impartial manner.

## **Achieving Sponsorship**

### **Benefits to a sponsor of Council**

Ku-ring-gai Council will recognise its corporate sponsors in a number of ways.

The extent of such recognition will be determined in relation to the level and nature of the sponsorship. Forms of benefits may include:

1. Temporary signage.
2. Media release and seeking of associated media or promotional opportunities including discounted or gratis advertising.



3. Invitations to selected Council functions.
4. Printing of the sponsor's name and logo in Council's Annual Report and other external publications.
5. Naming rights for an event, building, etc for the term of the sponsorship.
6. Award or trophy in the sponsor's name and publicly presented.
7. Right to use the asset, service, event, name and logo, etc in sponsor's advertising and sales promotion in a form to be mutually agreed.
8. Event facilities, which may include hospitality, free preferential seats, event functions, award presentation, car parking, VIP functions, etc.
9. Merchandising of goods at selected points of sale.
10. Static display in the foyer of Council's Administration Building or other Council-owned facility in a form to be mutually agreed.
11. Professional footage and photography of the asset, service, event, etc, for use by the sponsor in a form to be mutually agreed.
12. Use of the asset or facility, subject to approval in each individual case, in static displays or for an activity of the sponsor when not required for Council's use.
13. Opportunity for sponsor's name and/or logo to be promoted through appropriate general advertising by Council.
14. Opportunity for the sponsor's name and/or logo to be promoted on Council's website and a link to be provided to the sponsor's website.

### **Achieving Sponsorship**

#### **Benefits to Council for receiving sponsorship**

1. The connection with a reputable sponsor could enhance Council's image and reputation.
2. The sponsorship could make it possible for Council to undertake beneficial non-core activities that could not otherwise be funded or undertaken to the same extent.
3. The sponsorship could either reduce the cost of a particular event or activity or enable it, in the public interest, to be expanded or enhanced.
4. The sponsorship could achieve greater community awareness or public profile for Council, or for a particular service, program or product, than may otherwise have been possible.

### **Granting Sponsorship**

#### **Benefits to Council for granting sponsorship**

1. Opportunities to promote Council's key messages, programs and activities, build relationships with stakeholders, and benefit the community in accordance with Council's overall mission and goals.
2. Connection with a reputable recipient could enhance Council's image and reputation.
3. Increased staff morale.

## **Granting Sponsorship**

### **Benefits to a recipient of Council sponsorship**

1. Building key relationships with government and community bodies.
2. The sponsorship could make it possible for the recipient to undertake activities that could not otherwise be funded or undertaken to the same extent.
3. The connection with Ku-ring-gai Council could enhance the recipient's image and reputation.
4. The sponsorship could achieve greater community awareness or public profile for the recipient.

### **Restrictions and Considerations**

1. Council must not endorse any commercial products or services associated with the sponsor, recipient or any third party.
2. Where sponsorship involves a sponsor supplying a product, that product should still be evaluated for its fitness for purpose against objective criteria that are relevant to Council's needs.
3. An employee of the Council or Councillors must not receive, or be perceived to receive, any personal benefits from sponsorship.
4. Funds raised through sponsorship of specific expenditure items should be used for that purpose and not be redirected into general revenue.
5. The cost of managing and evaluating smaller sponsorships should not outweigh the dollar value of the sponsorship.
6. The sponsorship must not conflict or be seen to conflict with the objectives, policies and planning controls of the Council.
7. A sponsorship agreement should not impose or imply conditions that would limit, or appear to limit, Council's ability to carry out its functions fully and impartially. Activities where sponsor involvement could compromise or be seen to compromise Council's ability to exercise its role impartially on behalf of the community or could diminish the public's confidence are not suitable for sponsorship.

### **Sponsorship - Monitoring Procedures**

The following monitoring procedures will be used to determine the outcome of the sponsorship from both the sponsor's and the recipient's point of view and will be documented in the sponsorship agreement:

1. End-of-year progress reports to each sponsor and Council on sponsorship, detailing:
  - Public attendance (if applicable)
  - Media coverage
  - Public feedback (spontaneous or surveyed)
  - sponsor benefits (i.e. examples of promotional material bearing sponsor's name)
2. A monitoring system will be established within Council recording all contact with the sponsor and contact with the general public regarding the sponsorship.

3. A register of sponsorships will be maintained and all sponsorships will be reported in Council's Annual Report.
4. An accounting procedure will be established within Council, by which detailed information on the expenditure of the sponsorship may be made available to the sponsor or the general public on request.

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## TERM OF APPOINTMENT OF MAYORS

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To advise Council of a Circular from the Department of Local Government and to resolve a response.

**BACKGROUND:**

The Department of Local Government is considering a legislative change to extend the term of Mayors elected by Councillors from one year to two.

**COMMENTS:**

Submissions are being invited on the proposal by 30 November 2007.

**RECOMMENDATION:**

Submitted for Council's consideration.

## PURPOSE OF REPORT

To advise Council of a Circular from the Department of Local Government and to resolve a response.

## BACKGROUND

The Department of Local Government is considering a legislative change to extend the term of Mayors elected by Councillors from one year to two.

This proposal is outlined in Circular 07-46 dated 25 September 2007 (**attached**).

The Circular also deals with a proposal concerning the appointment of temporary staff for up to 24 months (in lieu of the existing 12 months) to fill a parental leave vacancy. This is a staff matter that has merit and is supported.

## COMMENTS

Submissions are being invited by 30 November 2007.

The Department's Circular states that a Ministerial Advisory Council has suggested the change to the Mayoral term as a means of enhancing consistency of leadership. The Circular acknowledges that there is no difference between the functions of Mayors regardless of whether they are elected by the Councillors or by the electors. Also there is no limitation on the number of one-year terms a Councillor may serve as Mayor.

It is a matter for Council to determine how to respond to this proposal.

Council has previously resolved to conduct a constitutional referendum at the Council elections next September on the question of whether the Mayor should be elected by the electors.

## CONSULTATION

None undertaken or required.

## FINANCIAL CONSIDERATIONS

None.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

None undertaken or required.

## SUMMARY

The Department of Local Government is inviting a response to a proposal to amend the *Local Government Act 1993* to extend the term of Mayors elected by Councillors from one year to two. Council should determine how it wishes to respond to this proposal.

## RECOMMENDATION

Submitted for Council's consideration.

John Clark  
**Director Corporate**

**Attachments:** Department of Local Government Circular 07-46 dated 25 September 2007 - 832281

Circular No. 07-46  
Date 25 September 2007  
Doc ID. A113480

Contact Tempe Lees  
02 4428 4160  
tempe.lees@dlg.nsw.gov.au

## **TERM OF APPOINTMENT OF MAYORS ELECTED BY COUNCILLORS & TERM OF APPOINTMENT OF TEMPORARY STAFF**

### **Background**

The Ministerial Advisory Council was established to advise the Minister for Local Government, the Hon Paul Lynch MP, on current issues relating to local government. The Chair of the Ministerial Advisory Council is the Hon Ernie Page OAM. Members of the Council include Mayors, General Managers, Union representatives and the Presidents of the Local Government and Shires Associations of NSW. Representatives from the Department of Local Government also attend the meetings.

At the July 2007 meeting of the Ministerial Advisory Council the matters that are the subject of this circular were raised for discussion. At that meeting it was recommended that the Department consult with the sector to seek comments and views on the propositions outlined below.

### **Purpose**

The purpose of this circular is to invite comments and submissions on the following propositions:

1. That consideration is given to amending the *Local Government Act 1993* to extend the term of Mayors elected by councillors from one year to two.
2. That consideration is given to amending s351 the *Local Government Act 1993* to allow for temporary appointments of up to 24 months to fill vacancies arising from an employee taking parental leave.

These proposals are discussed in more detail below.

### **Proposal 1 - Term of Appointment of Mayors Elected By Councillors**

The *Local Government Act 1993* currently allows two methods for the election of mayors. Mayors can be elected by:

- councillors post council election, or by
- electors at the council ordinary elections.

Mayors elected by the popular vote of the community are elected for the term of the council, which is four years. By contrast, mayors elected by the councillors are elected for a one-year term. There is no limitation on the number of one-

year terms a councillor elected mayor may serve. Additionally the mechanism by which a mayor is elected does not change the function of the mayor.

The Ministerial Advisory Council considered the advantages and disadvantages of extending the term of mayors elected by the councillors from one year to two, with a view to enhancing consistency in leadership. The Ministerial Advisory Council took into account the current difference in term of mayors depending upon the manner in which they were elected, and the fact that there is no difference between the functions of mayors regardless of how they are elected. The Ministerial Advisory Council recommended that the views of the sector were sought on the proposal.

### **Submissions invited on Proposal 1**

Councils are invited to make submissions on the proposal that the *Local Government Act 1993* should be amended to extend the term of councillor elected mayors from one year to two. Submissions should be sent to the Department of Local Government – see details below.

### **Proposal 2 - Term of Appointment of Temporary Staff**

Currently section 351 of the Local Government Act provides that where a council or general manager directly appoints a person to a vacant position without advertising the position externally, the person may not continue in that position for a period of more than 12 months.

The Local Government (State) Award 2004 allows staff to be granted parental leave for a period of up to 24 months.

It has been suggested that the provisions of the Act be amended to allow for persons to be directly appointed to a position without advertisement for a period of up to 24 months, where the appointment is to fill a vacancy arising from the granting of parental leave.

The Ministerial Advisory Council considered the suggestion, taking into account matters such as skills shortages, the difficulty some councils have in attracting staff, career development opportunities for staff and the costs associated with external recruitment. The Advisory Council recommended that the sector be given the opportunity to comment on the proposal.

### **Submissions invited on Proposal 2**

Local councils are invited to make submissions on the proposal that the Act be amended to allow for temporary appointments for a period of up to 24 months, where the appointment is to fill a vacancy arising from the granting of parental leave. Submissions should be sent to the Department of Local Government – see details below.



**Submissions**

Comments on these proposals should be marked “**MAC Proposals**” and sent to:

Deputy Director General  
Department of Local Government  
Locked Bag 3015  
NOWRA NSW 2541

Or by email to: [dlg@dlg.nsw.gov.au](mailto:dlg@dlg.nsw.gov.au).

The closing date for submissions is **30 November 2007**.

A handwritten signature in blue ink, appearing to be 'Garry Payne', with a stylized flourish extending to the right.

**Garry Payne AM**  
**Director General**

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## INVESTMENT REPORT AS AT 31 OCTOBER 2007

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To present to Council investment allocations and returns on investments for October 2007.

**BACKGROUND:**

Council's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation 2005 and Council's Investment Policy which was adopted by Council on 28 August 2007 (Minute No.319).

**COMMENTS:**

The Reserve Bank of Australia (RBA) increased the official cash rate from 6.50% to 6.75% subsequent to this reporting period.

**RECOMMENDATION:**

That the summary of investments and performance for October be received and noted. That the certificate of the Responsible Accounting Officer be noted and the report adopted.

## PURPOSE OF REPORT

To present to Council investment allocations and returns on investments for October 2007.

## BACKGROUND

Council's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation 2005 and Council's Investment Policy which was adopted by Council on 28 August 2007 (Minute No. 319).

This policy allows Council to utilise the expertise of external fund managers or make direct investments for the investment of Council's surplus funds.

## COMMENTS

During the month of October, Council had a net cash outflow of \$7,050,000 and net investment returns of \$297,000.

Council's total investment portfolio at the end of October 2007 is \$64,822,000. This compares to an opening balance of \$55,578,000 as at 1 July 2007.

Council's net investment revenue for October is \$297,000. This is slightly less than the monthly budget of \$321,125.

## PERFORMANCE MEASUREMENT

Council's investment portfolio is monitored and assessed based on the following criteria:

- \* **Management of General Fund Bank Balance**

The aim is to keep the general fund bank balance as low as possible and hence maximise the amount invested on a daily basis.

- \* **Performance against the UBS Bank Bill Index**

This measures the annualised yield (net of fees and charges) for Council's portfolio. The weighted average return for the total portfolio of funds is compared to the industry benchmark of the UBS Bank Bill Index.

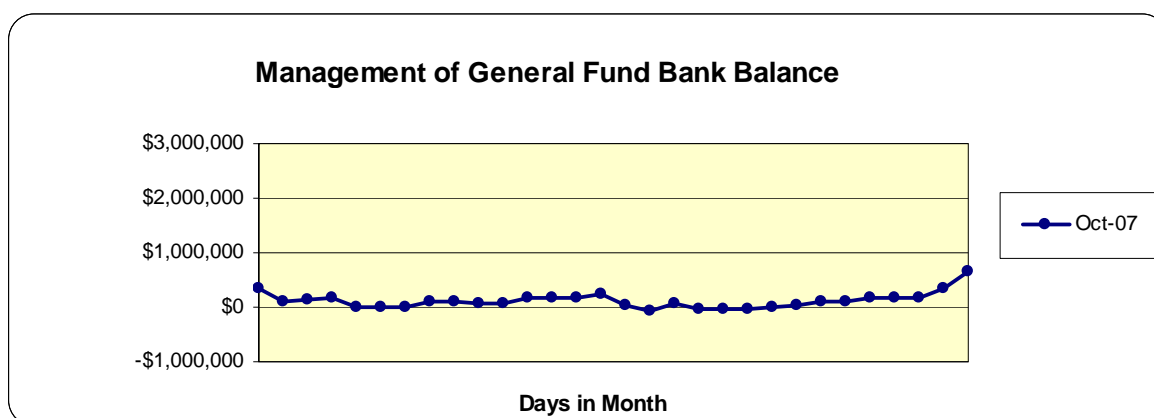
- \* **Allocation of Surplus Funds**

This represents the mix or allocation of surplus funds with each of Council's Fund Managers and direct securities.

## Item 6

S05273  
5 November 2007**Management of General Fund Bank Balance**

During October, Council had a net outflow of funds of \$7,050,000. This was largely due to the acquisition of land adjacent to Council.

**Funds Performance against the UBS Bank Bill Index**

Issuer	Investment Name	Investment Rating	Invested @31 Oct 2007 \$000's	Period Return (%)	Annualised YTD Return (%)	Performance Since purchase/inception (%)	% of Total Invested
<b>Working capital (0-3 Months)</b>							
Adelaide Bank	AAA SAVER	AAA	8,350	7.28	6.97	6.58	12.88
Westpac Bank	Westpac Bank Deposit	AA	3,020	7.51	6.59	6.59	4.66
<b>Short Term (3-12 Months)</b>							
LGFS	Fixed Out Performance Fund	AA-	9,045	7.31	6.89	6.89	13.95
Bendigo Bank	Turramurra Community Bank	BBB	500	6.97	6.57	6.34	0.77
<b>Short -MediumTerm (1-2)</b>							
Perpetual	Perpetual Credit Income	A	2,627	0.24	-5.49	6.52	4.05
Aberdeen Asset Management	Aberdeen Income Fund	A	12,001	4.73	4.19	6.69	18.51
<b>MediumTerm (2-5 Years)</b>							
Longreach/Rabobank	Longreach CPWF	AAA	3,169	-23.53	-6.69	5.15	4.89
UBS AG London	LongreachSTIRM	AA+	1,007	11.80	4.86	4.86	1.55
Athena Finance (Westpac)	Camelot	AA	1,036	-2.24	8.08	5.46	1.60
BlackRock Investment	BlackRock Diversified Credit	A	9,901	9.91	0.87	0.87	15.27
Select Access Investments	Titanium AAA	AAA	2,000	8.03	7.70	7.23	3.09
ABN AMRO/Nomura	Pheonix Notes	AA+	2,000	9.33	10.35	9.54	3.09
<b>Long Term (5 Years+)</b>							
HSBC Bank	Maple Hill 11	AA	3,000	9.45	9.45	9.45	4.63
NSW Treasury Corp	KRGC Tcorp LTGF	UNRATED	2,151	5.73	10.66	7.30	3.32
Deutsche Bank	Longreach s26 Prop	AA+	1,000	0.00	0.00	0.00	1.54
ABN AMRO/Rembrandt	SURF CPDO	AAA	2,015	9.00	8.69	8.44	3.11
CBA/Helix Capital Jersey	Oasis Portfolio Note	AAA	2,000	7.95	7.64	7.34	3.09
<b>TOTAL /WEIGHTED AVERAGE</b>			<b>64,822</b>	<b>5.49</b>	<b>4.57</b>		<b>100</b>

Weighted Average Overall Return Year To Date (%)

4.57

Benchmark Return: UBSWA Bank Bill Index(%)

6.73

Variance From Benchmark (%)

-2.16

The weighted average return for the total portfolio year to date was 4.57% compared to the benchmark of the UBS Bank Bill Index of 6.73%.

### Income Investments and Growth Investments

Since Council's investment policy was changed in August 2006, a wider range of investments have been made involving diversification of the portfolio into different investment types, longer maturities and different markets. Council's investments now include several growth investments, where returns are principally derived from growth in the value of capital invested, rather than income payments. These investments can be expected to show higher volatility in price movement on a month to month basis. Council has only purchased growth investments which have a capital protection provided by a bank of at least AA ratings. As these investments are long term and not intended to be traded monthly, volatility is of less concern.

### Comments on Individual Investment Performance

**Rabobank/CPWF 1-2006:** This investment is in property, infrastructure and utilities and was made on 27 September 2006. From inception to the end of October 2007, the investment has returned 5.15% with a 2.41% decrease in net asset value from September. This was driven predominantly by the performance of the UBS Australian infrastructure and utilities index. The sector was dragged down by the weak performance of AGL who forecasted a 10% reduction in earnings which saw the stock fall 24% for the month. The fund managers' expectation continue to be for total fund returns in the target range of 8% to 10% over the life of the investment.

**NSW Treasury Corporation:** The investment was made in October 2006. This is a fund managed by the NSW Treasury Corporation which invests in a range of Australian shares 31%, international shares 31%, bonds, listed property and cash 38%. Despite the global market volatility, returns this month have been strong with annualised returns of 10.66% and a positive return of 7.30% since purchase.

**Athena Finance (Westpac)/Camelot:** This investment was made at the end of February 2007 in a fund which invests in foreign exchange rate movements with low correlation to other products and asset classes. It is in times like these, with a disruption in a certain asset class that the benefits of diversification of Council's portfolio become more apparent. The funds annualised return is 8.08% with a return of 5.46% since inception.

**Deutsche Bank/Series 26:** This new investment was made in June 2007 in a basket of property spread globally across seven geographical areas. The chosen securities provide potential for regular income along with potential capital growth. Returns are based on a contingent semi annual coupon of 7.0% pa and additional return on maturity as capital gain. The current unit price is 98.82 up from 97.69 in September and from an issue value at inception of 97.00, after upfront fees. This includes provision for the first coupon payment in December 2007. Asia and the emerging markets were the standout performers in global equity markets in the month based on the US market continued volatile run.

**Blackrock Diversified Credit Fund:** The fund running yield remained at 82 basis points (bps) and performed 25bps above benchmark for the month. The fund manager believe credit markets are likely to be volatile in the short term. Accordingly, in this environment and the recent blow-out in credit spreads presents the fund with some opportunities to enhance the running yield of the fund. The period return for the month was 9.91%.

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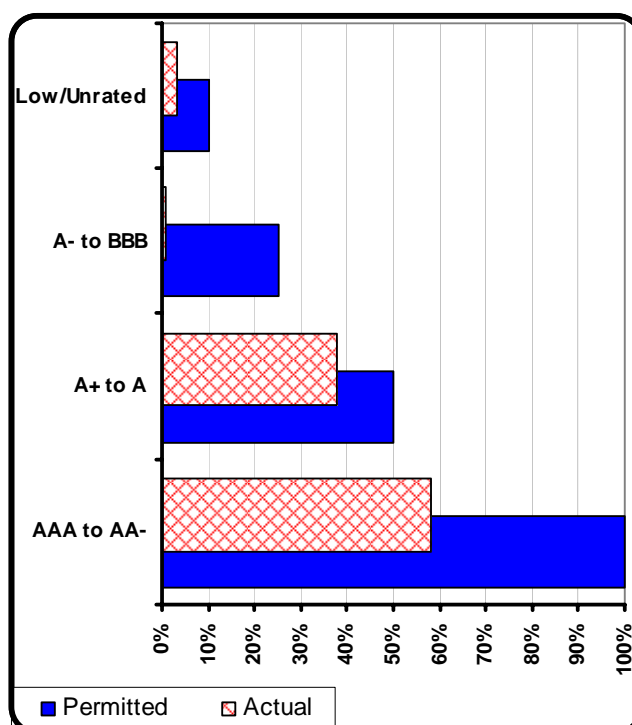
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**ABN AMRO Phoenix Note:** This investment made in August 2007 has been restructured to reduce the maturity date from 10 years to 4 years eight months and now forms part of our medium term investment horizon. The terms have also been changed to completely remove the volatility of the underlying assets which are investment grade 5 year (CDX North America investment grade index) and (iTraxx Europe investment grade index) and replace the coupon margin to a fixed 205bps above the 90 day BBSW reset every quarter for the term of the investment.

**Allocation of funds**

The following charts show the allocations of Councils investment funds by the categories shown:

1) **Credit Rating:** Actual level of investment compared to proportion permitted by policy.



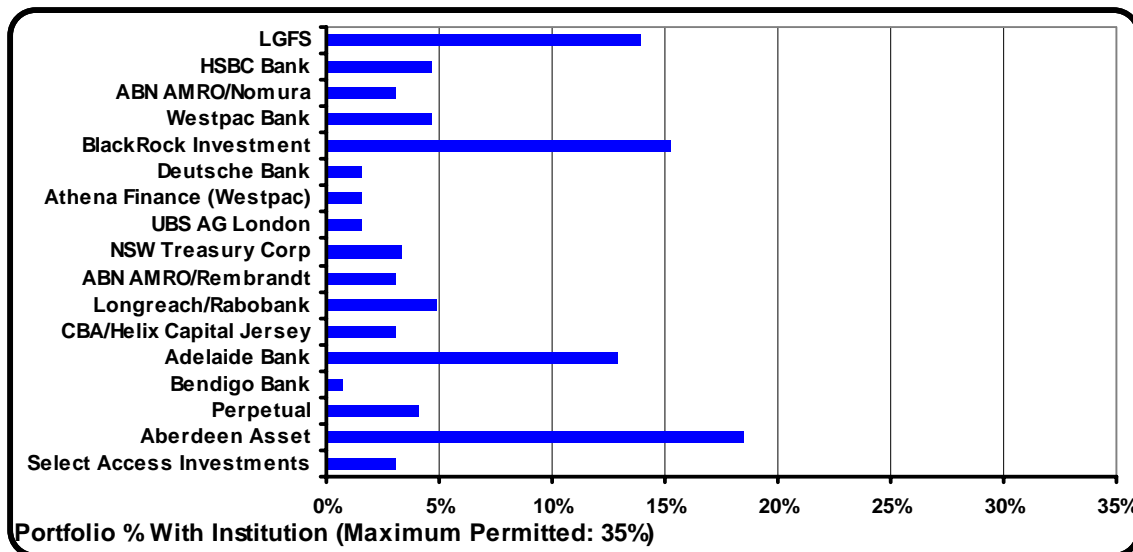
Investment Rating	Proportion
AAA to AA-	60%
A+ to A	35%
A- to BBB	1%
Less than BBB	4%

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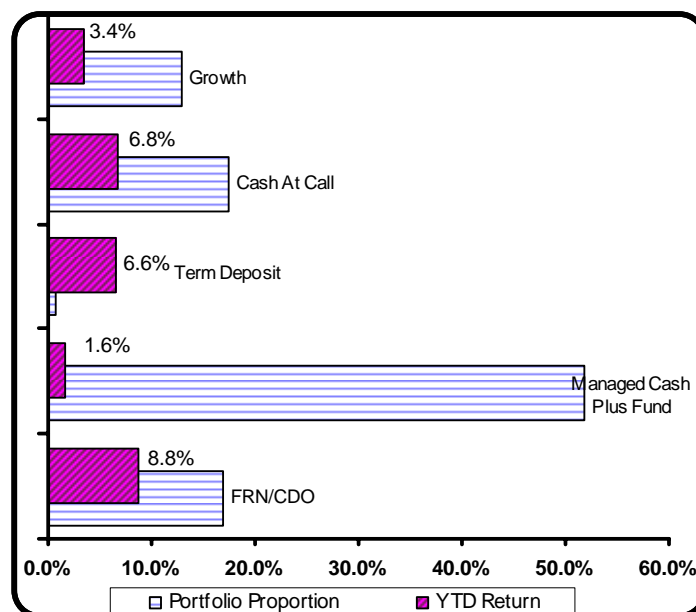
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- 2) **Proportional Split of Investments by Investment Institution:** Actual portion of investments by investment institutions.

Council's Investment Policy requires that the maximum proportion of its portfolio invested with any individual financial institution is 35%.



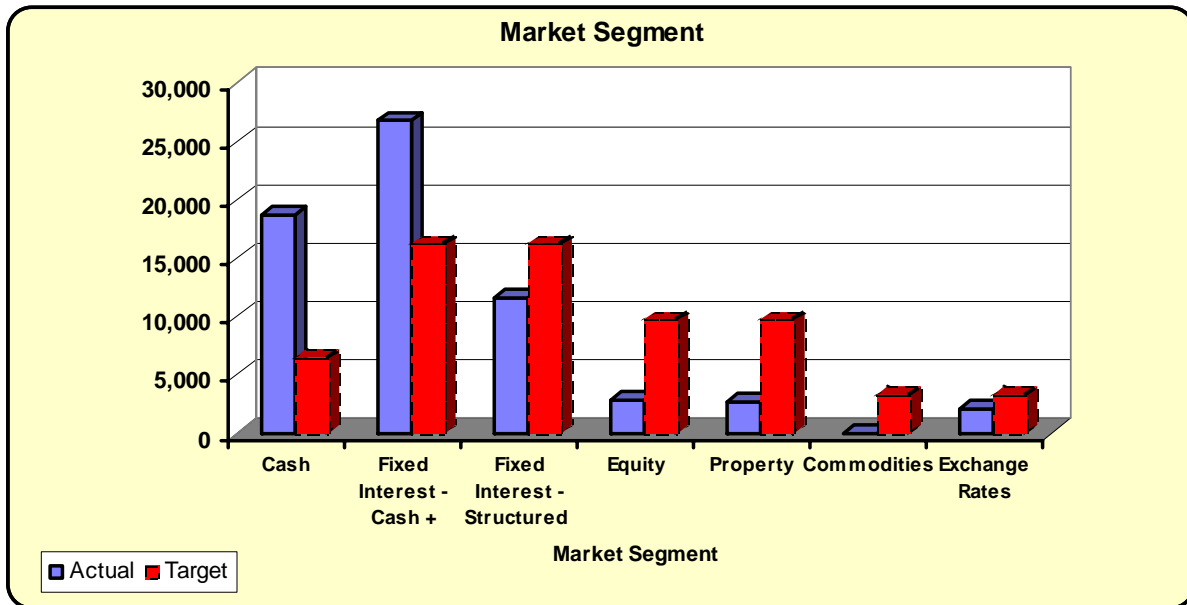
- 3) **Investment type and YTD return:** Actual proportion of investments by type and year to date return.



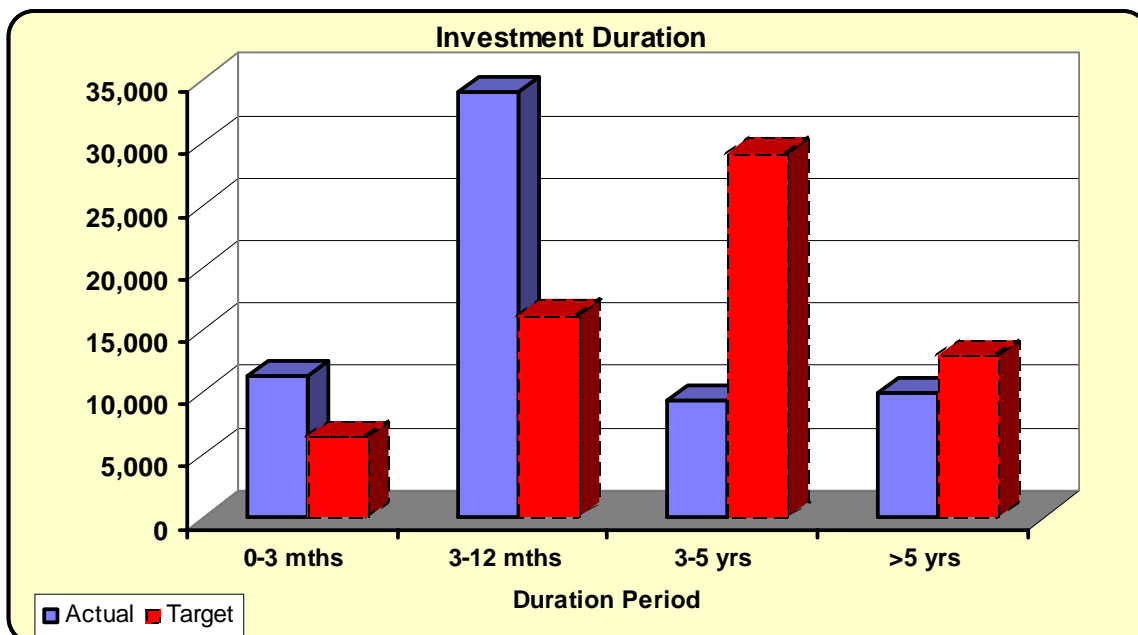
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- 4) **Market Segment:** Strategic allocation of investments by market segment compared to current level.



- 5) **Duration:** Strategic allocation of investments by duration compared to current level.



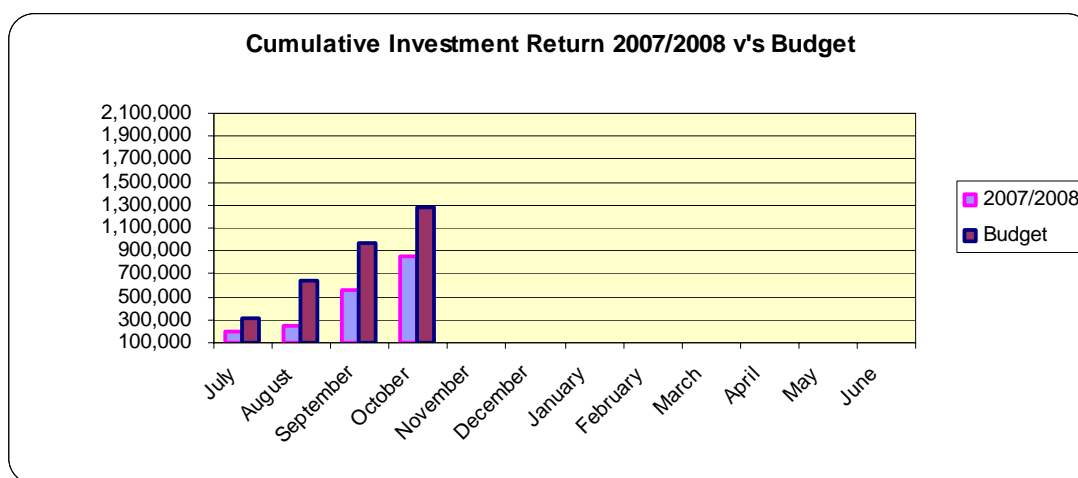


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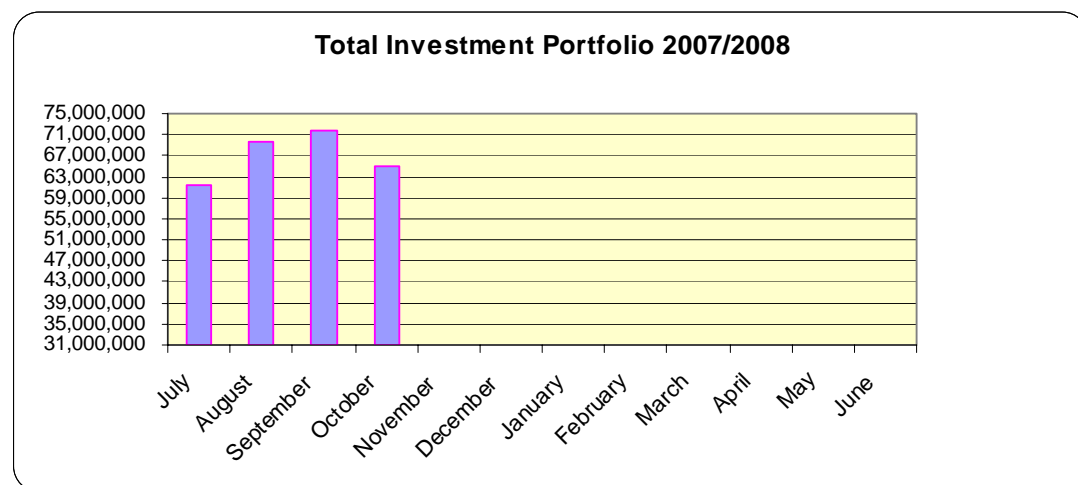
### Cumulative Investment Return

The following chart compares the net return earned on a cumulative monthly basis against the budgeted year to date forecast. At the end of October year to date, the net return on investments totals \$862,100 against a year to date budget of \$1,284,500, representing a negative variance of \$422,400. The variation is due to the recent outlay of funds to purchase community land, the budget factoring in the deferred sale of the Depot and lower than anticipated returns on investments based on the global investment sentiment. Due to these unanticipated events the interest on investments budget will be reviewed in the December quarterly review.



### Total Investment Portfolio

The following chart compares the year to date investment portfolio balances for 2007/2008.



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During October 2007 Council's investment portfolio decreased by \$7,050,000. Council's closing investment portfolio after interest and fees of \$64,822,000 in October 2007 is \$9,244,000 higher than the July 2007 opening balance of \$55,578,000.

## October 2007

### Domestic Markets

#### Interest Rates

The Reserve Bank kept the cash rate unchanged at 6.50% at its October meeting – waiting until the release of Q2 CPI data before altering their policy stance. Traders began the month factoring a 0% probability of a November/pre-election rate rise. However, with CPI data showing underlying inflation approaching an annualised pace of +4.0%, traders quickly moved to price in an 86% probability of a 25bp rise. The rate has now increased to 6.75% at the November meeting.

#### Other

Headline CPI rose +0.7% in the third quarter and follows a +1.2% gain in the three months to June. However, the average of the RBA's preferred measures rose +1.0%, after last quarter's +0.9% rise. The Year on Year pace is at the top of the RBA's 2-3% comfort zone.

The trade deficit widened to -\$1,614m in August, and follows an upwardly revised July deficit of \$833m. Import growth of +5.5% outpaced export growth of +1.8%.

### Global Markets

As expected the US Fed announced further easing of the Fed funds and discount rate by 25bp.

After contracting for much of the month, CDS (credit derivative) indices jumped wider in the final week of October on fears that financials remain highly exposed to uncertain credit conditions. Structured securities referencing sub-prime remain severely distressed and set new lows during the month – with two formerly AAA rated notes defaulting.

October saw crude oil push past \$US94 a barrel on geopolitical conflict (Iran and Turkey), temporary production halts in Mexico and robust global (ex US) growth.

Real GDP rose +3.9% annualised in the third quarter, from +3.8% in the three months to June.

#### Other

- The US Consumer Price Index rose +0.3% in September after a -0.1% decline in August. The core CPI excluding food and energy rose +0.2% with the Year on Year pace at +2.1%, down from a peak of +2.9% 12 months ago.
- US housing starts fell 10% to a 14-year low (half the previous peak – an unprecedented fall outside a significant recession).

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- The International Monetary Fund cut its economic growth forecasts for the Japanese economy to +1.7%, from +2.0%.
- European inflation jumped to an annual rate of +2.6% in October.

## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

The budgeted interest on investments for 2007/2008 is \$3,853,500. Of this amount approximately \$2,548,000 is restricted for the benefit of future expenditure relating to developers' contributions, \$465,000 transferred to internally restricted depreciation reserves, and the remainder is available for operations.

Council's year to date net return on investments totals \$862,100. This compares to the year to date budget of \$1,284,500.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

## SUMMARY

As at 31 October 2007:

- Council's total investment portfolio is \$64,822,000. This compares to an opening balance of \$55,578,000 as at 1 July 2007, an increase of \$9,244,000.
- Council's year to date net return on investments totals \$862,100. This compares to the year to date budget of \$1,284,500.

## RECOMMENDATION

- A. That the summary of investments and performance for October 2007 be received and noted.
- B. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.

**CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER**

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act, 1993, Clause 212 of the Local Government Regulation 2005 and Council's Investment Policy minute number 319.

Edwin Athaide  
**Accounting Officer**

Tino Caltabiano  
**Manager Finance**  
**Responsible Accounting Officer**

John Clark  
**Director Corporate**

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## 2006 TO 2007 ANNUAL REPORT

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To present to Council the Statutory Annual Report for 2006/2007 in accordance with Section 428 of the Local Government Act 1993.

**BACKGROUND:**

Section 428 of the *Local Government Act 1993* requires Council to furnish a report to the Minister for Local Government on its achievements with respect the objectives and performance targets set out in the Management Plan for the year.

**COMMENTS:**

The Report for the period of 1 July 2006 to 30 June 2007 is now tabled for Council's information and is available for public perusal at Council's Office and Libraries.

**RECOMMENDATION:**

That the Annual Report for the period of 1 July 2006 to 30 June 2007 be received and noted.

## PURPOSE OF REPORT

To present to Council the Statutory Annual Report for 2006/2007 in accordance with Section 428 of the Local Government Act 1993.

## BACKGROUND

Section 428 of the Local Government Act 1993 requires Council to prepare a report on its achievements with respect to the objectives and performance targets set out in the Management Plan for the year.

The report is to be prepared within 5 months of the close of the year (ie by 30 November) and the information required in Section 428(2) of the Act represents Council's statutory reporting responsibilities.

A copy of the Report is required to be sent to the Minister for Local Government.

## COMMENTS

In the previous year, Council's Annual Report was presented in two parts, part 1: a summary report, part 2: a report that complied with the statutory requirements as prescribed by the Local Government Act. This initiative was undertaken to endeavour to make the Report more "readable, measurable and transparent" to the target audience; namely the community at large and relevant Government agencies.

This year Council has further developed the report to incorporate the principles of the Global Reporting Initiative and Local Government requirements through a number of case studies for each principle activity area and a Quadruple Bottom Line (QBL) corporate snapshot that measures significant trends across a five year timeframe.

Whilst it is important to reflect on outcomes/results for the reporting period, it is equally critical to identify areas where further improvement is warranted in future years.

The Annual Report for the period 1 July 2006 to 30 June 2007 is now tabled for Council's information and is available for public perusal at Council's Office and Libraries (Annual Report circulated separately).

## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

Not applicable.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

All Departments have provided input into the Annual Report.

### **SUMMARY**

Not applicable.

### **RECOMMENDATION**

That the Annual Report for the period of 1 July 2006 to 30 June 2007 be received and noted.

Geoff O'Rourke  
**Senior Governance Officer**

John McKee  
**General Manager**

**Attachments: Annual Report for the period of 1 July 2006 to 30 June 2007 - Circulated Separately**

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## **2007 TO 2011 MANAGEMENT PLAN 1ST QUARTER REVIEW AS AT 30 SEPTEMBER 2007**

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### **EXECUTIVE SUMMARY**

**PURPOSE OF REPORT:**

To report to Council on progress made toward achieving Key Performance Indicators as contained in Council's 2007-2011 Management Plan.

**BACKGROUND:**

Section 407 of the Local Government Act requires Council to report, within two months after the end of each quarter, the extent to which the performance targets set in Council's current Management Plan have been achieved during that quarter.

**COMMENTS:**

A progress report for all Objectives, Actions and Key Performance Indicators contained in the 2007-2011 Management Plan is **attached**.

**RECOMMENDATION:**

That the 1st quarter Management Plan review 2007-2011 be received and noted.



## PURPOSE OF REPORT

To report to Council on progress made toward achieving Key Performance Indicators as contained in Council's 2007-2011 Management Plan.

## BACKGROUND

Section 407 of the Local Government Act requires Council to report, within two months after the end of each quarter, the extent to which the performance targets set in Council's current Management Plan have been achieved during that quarter.

The 2007-2011 Management Plan was adopted by Council on 19 June 2007.

The Management Plan contains six principal activities, namely:

- Civic Leadership and Corporate Services
- Built Environment
- Natural Environment
- Integrated Planning
- Financial Sustainability
- Community Development

Each of the principal activities contain a series of Issues, Objectives, 5 year Actions, Key Performance Indicators (KPI's) and Performance Measures (PM's) which provide detail on how Council plans to achieve desired outcomes and how performance will be measured.

## COMMENTS

The requirements set out in Council's Management Plan provide the foundation for measuring the performance of the organisation at a given point in time.

To ensure that the reporting of performance is both accurate and meaningful the attached report tracks progress using a status code and comments as to the current status of all Key Performance Indicators and Performance Measures. The options available under the heading 'status code' details are as follows:

Status Code	Definition
Completed	KPI/PM has been carried out in accordance with the Management Plan.
Achieved to Date	Work has been undertaken in accordance with the project plan to ensure that the task will be fully complete by the final due date.
Not Yet Due	Timeframe for commencement of the KPI has not been reached.
Deferred	KPI/PM has been placed on hold.
Not Achieved	KPI/PM has not been completed as required in the Management Plan.

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All Key Performance Indicators and Performance Measures are categorised by one of the above five status codes to indicate current performance against the Management Plan

**Analysis of Results**

Council's 2007-2011 Management Plan contains 55 KPIs. The following table provides an analysis by Principal Activity and overall KPI and PM achievement as at 30 September 2007.

Principal Activity	No of KPIs	Completed	Achieved to Date	Not Yet Due	Not Achieved
Civic Leadership and Corporate Services	11	0	8 / 72.7%	3 / 27.3%	0
Built Environment	16	1 / 6.3%	8 / 50%	7 / 43.7%	0
Natural Environment	8	0	2 / 25%	6 / 75%	0
Integrated Planning	11	0	1 / 9.1%	10 / 90.9%	0
Financial Sustainability	3	0	0	3 / 100%	0
Community Development	6	0	0	6 / 100%	0
<b>Total</b>	<b>55</b>	<b>1 / 1.8%</b>	<b>19 / 34.6%</b>	<b>35 / 63.6%</b>	<b>0</b>

Principal Activity	No of PMs	Completed	Achieved to Date	Not Yet Due	Not Achieved
Civic Leadership and Corporate Services	24	0	11 / 45.8%	13 / 54.2%	0
Built Environment	28	6 / 21.4%	9 / 32.1%	13 / 46.4%	0
Natural Environment	18	0	3 / 16.7%	15 / 83.3%	0
Integrated Planning	12	0	4 / 33.3%	8 / 66.7%	0
Financial Sustainability	10	0	1 / 10%	9 / 90%	0
Community Development	12	0	4 / 33.3%	8 / 66.7%	0
<b>Total</b>	<b>104</b>	<b>6 / 5.8%</b>	<b>32 / 30.8%</b>	<b>66 / 63.4%</b>	<b>0</b>

The following comments are provided for each principle activity on some of the most significant indicators for the period ended 30 September 2007.

## ➤ Civic Leadership and Corporate Services

## Revised Performance Assessment and Salary Systems

Following an extensive consultative process with directors and the General Manager, managers, staff, the JCC and unions, there is agreement on the new performance assessment and salary systems. While some wording still needs to be finalised in the draft agreement, consensus has been reached on all the substantive issues. Further training on the new systems and the writing of descriptors to facilitate the transfer of staff from the old salary system to the new one are scheduled to be completed during the second quarter. Implementation of these new systems is already underway.

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New Payroll System

The computerised payroll system that was used previously had no direct interface with Council's financial system. The plan was to update Finance One and replace the CHRIS payroll system with a system that was then called People One. Both these systems are part of the Technology One suite, as is Proclaim. The implementation date of People 1 (now called Enterprise Suite HR/Payroll) was scheduled to be 1 July 2007 but this could not be achieved because of software difficulties. Following further adjustment to the software, the new payroll system is now operational, even though some aspects of it still need further adjustment.

Land Information

Land Information has loaded Airborne Laser Scanning Data (ALS), also known as LiDAR, into Council's GIS. The data consists of point heights for Buildings, Tree Canopy, Ground and Non-Ground features, a new 0.5 m contour interval layer and a 2m grid mesh over the whole LGA.

Naming Convention Project

The Naming Convention project within the Outcome Manager Direct program is not completed, however it is ahead of schedule.

➤ Built Environment

Council adopted the capital works program for 2007/08 and the draft future years program on 28 August 2007. Works have commenced on a number of projects and the status of the projects is included in the budget report on capital works.

The design of the new depot is nearing completion and at this stage it is likely that tenders will be called in early February 2008. Some amendments have been made to the plans and a Section 96 amendment application will be lodged for assessment.

A response has been received from the preferred tenderer on the proposed conditions of sale drafted by Council's legal representative. Further negotiations are planned with the preferred tenderer as some of the conditions are not in accordance with Council's requirements relating to contamination and remediation requirements on Council.

Number of undetermined development applications less than 450:

As at September 2007, the number of outstanding applications (DA's, S96 and S82A reviews) had reduced to 345 which is significantly (23%) below the desired threshold of 450 applications.

Median processing time for all applications is 60 days, with 70% of applications having a processing time of 50 days:

As at September 2007, the median processing time for 100% of applications was below 50 days which is very positive. Moreover, all Express DA's were determined within the standard timeframe of 32 days.

Land and Environment Court costs do not exceed budget:

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The Land and Environment Court costs for the September quarter were \$7,800 which is well below the year to date quarterly budget of \$337,500. A contributing factor to the minimal expenditure in the first quarter is that expenditure for this first quarter is offset against the reversal of the accrual of \$217,000 relating to last year. However, even taking this into account, the combined total of \$224,800 would still be some \$112,700 below the year to date budget amount.

➤ Natural Environment

A number of key projects within the Natural Area Activity have been commenced. Within the Environmental Levy a full programme of works has been presented to and adopted by Council. Council's hazard reduction programme has commenced for the 2007/2008 year.

One of the most significant challenges for Council is the mapping of Blue Gum High Forest and Councils other endangered communities. Work on the development of a management tool and process to build on existing mapping has to date included staff, expert and community input. Further development of this tool will involve additional consultation with the relevant Reference group and a formal report to Council.

Phase one of the Energy Performance Contract has been agreed with the contractors. This will ensure Council achieves targets to reduce greenhouse emissions by 5% this year. This contract will also assist in the reduction of use of potable water which will support Council's other significant initiatives in this area. These initiatives include, within this current year, the sewer mining project at Gordon Golf Course and stormwater harvesting at Lindfield Oval, Edenborough Oval and Comenarra Oval.

➤ Integrated Planning

During the first quarter the strategy Department has contributed to the development of future designs for the Town centre projects and provided input into specific site plans eg. former B2 corridor lands, master plans and the urban design referral service (eg. Lindfield station upgrade).

Finalisation of the current 2004-2009 Section 94 plan amendments and the preparation of the new town centres facilities plan, developer contributions strategy and work for the final section 94 plan. Town centre planning has been on schedule as per adopted timelines.

Submission on State Planning matters including amendments to SEPP Housing for Seniors and People with a Disability, representation at forums including NSROC - northern planners meetings and the attendance at the NSW Government Department of Planning held forum on new ideas in Planning. The Heritage committee hosted a briefing on Aboriginal heritage planning to look at regional and local issues for planning.

Work has also continued on the development of sustainable options for the future development of the land on the former B2 corridor.

Planning for new and refurbished facilities has continued to be progressed. Council has considered updates on planning for an indoor pool, the North Turrumurra Recreation Area and also commenced works on the feasibility study for Marion Street theatre.

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## ➤ Financial Sustainability

100% per cent of statutory financial reports were prepared and submitted to Council within statutory deadlines, namely the Monthly Investment Reports and Quarterly Budget Review Report. The remaining indicators under this principal activity are not due till the 4<sup>th</sup> Quarter.

Available Working Capital as at 30 June was \$1.108million, although as reported to Council at the time the 2006/07 Annual Financial Statements were presented to Council, these funds may be required to repay tree and landscape bonds and as such should not be committed until further information is obtained in regarding Council's liability in relation to this issue.

Council's investment returns as at 30 September were 4.21% against a benchmark rate of 6.66%. The underperformance was mainly due to the US sub prime mortgage market crisis and its effect across most financial markets. Although none of Council's investments were directly involved in that market, there has been a contagion effect which has created volatility in our returns and lower than anticipated rates of return. The diversification of Council's portfolio is helping to minimise the volatility and improve returns over the long term.

## ➤ Community Development

**Yourtutor.**

This facility was launched late 2006 and was not fully utilised by students until the start of the 2007 Academic Year. From January to October 2007, 596 students have accessed Yourtutor for an average time of 18 minutes per session. The academic demands of students at different classes determine that there is no clear pattern of usage, nevertheless it is clear that the majority of students access the facility from home. Assignment research is the most popular service. 79% of users agreed that the facility helped them and 90% of users stated that they would recommend it to a friend. It will take at least two further years to collect usage data to reflect comparative rates of use.

**eZone.**

Since its launch in July 2007, use of the library's range of IT services has increased by up to 200%, compared with last year. During July to October 2007, the monthly comparisons were:

	2006	2007	Increase
July	1,333	3,728	179.67%
August	1,331	4,001	200.0%
September	1,370	3,313	141.8%
October	1,401	3,892	177.8%

**Artstart 2007- Tunnel Vision**

Ku-ring-gai Council Youth Services team received funding grants from the ArtStart program and the Ku-ring-gai Council Environmental Levy.

10 young people from the Ku-ring-gai area participated in the ArtStart project 2007.

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ArtStart NSW Youth Arts and Skills program is an initiative of the NSW government, designed for young people aged 12-24 years in NSW. The program provides opportunities for young people to develop skills through participating in arts and cultural projects.

Ku-ring-gai Council Youth Services decided to focus the project on an environmentally themed public art mural. The aim of this mural was to educate the community around environmental issues and to create a higher level of awareness as to personal responsibility.

Throughout the months of August and September the team of young people participated in an initial brainstorming meeting focussing on current environmental issues and possible solutions to sustaining the natural environment, they then attended three skill development workshops in aerosol art, stencilling and acrylic painting before spending two weekends painting the mural.

**Resolutions and Questions Without Notice**

The following comments are provided for Resolutions of Council or Questions Without Notice which are outstanding:

Date	QWN/Resolution	Description	Action
17/7/07	Petition	Petition to amend suburb boundary	Noted and all petition members sent acknowledged letters and matter circulated to Directors for a formal response.  Partially complete. Anticipated a report will be made to Council in December 2007 on this matter.
17/7/07	NOM	Former freeway corridor land in South Turrumurra	Partially complete. This matter will be discussed further at the Planning Forum in November 2007.
17/7/07	QWN	Community Housing	Partially complete. Mr Davis is being contacted to determine potential role and suitability for the project.
30/10/07	Resolution	Draft Ku-ring-gai Local Environment Plan 2006 (Town Centres) - Schedule 4 Land Re-classification Component	This matter is also subject to the recent proposed changes to the S94 legislation and an update on this matter will be provided to the planning forum in November / December 2007.

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Date	QWN/Resolution	Description	Action
30/10/07	Resolution	Draft Ku-ring-gai Town Centres Section 94 Contributions Plan	Councillors advised of changes to the S94 legislation. This matter will be reported back to Council in December 2007 taking into account the changes to the legislation.
28/8/07	QWN	Ku-ring-gai Community Workshop "The Shed"	Interdepartmental Committee has met and identified suitable locations and are currently obtaining costing on preferred location.
24/10/06	NOM	Cycle Path St Ives to Showground	Design and investigation work is currently being prepared for discussion with the RTA. When finalised it will be referred to the RTA for comment. Funding has not been made available at this stage for this project.
24/4/07	Resolution	Draft Graffiti Policy	This matter was discussed at the last Policy Committee. The draft policy went on exhibition and no submissions were received. Quotations were called from private companies to clean up graffiti in the business centres and a presentation was held. A report is to go to Council in December 2007 and if adopted, the draft graffiti policy will need to be amended.
25/9/07	Resolution	Renewal BCNA Ref Group	Letter drafted awaiting confirmation prior to sending to retiring members.
27/03/07	NOM	Private Certifying Authorities – Development Consents	A report is being finalised and will be referred to a Council meeting in December 2007.
17/07/07	QWN	Section 96 Applications	A response is being finalised and will be forwarded to Councillors by end November 2007.

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**S05708**  
**5 November 2007**

Date	QWN/Resolution	Description	Action
28/08/07	QWN	Review Traffic Management Plan for Kings Ave and Nola Rd, Roseville	A response is being prepared and will be forwarded to Councillors by mid November 2007.

## CONSULTATION

No applicable.

## FINANCIAL CONSIDERATIONS

The requirements outlined in the Management Plan 2007-2011 are funded in Council's budget.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

All departments have provided the status and comments on the progress of Key Performance Indicators and Performance Measures in the **attached** report.

## SUMMARY

Comments on the status of the first quarter report on the Management Plan have been included in the attached document. This also includes comments on the status on key performance indicators and performance measures that are currently in progress and not yet due.

## RECOMMENDATION

That the report on the progress of the Key Performance Indicators contained in the 2007-2011 Management Plan for the 1st quarter of the Plan, be received and noted.

John Clark  
**Director Corporate**

John McKee  
**General Manager**

**Attachments:**      **Principal Activity progress report for the quarter ended 30 September 2007 - 853765**



Civic Leadership and Corporate Services				
Priority 1 Key Performance Indicators				
Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
Percentage of management plan key performance indicators completed		General Manager Quarterly	Ongoing	There was one KPI and 6 Performance Measures due in the first quarter. Of the six PMs due 100% have been completed.
	80 per cent of indicators achieved	All Directors Quarterly		To be completed at the end of the 4th quarter with progress shown quarterly in the report.
	100 per cent of statutory reports completed	Director Corporate Ongoing		100% of reports due to date have been completed. The monthly investment reports and the 1st quarterly management plan and budget review reports are the reports that were due in this period and have been completed, within the statutory framework.
Number of programs and policies that have involved consultation in their development or review		Director Strategy Quarterly	Ongoing	There have been a number of programs that have involved community consultation, including email surveys regarding parking at the six town centres, a number of landscape masterplans including Turrumurra Memorial Park and Karuah Oval, Sir David Martin Reserve, Swain Gardens, North Turrumurra Recreational Area and the Open Space Accusition Strategy.
	Resident Feedback Register used more than two times per year	Manager Corporate Planning and Sustainability 4th Quarter		A discussion paper is currently being prepared for consideration with Councillors at an upcoming planning Forum on the future of this and other consultative mechanisms.
	80 per cent community satisfaction of engagement in the planning process	Manager Urban Planning 4th Quarter		A mechanism for identifying community satisfaction with engagement in the planning and policy development process will be considered in the development of the consultation discussion paper.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	Number of community members providing input into planning and policy projects	Manager Urban Planning Ongoing		In this quarter 600 responses were received from businesses and residents relating to town centre parking surveys. From over 3000 letters sent out on the landscape master plans, there were over 450 submissions received.
	80 per cent participation in the staff climate survey	Manager Human Resources 4th Quarter		Climate survey held with a 93% participation rate. Results will be collated, analysed and reported in December 2007.
<b>Priority 2 Key Performance Indicators</b>				
<b>Percentage of Council resolutions implemented</b>		<b>General Manager 4th Quarter</b>	<b>Ongoing</b>	<b>Approximately year to date 90%</b>
	85 per cent of Council resolutions implemented	General Manager and Directors 4th Quarter		To be completed at the end of the 4th quarter with progress shown quarterly in the report.
<b>Number of complaints actioned</b>		<b>General Manager Quarterly</b>	<b>Ongoing</b>	<b>Draft complaints management policy finalised. Associated procedures being drafted.</b>
	80 per cent of complaints resolved	Internal Ombudsman Quarterly		Draft complaints management policy finalised. Associated procedures being drafted to help respond to all complaints.
	100 per cent of corruption allegations investigated and actioned	Internal Ombudsman Ongoing		100% of allegations have been investigated and actioned during the 1st quarter.
<b>Total number and employee turnover rate</b>		<b>Manager Human Resources Quarterly</b>	<b>Ongoing</b>	<b>Total number of employees is 435. Employee turnover rate was 3% for the 1st quarter.</b>
	Total workforce by employment type	Manager Human Resources 4th Quarter		Delays in implementing the new HR/Payrol system have resulted in statistical reporting being unavailable. Once the new system is operating effectively, reports will be developed to reflect statistical information on all relevant aspects of Human Resources Management.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	Average hours of training per year per employee by employee category	Manager Human Resources 4th Quarter		Delays in implementing the new HR/Payrol system have resulted in statistical reporting being unavailable. Once the new system is operating effectively reports will be developed to reflect statistical information on all relevant aspects of Human Resources Management.
	Rates of incident/accident including 'near misses' reported in Incident/Accident Database	Manager Human Resources Ongoing		There were 54 recorded incidents/accidents in the 1st quarter.
<b>Number of outstanding Customer Requests as reported by Council's CRS</b>		<b>Director Community Quarterly</b>	<b>Ongoing</b>	<b>The number of outsatndng CRS requests for the 1st quarter was 9.9%</b>
	80 per cent of CRS processed within service standard	Manager Customer Services Quarterly		In the 1st quarter the average CRS that were processed within the service standard was 91.5%.
	75 per cent of CRS actioned within service standard	Manager Customer Services Quarterly		86.7% of CRS were actioned within the service standard.
<b>Number of requests for access to Council's information and records through legislative requests</b>		<b>Director Community 4th Quarter</b>	<b>Not yet due</b>	<b>See figures below.</b>
	70 per cent of requests to access publicly available information under Section 12 of the Local Government Act 1993 are actioned within 10 working days	Director Corporate 4th Quarter		There were 327 requests received and actioned
	100 per cent of Freedom of Information requests processed within legislative timeframe	Director Corporate 4th Quarter		There were 2 FOI requests received and actioned within timeframes.
	Respond to 100 per cent of Section 149 Planning Certificate requests	Manager Land Information 4th Quarter		There were 963 certificates received and processed within agreed timeframe.
<b>Priority 3 Key Performance Indicators</b>				

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
Number of Council policies reviewed		Director Corporate Quarterly	Ongoing	In accordance with the DLG Promoting Better Practice Review action plan adopted by Council on 24 July 2007, several policies have been reviewed and updated, including; Protected Disclosures, Statement of Business Ethics, Policy and Procedure Management, Gifts and Benefits, Conflict of Interests, Councillor Access to Information and Interaction with Staff, Secondary Employment, Mobile Phones and Office Equipment.
	10 Council policy documents developed reviewed or modified	Internal Ombudsman 4th Quarter		Policies currently being developed.
Level of satisfaction with Council's communications		Director Community Ongoing	Ongoing	Survey to be drafted for comments in second quarter for distribution in third quarter.
	70 per cent level community satisfaction with Council's communications	Communications Co-ordinator 4th Quarter		Bushcare news, out in the open and a Council newsletter were all prepared and distributed. Media coverage improved during September and all design work and advertisements were completed within agreed timeframes.
	15 per cent increase in satisfaction of communication across Council's sections	Manager Human Resources 4th Quarter		The internal climate survey was prepared and conducted in October. Customer Request System Standard Procedures have been sent to all managers and Directors awaiting feedback by 26 October with a view of adopting procedures by 1 November 2007.
	70 per cent of media stories present a positive image of Council	General Manager Quarterly		The 70% target was achieved in all three months with July at 88%, August 74% and September 81%. The quarterly average was 81%.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	85 per cent satisfaction with Council's customer service	Manager Customer Service 4th Quarter		An on-line survey that was conducted in the first quarter showed a satisfaction rating of 85% in Council's Customer Service. Additionally, a Customer Service Survey has been drafted and will be conducted in the third quarter.
<b>Number of documents captured in TRIM per year</b>		<b>Director Corporate 4th Quarter</b>	<b>Ongoing</b>	<b>There were 40289 documents captured in TRIM for the 1st quarter</b>
	90 per cent of correspondence completed within specified standard timeframe	General Manager & Directors Ongoing		98% of incoming documents were scanned and registered as required with 90% filing of completed works as per schedule.
<b>Availability of the information technology systems</b>		<b>Director Corporate Ongoing</b>	<b>Ongoing</b>	<b>99% of systems were available during the 1st quarter. There were no major problems associated with information technology systems.</b>
	98% availability of information technology systems	Manager Information Technology Ongoing		99% of systems were available during the 1st quarter. There were no major problems associated with information technology systems.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
<b>Built Environment</b>				
<b>Priority 1 Key Performance Indicators</b>				
<b>Annual capital works expenditure (\$)</b>		<b>Director Operations 4th Quarter</b>	<b>Ongoing</b>	<b>Capital works program adopted by Council. See first quarter budget review report for comments.</b>
	80 per cent of Capital Works Program completed	Manager, Design and Projects 4th Quarter		Council approved the capital works program in August 2007 and the budget report provides an indication of the current status of the projects under the capital works program.
	Two kilometres of new footpaths and cycleways constructed	Manager, Design and Projects 1st Quarter		Designs currently being prepared and carry forward projects are now complete. Most of the footpath projects are to commence in early 2008.
	15 kilometres of roads are reconstructed	Pavements & Assets Engineer 1st Quarter		Program has been adopted by Council and several works have commenced and completed. All works are expected to be completed by April 2008.
	Three sports fields rehabilitated	Director Operations 4th Quarter		Council approved the capital works program in August 2007 and the budget report provides an indication of the current status of the projects under the capital works program.
	Five new playgrounds completed	Director Operations 31/01/2008		Council approved the capital works program in August 2007 and the budget report provides an indication of the current status of the projects under the capital works program.
	80 per cent of approved drainage program completed	Manager, Design and Projects 1st Quarter		Designs currently being prepared and carry forward projects are now complete. Most of the projects are to commence in early 2008.
<b>Percentage of Infrastructure Levy program completed (\$1.9 mil)</b>		<b>Director Operations 4th Quarter</b>	<b>Ongoing</b>	<b>Program has been adopted by Council and several works have commenced and completed. All works are expected to be completed by April 2008. See budget review report for figures.</b>

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	8.9 kilometres of roads re-sheeted or reconstructed	Pavements & Assets Engineer 1st Quarter		Program has been adopted by Council and several works have commenced and completed. All works are expected to be completed by April 2008.
	90 per cent of adopted Infrastructure Levy program completed	Pavements & Assets Engineer 4th Quarter		Program has been adopted by Council and several works have commenced and completed. All works under this program are expected to be completed by December 2008.
<b>Percentage of Environmental Levy program completed (\$1.8mil)</b>		<b>Director Strategy 4th Quarter</b>	<b>Ongoing</b>	<b>Council approved the capital works program in August 2007 and the budget report provides an indication of the current status of the projects under the capital works program. Expenditure to date is \$554,578.</b>
	75 per cent of adopted Environmental Levy program completed	Manager Corporate Planning and Sustainability Ongoing		During the first quarter, the program was 20% complete with a number of projects having been completed and that have commenced.
	Undertake 50 Environmental Levy projects within the adopted program areas	Manager Corporate Planning and Sustainability Ongoing		There were 4 projects fully completed including Rain Gardens at Karuah Road, Construction and planting of stormwater device at Bolwarra avenue. Weed removal at Bannockburn Oval and storm water harvesting at Edenborough Oval. A number of new contracts were also awarded including long term bush regeneration and weed control in reserves Kylie and Wattle Streets and creek maintenance targeted towards the Blackbutt Reserve Gordon
<b>Percentage of asset classes with current capital works programs</b>		<b>Director Strategy 1st Quarter</b>	<b>100%</b>	
	100 per cent consistency of capital works program with our 10 year financial model and adopted budget	Director Strategy 1st Quarter		100% of capital works programs are consistent with our 10 year financial model
	100 per cent of asset classes have current capital works programs	Director Strategy 1st Quarter		100 % of asset classes now have current capital works programs as resolved by Council

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
Median Development Application processing time		Director Development and Regulation Quarterly	Ongoing	Median processing times for 100% of applications are within 50 days which is very positive. 100% of all express DAs are also within the standard time frame of 32 days.
	Median processing times for all applications is 60 days with 70 per cent of applications having a processing time of 50 days	Manager Development Assessment Services Ongoing		As at September 2007, the median processing time for 100% of applications was below 50 days which is very positive. Moreover, all Express DA's were determined within the standard timeframe of 32 days.
Priority 2 Key Performance Indicators				
Annual maintenance expenditure		Director Operations 4th Quarter	Ongoing	Information on Council's maintenance program is included in the quarterly budget report and indications for any variations are shown in the report. Council adopted the building maintenance program on 28 August 2007.
	85 per cent maintenance work program completed	Manager Engineering Services Ongoing		All maintenance programs are running as per schedule, except for plant maintenance which is still under review.
Land and Environment Court costs (\$)		Director Development and Regulation Quarterly	Ongoing	
	Land and Environment Court costs do not exceed budget	Manager Development Assessment Services 4th Quarter		The Land and Environment Court costs for the September quarter were \$7,800 which is well below the year to date quarterly budget of \$337,500. A contributing factor to the minimal expenditure in the first quarter is the unbilled costs of \$217,000 accrued in the last financial year. However, even taking this into account, the combined total of \$224,800 would still be some \$112,700 below the year to date budget amount.



Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
Current Development Application numbers		Director Development and Regulation Ongoing	Ongoing	There are currently 345 DA's being processed. This is well within the 450 limit in place.
	Number of undetermined development applications less than 450	Manager Development Assessment Services Ongoing		As at September 2007, the number of outstanding applications (DA's, S96 and S82A reviews) had reduced to 345 which is significantly (23%) below the desired threshold of 450 applications.
Community satisfaction with local roads, drainage, footpaths and traffic (weighted average)		Director Operations Ongoing	Ongoing	A draft survey has been designed and will be sent out during the 3rd quarter for results to be provided by the 4th quarter.
	50 per cent community satisfaction with local roads, drainage, footpaths and traffic (weighted average)	Director Operations 31/10/2007		A draft survey has been designed and will be sent out during the 3rd quarter for results to be provided by the 4th quarter.
Community satisfaction with local parks, playgrounds, sporting and recreation facilities and natural areas		Director Operations 2nd Quarter	Ongoing	A draft survey has been designed and will be sent out during the 3rd quarter for results to be provided by the 4th quarter.
	80 per cent community satisfaction with the provision of parks, playgrounds, sporting and recreation facilities, natural areas and public domain	Director Operations 31/10/2007		A draft survey has been designed and will be sent out during the 3rd quarter for results to be provided by the 4th quarter.
Percentage of recycling to total waste generation		Director Operations 4th Quarter	Not yet due	A draft survey has been designed and will be sent out during the 3rd quarter for results to be provided by the 4th quarter.
	60 per cent diversion of waste from landfill	Manager Waste, Drainage & Cleansing Services 4th Quarter		Council current diversion rates exceed 60% and this is included in the Annual report and State of Environment Report.
	Below four per cent contamination by weight for dry recyclables and green waste	Manager Waste, Drainage & Cleansing Services 4th Quarter		Council current contamination rates are below 4% for both recycling and green waste.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	Increase by five per cent the proportion of recycled materials used in construction and maintenance	Manager Designs and Projects 4th Quarter		Council adopted the tender for engineering waste and more accurate figures can now be obtained. Processes for separation of materials are currently being set up at the depot. Report to be provided in the 4th quarter.
<b>Priority 3 Key Performance Indicators</b>				
<b>Average speed on local roads</b>		<b>Director Operations Ongoing</b>	<b>Ongoing</b>	<b>Data has been and will continue to be collected during the year. Average figures will be provided in the next 3 quarterly reports.</b>
	Five per cent reduction in recorded accidents on local roads	Manager, Traffic and Transport 4th Quarter		Awaiting RTA figures to check on comparisons.
	80 per cent utilisation of Council's town centre car parks	Manager, Traffic and Transport 4th Quarter		Parking study currently being carried out Outcomes to be reported next quarter. Briefing sessions held at Planning Forum.
<b>Number of operations that involve emergency response</b>		<b>Director Operations 4th Quarter</b>	<b>Ongoing</b>	<b>Awaiting advice from SES and RFS. Figures to be made available when provided.</b>
	85 per cent of emergencies responded to within 24 hours	Manager Engineering Services Ongoing		100% of emergencies were responded to within 24 hours. This included 2 call outs. The Emergency Operations Centre operated at Fire Control Centre for the first time to determine benefits of co-locating EOC with Fire Incident controller.
<b>Total number and monetary value of fines and total number of non-monetary</b>		<b>Director Development and Regulation Quarterly</b>	<b>Ongoing</b>	

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	Dollar value and number of fines issued against relevant laws and regulations	Manager Regulation and Compliance Ongoing		Number of Orders and Infringements issued for unauthorised development work was 61 at a value of \$34,130, illegal land use was 0, pollution offences was 5 at \$7,500, number of Clean-up notices issued was 3, number of premises receiving Orders for Noxious Weeds was 4, parking offences was 2225 at \$259,632, number of abandoned vehicles infringements issued was 7, number of animals impounded were 34 and 2 companion animals educational talks were undertaken.
<b>Current construction certificates</b>		<b>Director Development and Regulation Ongoing</b>	<b>Ongoing</b>	<b>Lodged with Council 80/ PCA lodged 210.</b>
	90 per cent of construction certificates processed within 14 days	Manager Regulation and Compliance Ongoing		In the 1st quarter 96% of certificates were processed within 14 days.
	80 per cent of buildings comply with fire safety standards	Manager Regulation and Compliance Ongoing		80% of buildings complied with fire safety standards.
<b>Completed developments comply with Council's planning objectives</b>		<b>Director Development and Regulation Ongoing</b>	<b>Ongoing</b>	<b>An audit has been planned to take place in March 2008. The audit will check for compliance with development consent from a representative sample of developments completed within the last 12 months.</b>
	Number and type of typical non compliances found per representative sample of typical development at time of completion	Manager Regulation and Compliance Ongoing		Will be reported following audit in March 2008.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
<b>Integrated Planning</b>				
<b>Priority 1 Key Performance Indicators</b>				
<b>Percentage of progress against the completion of the adopted program for development of the comprehensive LEP and DCP</b>		<b>Director Strategy 4th Quarter</b>	<b>Ongoing</b>	
	25 per cent of the adopted four year program for development of Comprehensive LEP and DCP completed	Manager Urban Planning 4th Quarter		Projects are currently tracking as per the previously adopted position of Council.
<b>Number of programs towards comprehensive Asset Management Strategy complete</b>		<b>Director Strategy Ongoing</b>	<b>Ongoing</b>	<b>Draft work program developed by Director Strategy. Directors advised of cross organisational team in October 2007. First meeting due November 2007. Further information will be provided at next reporting period.</b>
	Number of milestones completed against adopted program	Director Strategy Ongoing		Asset Strategy work program developed in consultation with Director Strategy. Work Program presented to General Manager & Directors. Working party members identified.
<b>Priority 2 Key Performance Indicators</b>				
<b>Percentage of community agreement with Council's vision for a sustainable Ku-ring-gai</b>		<b>Director Strategy 4th Quarter</b>	<b>Ongoing</b>	<b>Community consultation on the development of the sustainability plan was conducted. This will help to outline the long term goals and vision of Ku-ring-gai.</b>
	80 per cent community agreement with the Council's vision	Manager Corporate Planning and Sustainability 4th Quarter		This matter is to be addressed within the reputational survey later this year.
	10 per cent increase in staff awareness of Council's vision	Manager Corporate Planning and Sustainability 4th Quarter		This question has been included in the recent climate survey will be reported in the December quarter.
<b>Total value of Council's property portfolio</b>		<b>Director Corporate 4th Quarter</b>	<b>Not yet due</b>	<b>Council's commercial portfolio is fully leased providing market rental returns.</b>

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	25 per cent of council property portfolio reviewed	Commercial Services Co-ordinator 4th Quarter		Ongoing review of portfolio conducted in line with current S94 and development of Town Centre S94 Plans.
<b>Number of policies and plans consistent with the principles of Ecological Sustainable Development (ESD)</b>		<b>Director Strategy 4th Quarter</b>	<b>Ongoing</b>	
	100 per cent of new policies and plans based on principles of ESD	Manager Corporate Planning and Sustainability 4th Quarter		A draft of the Sustainability reporting template has been developed and is now being reviewed.
<b>Number of projects that demonstrate sustainable design</b>		<b>Director Strategy 4th Quarter</b>	<b>Ongoing</b>	<b>Consultation on five landscape district master plans including Turramurra Memorial Park and Karuah Park, Sir David Martin Reserve, Swain Gardens, North Turramurra Recreation Area and Open Space Acquisition Strategy which include principles of ESD.</b>
	100 per cent of future design projects are based on sustainable design principles	Manager Urban Planning Ongoing		During the first quarter, the Strategy Department has contributed to the development of future designs for the Town centre projects and provided input into specific site plans using the principles of ESD as guidelines eg former B2 corridor lands, master plans and the urban design referral service (eg Lindfield station upgrade).
<b>Priority 3 key performance indicators</b>				
<b>Number of representations by Council relating to regional, State and Federal policies and programs</b>		<b>Director Strategy 4th Quarter</b>	<b>Ongoing</b>	<b>To date, Council has responded to the inquiry in to the F3 extension and is preparing responses to the UTS Part 3A application and to the Sub Regional Strategy for the Metropolitan Plan.</b>

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	Council makes representation and participates in at least five regional matters concerning environmental, infrastructure, transport, economic and social policies and plans	Manager Urban Planning Ongoing		Submission on State Planning matters, including amendments to SEPP Housing for Seniors and people with a disability, representation at forums including NSROC - northern planners meetings and attendance at the NSW Government Department of Planning held forum on new ideas in Planning. The Heritage Advisory Committee hosted a briefing on Aboriginal heritage planning to look at regional and local issues for planning. Council contributed to meetings held by NSROC related to the State of Environment Report.
Number of projects completed in the planning of community infrastructure delivery and renewal		Director Strategy 4th Quarter	Ongoing	Council has progressed the development of a number of plans and projects toward the delivery and renewal of community infrastructure, including a concept plan for North Turrumurra Recreation Area and for an indoor pool at West Pymble as well as initiating a feasibility study for Marian Street Theatre. The town centre facility plans have progressed to the point where a draft S94 plan has been prepared so that the planning can be included within a review of Council's Long Term Financial Model.
	100 per cent of projects progressing according to adopted timelines	Manager Urban Planning Ongoing		Finalisation of the current 2004-2009 Section 94 plan amendments and the preparation of the new town centres facilities plan, developer contributions strategy and section 94 plan. Town centre planning has been on schedule as per adopted timelines.
Number of stages completed of the development of the integrated transport and access plan		Director Strategy 4th Quarter	Not yet due	
	Complete 100 per cent of milestones or time	Director Strategy 4th Quarter		Not commenced.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
Number of town centre program components finalised		Director Strategy 4th Quarter	Ongoing	Finalisation of the current 2004-2009 Section 94 plan amendments and the preparation of the new town centres facilities plan, developer contributions strategy and section 94 plan. Progress was made on the 3D modelling for the Turramurra, St Ives and Lindfield town centres. Final LEP and DCP amendments were made for the Turramurra and Roseville town centres.
	Town centre planning finalised for three centres	Manager Urban Planning 4th Quarter		Progress was made on the 3D modelling for the Turramurra, St Ives and Lindfield town centres. Final LEP and DCP amendments were made for the Turramurra and Roseville town centres.
Number of cultural planning projects developed and implemented		Director Community 4th Quarter	Ongoing	
	50 per cent of recommendations implemented against cultural plan	Manager Leisure and Cultural Development 4th Quarter		Of most significance is the commencement of the feasibility study into the future of the Marion Street Theatre. Projects currently in progress include the Historic Houses project, Strategic Plan for Tulkiyan, links with Heritage Advisory Committee and a review of the financial assistance program.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
<b>Financial Sustainability</b>				
<b>Priority 1 Key Performance Indicators</b>				
<b>Available working capital</b>		Director Corporate 4th quarter	Not yet due	
	Working capital is increased to \$1million by 2012/13	Manager Finance 4th Quarter		Available Working Capital as at 30 June was \$1.108million, although as reported to Council when the 2006/07 Annual Financial Statements were presented to Council, these funds may be required to repay tree and landscape bonds and, as such, should not be committed until further information is obtained regarding Council's liability in relation to this issue.
	100 per cent of statutory financial reports prepared and submitted	Manager Finance Ongoing		100% complete. The monthly investment reports and the 1st quarterly budget review report were due in this period and have been completed within the statutory timeframe.
	Council's debt reduced to \$9.6 million	Manager Finance 4th Quarter		Repayments are being made in accordance with Council's loan schedules.
	\$1.9 million committed to works of 'direct community benefit'	Manager Finance 4th Quarter		The completion of Council's projects and capital works will result in \$1.9 million of the funding being provided through works of direct community benefit.
	15 per cent of Council's depreciation liability allocated to depreciation reserves	Manager Finance 4th Quarter		Transfers will be completed by year's end. A new reporting system is being developed that will provide for these transfers to be made during the year and allow for monthly reporting on the balance of Council's reserves which will include the 15% of the depreciation liability.



Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	100 per cent of interest earned on infrastructure, roads, footpaths and buildings' depreciation and property reserves is restricted to those reserves	Manager Finance 4th Quarter		Transfers will be completed by year end. A new reporting system is being developed that will provide for these transfers to be made during the year and allow for monthly reporting on the balance of Council's reserves which will include the 15% of the depreciation liability.
	Budget balanced to long term financial model	Manager Finance 4th Quarter		The Long Term Financial Model is currently being developed. Significant changes to the model, including extending it from 10 to 20 years, are being made to incorporate Council's Town Centre facilities plans and review ways of addressing Council's infrastructure renewal gap.
	Achieve a saving of 10 per cent of Kw/h on 2005/06 electricity consumption costs to internal Council assets (GRI EC2)	Director Strategy 4th Quarter		Further details to be provided in the 4th quarter.
<b>Amount (\$) allocated to asset management</b>		<b>Director Corporate 2nd Quarter</b>	<b>Not yet due</b>	
	Amount (\$) allocated according to each asset category	Director Corporate 2nd Quarter		Allocations will be reviewed as part of the development of the Long Term Financial Model and Asset Management Strategies.
<b>Council's investments meet or exceed the benchmark rate</b>		<b>Director Corporate 4th Quarter</b>	<b>Not yet due</b>	
	80 per cent of Council's investments meet or exceed the benchmark rate	Manager Finance 4th Quarter		Mainly as a result of the US sub prime mortgage market crisis, Council's investments returns for the first quarter were below benchmark. Although none of Council's investments were directly involved in that market, there has been an indirect effect across global markets. The return for September was 4.21% against a benchmark rate of 6.66%.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
<b>Community Development</b>				
<b>Priority 2 Key Performance Indicators</b>				
<b>Number of community services implemented</b>		<b>Director Community 4th Quarter</b>	<b>Ongoing</b>	
	Achieve 90 per cent utilisation levels in Family Day Care and Thomas Carlyle Children's Centre	Manager Community Development		Thomas Carlyle Children's Centre operating a 97% utilisation level for first quarter. Family Day Care operating at 97% utilisation level for first quarter.
	Achieve over 5,000 participants in Youth Services activities	Manager Community Development 4th Quarter		Attendance at the Gordon Youth Centre for the first quarter was 1,670, with an additional 35 young people participating in other various activities, including the Lindfield mural.
	Achieve 80 per cent capacity at vacation care centres and school holiday programs	Manager Cultural Services Ongoing		94% capacity was achieved at the vacation care centres and school holiday programs for the first quarter. The programs offered included Finding Nemo on Ice, Luna Park, Powerhouse Museum and the Australian Reptile Park.
	Deliver 12 immunisation clinics annually	Manager Community Development Ongoing		Three immunisation clinics were held in the first quarter with a total attendance of 137 children.
	Conduct 11 citizenship ceremonies	Communications Co-ordinator Ongoing		Three citizenship ceremonies were held in the first quarter - 1st: 80 new citizens from 22 countries; 2nd: 74 new citizens from 11 countries; and 3rd: 79 new citizens from 16 countries.
<b>Number of community programs delivered</b>		<b>Director Community 4th Quarter</b>	<b>Ongoing</b>	

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	85 per cent community satisfaction with community programs	Director Community 4th Quarter		Aged Services programs completed for the first quarter included Falls Prevention, Finding Local Information on the Internet, and Home and Personal Security. There was an average attendance of 20 people with a client satisfaction rating of 89.5%. Youth Services have conducted a Forum addressing stress in parents of HSC students, and the ArtStart Mural at the Lindfield Railway Station underpass. The mural project also included video documentation. A Biodiversity Workshop for the Chinese Community was held in the first quarter, to demonstrate and familiarise participants with Australian native animals. Over 40 people attended with a satisfaction rating of 95%.
	Number and dollar value of sponsorships per year	Communications Co-ordinator 4th Quarter		Sponsorship arrangements are currently being negotiated with the Northside Courier for the Concerts in the Park Series. Negotiations are also underway for sponsorship for the 2008 Festival on the Green.
<b>Utilisation of Council's community facilities</b>		<b>Director Community 4th Quarter</b>	<b>Ongoing</b>	
	70 per cent utilisation of Council's community facilities during core hours	Manager Community Development 4th Quarter		Utilisation levels for community facilities are calculated on a 6 monthly basis which covers the July to December period. Utilisation levels will therefore be reported in the December quarterly review.
	90 per cent of leases or licence agreements executed that fall due per year	Manager Community Development 4th Quarter		Community leases currently under negotiation include St Ives Occasional Childcare Centre, Bradfield Park Children's Centre, Scouts Leases, and the St Ives Showground.
<b>Number of volunteers participating in Ku-ring-gai</b>		<b>Director Community 4th Quarter</b>	<b>Ongoing</b>	

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	Total number of volunteers (including gender and age) and a description of their programs (by program)	Director Community 4th Quarter		There are currently over 500 volunteers participating in Council related programs which include Bushcare, Streetcare and Parkcare. The specific volunteer program information is currently being collated on a 6 monthly basis, and will be progressively reported in the second quarter.
<b>Priority 3 Key Performance Indicators</b>				
<b>Number of participants in community education programs</b>		<b>Director Community 4th Quarter</b>	<b>Ongoing</b>	.
	85 per cent community satisfaction with community education programs	Director Community 4th Quarter		Community education programs are currently in progress at the Art Centre and the Wildflower Garden. There were 580 participants in the Art Centre program in the first quarter, with an average satisfaction rating of 90%. The ESL programs at the Wildflower Garden, which include bushwalks, native animal and plant education, sustainability and recycling, had over 60 participants in the first quarter with a satisfaction rating of 95%. The Adult Gardening Programs at the Wildflower Garden, which were introduced in the first quarter, are held approximately every 3 weeks with 20 people per session, and a satisfaction rating of 98%.
<b>Library Service Customer Satisfaction Rating</b>		<b>Director Community 4th Quarter</b>	<b>Not yet due</b>	

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	85 per cent satisfaction in library services	Manager Library Services 4th Quarter		The library customer satisfaction survey has been drafted and will be conducted in the 3rd quarter. Results will be reported in the 4th quarter following collation and analysis. Since the launch of eZone in July 2007, the use of IT facilities has increased by up to 200% across all branches. As of 31 October 2007 596 students have used the online Yourtutor facility.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
<b>Natural Environment</b>				
<b>Priority 1 Key Performance Indicators</b>				
<b>Number of hectares burnt as part of the annual Hornsby/Ku-ring-gai hazard reduction program</b>		<b>Director Strategy 4th Quarter</b>	<b>Ongoing</b>	<b>A total of 9.7 ha have been burnt at Stanhope Rd and Kokoda Ave by the Rural Fire Service.</b>
	30 per cent of the hazard reduction burr program completed against the Hornsby/Ku-ring-gai district bushfire management plan	Manager Corporate Planning and Sustainability 4th Quarter		The reduction program for the 07/08 season is being prepared for consideration of the Bushfire Management Committee.
	Assess and respond to 100 per cent of bushfire hazard complaints on private/crown lands	Manager Corporate Planning and Sustainability Ongoing		Council received 4 complaints with 100% responded to within the agreed timeframe.
<b>Identification and description of significant impacts of activities, products and services on biodiversity in protected areas and areas of high biodiversity values outside protected areas</b>		<b>Director Strategy 4th Quarter</b>	<b>Ongoing</b>	<b>The State of Environment report was prepared for submission to NSROC. The first draft of the Blue Gum High Forest mapping tool was completed and referred to the Bushland Reference Group. A field trial was completed and is now waiting for an expert panel to review and provide comments.</b>
	Five per cent improvement in the health of natural areas measured through combined weed mapping, fauna diversity and macro-invertebrate monitoring programs	Manager Corporate Planning and Sustainability 4th Quarter		Preliminary analysis was conducted on a program to provide a rapid assessment of ecological health of natural areas.
	33,000 locally native plants propagated by Council's community nursery	Manager Open Space Operations 4th Quarter		The tubing process is on track to date, with about 8000 plants already completed. The process will continue up until the end of December 2007.
	Number of Voluntary Conservation Agreements	Manager Corporate Planning and Sustainability 4th Quarter		Not yet due.
	20 per cent reduction in customer requests relating to bushland interface dumping	Manager Corporate Planning and Sustainability 31/05/2008		There were 196 CRSs generated during the 1st quarter. Further analysis will be undertaken in the 3rd and 4th quarters.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
	100 per cent of Council's activities and development applications consider endangered ecological communities and are consistent with relevant environmental legislation, recovery and threat abatement plans	Manager Corporate Planning and Sustainability Ongoing		A number of indicators have been undertaken to improve consideration of Council's actions on endangered ecological communities. They include developed and updating of relevant details on the GIS system, training of operational staff, Directors, Councillors and implementation of signage at relevant sites.
<b>Priority 2 Key Performance Indicators</b>				
<b>Area (ha) of bushland under regeneration, restoration or rehabilitation</b>		<b>Director Strategy Quarterly</b>	<b>Ongoing</b>	<b>The bushland regeneration program has completed over 350 hours towards 25 sites as well as maintenance and CRS requests. This program, along with the Environmental Levy, has seen around 12 ha of bushland regenerated, restored or rehabilitated in the 1st quarter.</b>
	10 per cent improvement "category four weeds" at sites under regeneration programs managed by Council's operational staff	Manager Corporate Planning and Sustainability 4th Quarter		First draft of the Blue Gum High Forest mapping tool completed and referred to the Bushland Reference Group. Field trial complete and waiting for expert panel to review. Process also discussed at Planning Committee mid September and also the Bushfire Natural Areas Committee. Further discussion to follow prior to the report to Council.
	10 per cent improvement "category four" weeds at sites under regeneration programs funded by the Environmental Levy and other sites under contract	Manager Corporate Planning and Sustainability 4th Quarter		All of the bush regeneration sites funded by Environmental Levy have components of weed control. Browns Field and Surrounds is in its 3rd year of a seven year bush regeneration contract, with emphasis now on ongoing weed management.
	Implement eight actions each year against the Biodiversity Strategy	Manager Corporate Planning and Sustainability 4th Quarter		Reporting on this initiative is scheduled through the Bushland Reference Group in the 2nd and 3rd quarters.

Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
Total water use by Council by source (kL/yr) (potable, stormwater and recycled sewerage)		Director Strategy 4th Quarter	Ongoing	A large amount of work has been conducted to reduce total water use. Council's water usage will be measured at the end of the year against the previous year. This is incorporated in the Energy Performance Contract.
	10 per cent reduction in potable water use by council	Manager Corporate Planning and Sustainability 4th Quarter		Of relevance is that Council has considered a report recommending acceptance and commencement of the implementation of sewer mining project for Gordon Golf Course which will reduce existing demand at GGC. The implementation of stormwater harvesting at Edenborough Oval, Commenara Oval and Tryon No2 Oval will also reduce potable water use.
	15 per cent increase in non-potable water use by council	Manager Corporate Planning and Sustainability 4th Quarter		Note the implemetation of sewer mining at Gordon Golf Course and stormwater harvesting at Edenborough, Commenara and Tryon No2 ovals. Figures will be provided later in the year as to actual increase of non potable water utilised.
Total energy consumption across council sites (kW/h/year)		Director Strategy 4th Quarter	Not yet due	Agreement has been reached with the energy performance contractor as to the projects that will be in phase one of the contract. A separate report on the airconditioning system will be reported to Council at its meeting of 20 November 2007.
	Reduction of five per cent per annum in energy consumption derived from nonrenewable resources by June 08	Manager Corporate Planning and Sustainability 4th Quarter		This initiative will be reported on following the implementation of the Engergy and Water Performance Contract which will allow achievement of this performance measure.
	Five per cent reduction in greenhouse gas emission from council facilities	Manager Corporate Planning and Sustainability 4th Quarter		Information to be porovided in the 4th quarter.



Key Performance Indicator	Performance Measures	Responsible Officer/Timing	Status	Comments
Compliance with landfill environmental management plan		Director Operations Ongoing	Ongoing	
	95 per cent compliance with landfill environmental management plan	Manager Waste, Drainage and Cleansing Services 4th Quarter		100% of Council waste operations have complied with the landfill environmental management plan. Leachate levels are monitored daily.
Priority 3 Key Performance Indicators				
Area of catchments in the LGA protected by water quality or catchment remediation projects		Director Strategy 4th Quarter	Not yet due	<b>Council has adopted Environmental Levy projects which include each main catchment. Detailed reporting to be provided in the 4th quarter.</b>
	Increase capture of stormwater pollutants by five per cent per year	Manager Waste, Drainage and Cleansing Services 4th Quarter		Drainage maintenance program provides for collection of pollutants from GPTs. Advice to be provided in the 4th quarter and in the SOE report.
	Design and construct three catchment remediation projects	Manager Corporate Planning and Sustainability 4th Quarter		Project development for a major catchment remediation project for the Lofberg Creek catchment in the area surrounding Bicentennial park is well underway. Also Edenborough, Lindfield and Comenarra Ovals.
Number of Aboriginal archaeological sites recorded and reported by the Metropolitan Local Aboriginal Land Council		Director Strategy 4th Quarter	Ongoing	<b>Work on this project has now commenced in partnership with the MLALC.</b>
	100 per cent of Council's operational activities assess their impact on known Aboriginal sites	Manager Corporate Planning and Sustainability Ongoing		Council has been working with the Aboriginal Health Office to promote and research known and potential aboriginal heritage sites. The information has been made available to all staff. Before any activities are commenced, staff assess the potential impact on known sites or report any new sites found.

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## **BUDGET REVIEW 2007 TO 2008 1ST QUARTER REVIEW AS AT END SEPTEMBER 2007**

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### **EXECUTIVE SUMMARY**

**PURPOSE OF REPORT:**

To present to Council the quarterly financial review for the 1st quarter ended 30 September 2007.

**BACKGROUND:**

This review analyses the financial performance of the Council for the period ended 30 September 2007.

**COMMENTS:**

This report compares the actual versus budget resulting in a variance of \$1,010,674.

**RECOMMENDATION:**

That Council approves the budget transfers as outlined in this report.

## PURPOSE OF REPORT

To present to Council the quarterly financial review for the 1st quarter ended 30 September 2007.

## BACKGROUND

In accordance with Part 9, Division 3, Clause 203 of the Local Government (General) Regulation 2005 ("The Regulation"), a budget review statement and revision of the estimates of income and expenditure must be submitted to Council within two months of the close of each quarter.

The Regulation requires that the quarterly financial review must include the following:

- The original estimates of income and expenditure.
- A revised estimate for income and expenditure for the year.
- A report as to whether or not such statements indicate that the financial position of the Council is satisfactory and if the position is unsatisfactory, make recommendations for remedial action.

This report includes an updated status on each operational and capital project for 2007/08.

**Attachment D** to this report provides a summary of Council's operational and capital projects.

At the Council meeting held on 19 June 2007, Council adopted the 2007-2011 Management Plan, which incorporated the annual budget for Council for 2007/2008. The resolution adopting this Management Plan was under Minute 211.

## COMMENTS

### General Budgetary Position

This review analyses the financial performance of the Council for the 1st quarter of 2007/2008 comparing actual expenditure and revenue for the quarter against budget. Council's budgetary position for the quarter ended 30 September 2007 is within expectations. The organisation's year to date net expenditure shows a surplus of \$4,536,100 compared to a budget surplus of \$3,606,569, a positive variance of \$929,531.

It should be noted, however, that Domestic Waste is \$64,118 under budget, Sec 94 Contributions are \$245,994 over budget and Interest earnings on Sec 94 Contributions are under budget by \$263,019. As these amounts are externally restricted, it is appropriate that they are removed from the general budgetary surplus. This results in a budgeted surplus of \$1,010,674.

The financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure.

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This total variance is broken down as follows:

Council	Actual YTD	Budget YTD	Variance YTD	Original Budget
Expenditure	\$18,277,618	\$19,679,021	\$1,401,403	74,782,700
Income	\$22,813,718	\$23,285,590	(\$471,872)	92,391,400
<b>Sub Total</b>	<b>\$4,536,100</b>	<b>\$3,606,569</b>	<b>\$929,531</b>	<b>17,608,700</b>
<b>Less External Restrictions</b>			<b>81,143</b>	
<b>Net Result</b>			<b>\$1,010,674</b>	

DEPARTMENTS	September YTD (Net)			Year
	Actual \$	Budget \$	Variance \$	Rev Budget \$
Civic	359,602	353,500	(6,102)	1,424,200
Community	1,100,305	1,232,300	131,995	5,233,000
Development & Regulation	415,718	804,500	388,782	3,234,000
Corporate	(11,572,343)	(11,402,079)	170,264	(50,009,800)
Strategy	465,124	420,500	(44,624)	3,115,400
Operations	4,896,141	5,041,510	145,369	19,722,700
Waste Management	(200,647)	(56,800)	143,847	(328,200)
<b>Net Expenditure / (Revenue)</b>	<b>(4,536,100)</b>	<b>(3,606,569)</b>	<b>929,531</b>	<b>(17,608,700)</b>

A detailed financial report is outlined in **Attachment E**.

**Restricted Asset Report**

**Total Restricted Assets-** As at 1 July 2007, Council's opening balance for restricted assets totalled \$60,599,490. Of this amount \$44,823,435 related to externally restricted assets and \$15,776,055 to internally restricted assets.

Total Restricted Assets	\$
Opening Balance as at 1 July 2007	60,599,490
Add: Transfers In (Annual Budget)	17,910,000
Add: Interest (Annual Budget)	3,013,300
Less :Transfer Out (Annual Budget)	24,156,900
<b>Forecast Balance to June 2008</b>	<b>57,365,890</b>

A Restricted Assets Report Forecast to 30 June 2008 is shown in **Attachment B**.

Also a Restricted Assets Report Actuals as at 30 September 2007 is shown in **Attachment C**.

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Summary of requested budget adjustments

Department	Additional Expense	Additional Revenue
	\$	\$
<b>COMMUNITY</b>		
- operational	0	0
- capital projects	0	0
<b>Sub Total</b>	<b>0</b>	<b>0</b>
<b>STRATEGY</b>		
- operational	0	0
- capital projects	0	0
<b>Sub Total</b>	<b>0</b>	<b>0</b>
<b>OPERATIONS</b>		
- operational	0	0
- capital projects	2,200	2,200
<b>Sub Total</b>	<b>2,200</b>	<b>2,200</b>
<b>CIVIC</b>		
- operational	16,500	0
- capital projects	0	0
<b>Sub Total</b>	<b>16,500</b>	<b>0</b>
<b>CORPORATE</b>		
- operational	(49,800)	6,700
- capital projects	40,000	0
<b>Sub Total</b>	<b>(9,800)</b>	<b>6,700</b>
<b>DEVELOPMENT &amp; REGULATION</b>		
- operational	0	0
- capital projects	0	0
<b>Sub Total</b>	<b>0</b>	<b>0</b>
<b>WASTE MANAGEMENT</b>		
- operational	0	0
- capital projects	0	0
<b>Sub Total</b>	<b>0</b>	<b>0</b>
<b>Total Council Budget Adjustments</b>	<b>8,900</b>	<b>8,900</b>
<b>NET EXPENDITURE</b>	<b>0</b>	

Community

There are no budget adjustments for Community for the September quarter.

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The net budget result for Strategy is nil. However, in the previous financial year the GRI Sustainability project of \$20,000 was incorrectly funded from the environmental levy. This project should have been funded from grant funds. In the current financial year funds have been transferred from unexpended grants to the environmental levy to correct the previous year's error. Subsequently, projects Community Survey (\$10,000) and Social Research (\$10,000) have been added and funded from the environmental levy. Further, the GRI Sustainability project (\$20,000) budget in the current financial year has been reduced to nil.

**Operations**

The net budget result for Operations is nil. However, an increase to the Memorial Seat project of \$2,200 is required to complete works at Memorial Ave. This is funded by contributions to works of \$2,200.

**Civic**

Civic require additional net funds of \$16,500. This is required to assist Bankstown City Council's legal assistance recommended by the Local Government Association of NSW and Shires Association of NSW as per Council's resolution dated 24/7/07 minute 265.

**Corporate**

Corporate provided a net saving of \$56,500 for the quarter. Savings of \$15,000 from Records & \$25,000 from Information Technology have been transferred to fund the Trim upgrade project. Other various savings identified in Corporate Accounts amounted to \$16,500 which will be utilised to fund Bankstown City Council's legal assistance outlined above.

**Development and Regulation**

There are no budget adjustments for Development & Regulation for the September quarter. For the first quarter ended September 2007 Council has expended \$7,800 on legal costs and associated expenses in relation to Land & Environment Court matters. This compares to the year to date budget of \$337,500, a positive variation of \$329,700. A factor contributing towards legal costs for the first quarter being lower than the previous quarters is that work in progress and unbilled legal costs totalling \$217,000 has been accrued in the last financial year. The budget for legal costs will continue to be monitored throughout the year and reviewed as part of the quarterly budget review process where appropriate.

Details of variations for each department are outlined in **Attachment A**.

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Net totals for each department are as follows:

Department	Amount \$
Community	0
Strategy	0
Operations	0
Civic	16,500
Corporate	(16,500)
Development and Regulation	0
<b>Net Expenditure</b>	<b>0</b>

An overall summary of 2007/2008 budget adjustments are shown in the table below:

Council	2007/08 ORIGINAL BUDGET	CARRIED FORWARDS	SEPTEMBER REVIEW	COUNCIL RESOLUTION	2007/08 REVISED BUDGET
<b>Operating Revenues</b>					
Rates	39,550,400				39,550,400
Infrastructure Levy	1,993,000				1,993,000
Environmental Levy	2,037,000				2,037,000
Pension Rebates	(1,045,000)				(1,045,000)
Waste Charges	9,855,400				9,855,400
User Fees & Charges	16,368,100				16,368,100
Other Revenue	185,000		1,700		186,700
Interest	3,918,500				3,918,500
Grants	4,614,100		5,000		4,619,100
<b>Total Income</b>	<b>77,476,500</b>	<b>0</b>	<b>6,700</b>	<b>0</b>	<b>77,483,200</b>
<b>Operating Expenses</b>					
Employee Costs	30,455,800				30,455,800
Materials & Contracts	17,462,600				17,462,600
Statutory Levies	2,347,000		(17,300)		2,329,700
Interest Expense	629,000				629,000
Other Operating Expense	10,699,400		(16,000)		10,683,400
<b>Total Operating Expenses</b>	<b>61,593,800</b>	<b>0</b>	<b>(33,300)</b>	<b>0</b>	<b>61,560,500</b>
<b>Operating Result (ex Capital Items)</b>	<b>15,882,700</b>	<b>0</b>	<b>40,000</b>	<b>0</b>	<b>15,922,700</b>
<b>Capital Grants &amp; Contributions</b>					
Capital Grants	577,000			357,300	934,300

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Council	2007/08 ORIGINAL BUDGET	CARRIED FORWARDS	SEPTEMBER REVIEW	COUNCIL RESOLUTION	2007/08 REVISED BUDGET
Asset Sales	0				0
s94 Contributions	9,451,100				9,451,100
<b>Operating result before Depreciation</b>	25,910,800	0	40,000	357,300	26,308,100
Depreciation	7,056,200				7,056,200
<b>Total Operating Result</b>	<b>18,854,600</b>	<b>0</b>	<b>40,000</b>	<b>357,300</b>	<b>19,251,900</b>
<b>PROJECTED FUNDING</b>					
Operating Result	18,854,600	0	40,000	357,300	19,251,900
Plus: (Non-cash) Depreciation	7,056,200	0	0	0	7,056,200
Cash Available to Fund Projects	25,910,800	0	40,000	357,300	26,308,100
Capital Purchases	(668,900)				(668,900)
Operating Projects	(2,736,000)	(787,000)	(42,200)		(3,565,200)
Capital Projects	(14,374,000)	(1,427,100)		215,000	(15,586,100)
Capital Expenditure - s 94	(4,237,000)	(9,700)		(4,338,200)	(8,584,900)
Total Projects	(22,015,900)	(2,223,800)	(42,200)	(4,123,200)	(28,405,100)
<b>Cash Flow to Fund</b>	<b>3,894,900</b>	<b>(2,223,800)</b>	<b>(2,200)</b>	<b>(3,765,900)</b>	<b>(2,097,000)</b>
<b>Financed By:</b>					
Plus: Net Borrowings	1,000,000				1,000,000
Less: Repayments	(1,858,000)				(1,858,000)
Net Loan Funds	(858,000)	0	0	0	(858,000)
<b>Less: Funds To Restricted Assets</b>					
From General Revenue	(19,770,000)		31,700		(19,738,300)
Depreciation Reserve	(1,185,000)				(1,185,000)
<b>Plus: Funds From Restricted Assets</b>					<b>0</b>
Unexpended Grants		222,100			222,100
Unexpended Environmental Levy		425,200			425,200
Internal Reserves	9,656,000	1,566,800	2,200	(459,300)	10,765,700
DWM Reserve	187,000				187,000
Infrastructure Levy	1,993,000				1,993,000
Environmental Levy	1,897,000				1,897,000
Section 94 Plans	4,319,000	9,700		4,338,200	8,666,900
Net Funding From Reserves	(2,903,000)	2,223,800	33,900	3,878,900	3,233,600
<b>Increase in available working Capital</b>	<b>133,900</b>	<b>0</b>	<b>31,700</b>	<b>113,000</b>	<b>278,600</b>



Working Capital

The following table provides a summary of working capital adjustments during 2007/2008.

Projected Available Working Capital as at 30 June 2008	
Working Capital 1 July 2007	\$1,108,000
<b>Add</b>	
Operating Budgeted Surplus 2007/2008	\$133,900
September Review	\$31,700
Council Resolution - Capital Works Program	\$113,000
Projected Unrestricted Working Capital 30 June 2008	<b>\$1,386,600</b>
Council's unrestricted working capital reflects the short-term ability of the Council to fund unplanned expenditure.	

Capital Works & Projects

DEPARTMENTS	September YTD Actual	Full Year Budget	Funds to be Spent
Community	\$32,096	\$79,500	\$47,404
Corporate	\$45,280	\$286,400	\$241,120
Strategy	\$1,536,426	\$10,909,900	\$9,373,474
Operations	\$1,575,486	\$16,418,200	\$14,842,714
Total	<b>\$3,189,288</b>	<b>\$27,694,000</b>	<b>\$24,504,712</b>

Gross expenditure for capital works & projects for the period ended 30 September 2007 is \$3,189,288 against a full year budget of \$27,694,000 (this includes Depot Relocation, Operational and Passenger Fleet).

A project status report is attached (**Attachment D**)

**Report by Responsible Accounting Officer**

The net budget variation of \$31,700 saving together with the voted adjustments of \$113,000 is projected to increase available working capital to \$1,386,600 by the end of the current financial year. The net budget variation of \$31,700 is made up of:

- \$190,000 saving relating to a reduction in the transfer to the contingency reserve. The forecast balance of the contingency reserve at 30 June 2008 totals \$215,440 which is in accordance with Council's policy to maintain 0.5% of Council's net rates.
- \$721,600 interest reduction to depreciation reserves due to over estimation of the original budget.
- (\$879,900) interest increase to Sec 94 plans due to under estimation of the original budget.

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As a result of the Capital works program report submitted to Council on the 28<sup>th</sup> August 2007 the following council resolution adjustments have been undertaken:

- \$357,000 increase of various Capital Grants.
- \$215,000 net decrease of Capital Projects.
- \$4,338,200 net increase in Capital expenditure funded from Sec 94.
- \$459,300 net decrease in various internal reserves.

The net impact of the above adjustments achieve a \$113,000 saving, and the details are outlined the Capital works program report.

The projected working capital surplus at 30 June 2008 is, in my opinion, a satisfactory financial position.

## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

Should Council adopt the recommendations of this report, Council's working capital balance will increase by \$31,700.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Corporate has included justifications from Directors and managers for their respective departments and were consulted in developing this budget review.

## SUMMARY

Working capital as at the 1 July 2007 was \$1,108,000 and is forecast to increase to \$1,386,600 as at 30 June 2008.

## RECOMMENDATION

That Council adopts the budget adjustments contained in this report.

Michael Lopez  
Management Accountant

Tino Caltabiano  
Finance Manager

John Clark  
Director Corporate

**Attachments:**  
Attachment A: Summary Review - 853811  
Attachment B: Restricted Asset Forecast - 853815  
Attachment C: Restricted Asset Actuals - 853816  
Attachment D: September Project Status Report - 853826  
Attachment E: September Financial Reports - 853853

## Attachment A: Summary Review

Summary by Department of net expense or revenue requests

Department	Additional Expense	Additional Revenue
	\$	\$
<b>COMMUNITY</b>		
- operational	0	0
- capital projects	0	0
<b>Sub Total</b>	<b>0</b>	<b>0</b>
<b>STRATEGY</b>		
- operational	0	0
- capital projects	0	0
<b>Sub Total</b>	<b>0</b>	<b>0</b>
<b>OPERATIONS</b>		
- operational	0	0
- capital projects	2,200	2,200
<b>Sub Total</b>	<b>2,200</b>	<b>2,200</b>
<b>CIVIC</b>		
- operational	16,500	0
- capital projects	0	0
<b>Sub Total</b>	<b>16,500</b>	<b>0</b>
<b>CORPORATE</b>		
- operational	(49,800)	6,700
- capital projects	40,000	0
<b>Sub Total</b>	<b>(9,800)</b>	<b>6,700</b>
<b>DEVELOPMENT &amp; REGULATION</b>		
- operational	0	0
- capital projects	0	0
<b>Sub Total</b>	<b>0</b>	<b>0</b>
<b>WASTE MANAGEMENT</b>		
- operational	0	0
- capital projects	0	0
<b>Sub Total</b>	<b>0</b>	<b>0</b>
<b>Total Council Budget Adjustments</b>	<b>8,900</b>	<b>8,900</b>
<b>NET EXPENDITURE</b>	<b>0</b>	

Adjustment - ( ) decrease in Expenditure or Income

## Department: COUNCIL - Budget Transfers

	CC	RES	Original Budget	Revised Budget	EXPENDITURE Budget Adjustment: Inc/(Dec)	INCOME Budget Adjustment: Inc/(Dec)	Justification
GL	2951	2351	\$17,000	\$0		(\$17,000)	RTA grants being transferred from Road Safety to Road Safety Programs.
GL	2953	2351	\$0	\$17,000		\$17,000	RTA grants being transferred to Road Safety Programs from Road Safety.
GL	2407	1176	\$0	\$500	\$500		Programs budget being transferred to Wildflower Gardens from Community Volunteer Programs.
GL	2406	1176	\$7,000	\$6,500	(\$500)		Programs budget being transferred from Community Volunteer Programs to Wildflower Gardens.
GL	2350	1024	\$0	\$2,000	\$2,000		Casual salaries budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	1024	\$2,000	\$0	(\$2,000)		Casual salaries budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	1042	\$0	\$200	\$200		Casual salaries on costs budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	1042	\$200	\$0	(\$200)		Casual salaries on costs budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	1104	\$1,000	\$6,000	\$5,000		Catering budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	1104	\$5,000	\$0	(\$5,000)		Catering budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	1159	\$4,400	\$9,900	\$5,500		PABX usage charges budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	1159	\$5,500	\$0	(\$5,500)		PABX usage charges budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	1161	\$0	\$500	\$500		Postage costs budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	1161	\$500	\$0	(\$500)		Postage costs budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	1169	\$600	\$800	\$200		Subscriptions budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	1169	\$200	\$0	(\$200)		Subscriptions budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	1170	\$1,000	\$1,500	\$500		Sundry expenses budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	1170	\$500	\$0	(\$500)		Sundry expenses budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	1266	\$10,000	\$15,000	\$5,000		Office supplies budget being transferred to Management Support Strategy from Management Support Planning.

## Department: COUNCIL - Budget Transfers

	CC	RES	Original Budget	Revised Budget	EXPENDITURE Budget Adjustment: Inc/(Dec)	INCOME Budget Adjustment: Inc/(Dec)	Justification
GL	2700	1266	\$5,000	\$0	(\$5,000)		Office supplies budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	1267	\$500	\$3,000	\$2,500		Printing costs budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	1267	\$2,500	\$0	(\$2,500)		Printing costs budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	4003	\$10,000	\$12,600	\$2,600		Internal service printing & laminating budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	4003	\$2,600	\$0	(\$2,600)		Internal service printing & laminating budget being transferred from Management Support Planning to Management Support Strategy.
GL	2350	4010	\$16,000	\$44,300	\$28,300		Internal service passenger fleet budget being transferred to Management Support Strategy from Management Support Planning.
GL	2700	4010	\$28,300	\$0	(\$28,300)		Internal service passenger fleet budget being transferred from Management Support Planning to Management Support Strategy.
GL	2557	4005	\$30,000	\$31,400	\$1,400		Increase internal service trade waste budget in General Sportsgrounds.
GL	3400	4505	\$74,000	\$75,400		\$1,400	Increase internal service trade waste income budget in Trade Waste.
GL	1102	1000	\$54,800	\$0	(\$54,800)		Salaries budget being transferred from Staff Training & Development to Payroll Processing & Workforce Management.
GL	1102	1002	\$17,400	\$0	(\$17,400)		Salaries on-costs budget being transferred from Staff Training & Development to Payroll Processing & Workforce Management.
GL	1101	1000	\$0	\$18,300	\$18,300		Salaries budget being transferred to Payroll Processing from Staff Training & Development.
GL	1101	1002	\$0	\$5,800	\$5,800		Salaries on-costs budget being transferred to Payroll Processing from Staff Training & Development.
GL	1103	1000	\$0	\$36,500	\$36,500		Salaries budget being transferred to Workforce Management from Staff Training & Development.
GL	1103	1002	\$0	\$11,600	\$11,600		Salaries on-costs budget being transferred to Workforce Management from Staff Training & Development.
GL	1205	4007	\$0	\$500	\$500		Increase internal services building management budget in Youth Services.
GL	1351	4007	\$21,400	\$32,700	\$11,300		Increase internal services building management budget in Gordon Library.
GL	1357	4007	\$3,800	\$12,200	\$8,400		Increase internal services building management budget in Turrumurra Library.
GL	2400	4007	\$0	\$800	\$800		Increase internal services building management budget in Management Support Corporate Planning & Sustainability.

## Department: COUNCIL - Budget Transfers

	CC	RES	Original Budget	Revised Budget	EXPENDITURE Budget Adjustment: Inc/(Dec)	INCOME Budget Adjustment: Inc/(Dec)	Justification
GL	2404	4007	\$500	\$2,500	\$2,000		Increase internal services building management budget in Bushland Reserves.
GL	2452	4007	\$100	\$5,400	\$5,300		Increase internal services building management budget in Council Properties.
GL	2500	4007	\$3,200	\$7,200	\$4,000		Increase internal services building management budget in Plant Nursery.
GL	2551	4007	\$0	\$3,000	\$3,000		Increase internal services building management budget in Gordon Golf Course.
GL	2552	4007	\$1,800	\$5,800	\$4,000		Increase internal services building management budget in North Turramurra Golf Course.
GL	2555	4007	\$1,600	\$19,600	\$18,000		Increase internal services building management budget in Tennis Courts.
GL	2557	4007	\$28,700	\$96,800	\$68,100		Increase internal services building management budget in General Sportsgrounds.
GL	2652	4007	\$0	\$100	\$100		Increase internal services building management budget in Street Trees.
GL	2901	4007	\$0	\$100	\$100		Increase internal services building management budget in Public Lighting.
GL	2903	4007	\$400	\$1,200	\$800		Increase internal services building management budget in SES Services.
GL	3100	4007	\$8,700	\$28,300	\$19,600		Increase internal services building management budget in Management Support Depot Services.
GL	3150	4007	\$0	\$400	\$400		Increase internal services building management budget in Management Support Maintenance & Construction.
GL	3152	4007	\$0	\$300	\$300		Increase internal services building management budget in Drainage Maintenance & Repair.
GL	3153	4007	\$0	\$10,200	\$10,200		Increase internal services building management budget in Footpath Maintenance.
GL	3154	4007	\$0	\$400	\$400		Increase internal services building management budget in Kerb & Gutter Maintenance.
GL	3155	4007	\$0	\$100	\$100		Increase internal services building management budget in Patching.
GL	3157	4007	\$0	\$41,200	\$41,200		Increase internal services building management budget in Road Maintenance.
GL	3251	4007	\$0	\$400	\$400		Increase internal services building management budget in Operational Fleet.
GL	3350	4007	\$0	\$4,100	\$4,100		Increase internal services building management budget in Domestic Waste.

## Department: COUNCIL - Budget Transfers

	CC	RES	Original Budget	Revised Budget	EXPENDITURE Budget Adjustment: Inc/(Dec)	INCOME Budget Adjustment: Inc/(Dec)	Justification
GL	3201	4507	\$865,200	\$1,068,300		\$203,100	Increase internal services building management budget in Youth Services.
GL	2407	2116	\$39,000	\$0		(\$39,000)	Program fees income budget being transferred from Wildflower Gardens to Bushland Education.
GL	2403	2116	\$0	\$39,000		\$39,000	Program fees income budget being transferred to Bushland Education from Wildflower Gardens.
Total Department Adjustment Requested					\$203,100	\$203,100	
NET ADJUSTMENT TO DEPARTMENT BUDGET						\$0	

Department: CIVIC

	CC	RES	Revised Budget	Revised Budget After Adjs.	EXPENDITURE Budget Adjustment: Inc/(Dec)	INCOME Budget Adjustment: Inc/(Dec)	Justification
GL	1050	1145	\$5,000	\$21,500	\$16,500		Increase legal costs budget in Executive Support for Bankstown City Council legal assistance.
Total Department Adjustment Requested					\$16,500	\$0	
NET ADJUSTMENT TO DEPARTMENT BUDGET						\$16,500	



## Department: CORPORATE

	CC	RES	Revised Budget	Revised Budget After Adjs.	EXPENDITURE Budget Adjustment: Inc/(Dec)	INCOME Budget Adjustment: Inc/(Dec)	Justification
GL	2050	1102	\$41,000	\$48,500	\$7,500		Increase auditors remuneration budget in Corporate Accounts due to increase in audit fees.
GL	2050	2352	\$1,910,000	\$1,912,500		\$2,500	Increase Financial Assistance Grants Equalisation budget in Corporate Accounts to reflect additional grants income received.
GL	2050	2353	\$831,000	\$833,500		\$2,500	Increase Financial Assistance Grants Local Roads budget in Corporate Accounts to reflect additional income received.
GL	2075	1103	\$2,020,000	\$2,002,700	(\$17,300)		Decrease board of fire commissioners levy budget in Statutory Levies to reflect decreased payments.
GL	1550	1161	\$150,000	\$135,000	(\$15,000)		Decrease postage budget in Records Management. Funds being transferred to Trim Upgrade project.
GL	2325	1117	\$48,000	\$23,000	(\$25,000)		Decrease consultants general budget in Information Technology Funds being transferred to Trim Upgrade project.
GL	2050	2270	\$0	\$1,700		\$1,700	Increase budget in Corporate Accounts for fuel tax income credits to be received.
Total Department Adjustment Requested					(\$49,800)	\$6,700	
NET ADJUSTMENT TO DEPARTMENT BUDGET						(\$56,500)	

## Department: CAPITAL WORKS

	PN	RC	Task	Revised Budget	Revised Budget After Adjs.	EXPENDITURE Budget Adjustment: Inc/(Dec)	INCOME Budget Adjustment: Inc/(Dec)	Justification
PJ	100784	126000	00	\$0	\$2,200	\$2,200		Increase contractors budget for Memorial Seats Memorial Avenue to reflect contributions to works funds received.
PJ	100784	240000	00	\$0	\$2,200		\$2,200	Increase contributions to works budget for Memorial Seats Memorial Avenue to reflect funds received.
PJ	100353	126000	00	\$20,000	\$30,000	\$10,000		Increase contractors budget for Community Survey to reflect contributions from the Environmental Levy.
PJ	100353	463300	00	\$20,000	\$30,000		\$10,000	Increase Environmental Levy budget for Community Survey to reflect funds increased.
PJ	100354	126000	00	\$20,000	\$30,000	\$10,000		Increase contractors budget for Social Research to reflect contributions from the Environmental Levy.
PJ	100354	463300	00	\$20,000	\$30,000		\$10,000	Increase Environmental Levy budget for Social Research to reflect funds increased.
PJ	100654	126000	00	\$20,000	\$0	(\$20,000)		Decrease contractors budget for Developing a GRI Sustainability Plan as project is completed.
PJ	100654	462800	00	\$20,000	\$0		(\$20,000)	Increase unexpended grants budget for Developing a GRI Sustainability Plan as project is completed.
PJ	100783	126000	00	\$0	\$40,000	\$40,000		Increase contractors budget for Trim Upgrade to reflect funds being transferred from Records Management & Information Technology.
Total Adjustment Requested						\$42,200	\$2,200	
NET ADJUSTMENT TO DEPARTMENTS BUDGET							(\$40,000)	



## Restricted Assets Report Forecast as @ 30/06/08

Pre 1993 Plan					
Description	Opening Balance	Interest Annual Budget	Transfer in Annual Budget	Transfer Out Annual Budget	Forecast Balance 30 June 08
Community Facilities	-79,788				-79,788
Car Parking	-1,115,072				-1,115,072
Children's Services	-17,335				-17,335
Underground Electricity	-1,596				-1,596
Open Space	-23,459				-23,459
					0
<b>Sub Total</b>	<b>-1,237,250</b>		<b>0</b>	<b>0</b>	<b>-1,237,250</b>
1993 Plan					
Description	Opening Balance	Interest Annual Budget	Transfer in Annual Budget	Transfer Out Annual Budget	Forecast Balance 30 June 08
Car Parking Alma St	-63,696				-63,696
Car Parking Larkin Lane	-149,395				-149,395
Car Parking Lindfield	-31,627				-31,627
Car Parking St Ives	-427,756				-427,756
Car Parking Wahroonga	-363,941				-363,941
KWFG Master Plan	-2,428				-2,428
St Ives Showground	-1,182				-1,182
Walking Track Embellishment	-7,210				-7,210
Bicentennial Park Amenities	-2,758				-2,758
Central Library	-4,793				-4,793
Child Care facilities	-182,580				-182,580
Contributions Plan	0				0
Roundabout Bobbin Head f	0				0
Roundabout Curagul Rd	0				0
Street Trees	0				0
<b>Sub Total</b>	<b>-1,237,366</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-1,237,366</b>
2000/2003 Residential Plan					
Description	Opening Balance	Interest Annual Budget	Transfer in Annual Budget	Transfer Out Annual Budget	Forecast Balance 30 June 08
Open Space Gordon	-195,979				-195,979
Open Space Killara	-370,079				-370,079
Open Space Lindfield	-3,236,646				-3,236,646
Open Space Pymble	-516,425				-516,425
Open Space Roseville	-83,503				-83,503
Open Space St Ives	-1,764,038				-1,764,038
Open Space Turramurra	-979,367				-979,367
Open Space Wahroonga	-1,312,389				-1,312,389
Park Upgrade Koola Park	-264,475				-264,475
Child Care Centre Acquisition	-454,057				-454,057
Acron Rd Childrens Serv. Ctr Up Acron Road	-5,967				-5,967
Purchase Library Bookstock	0				0
New Residents Kit	0				0
New Residents Survey	-18,396				-18,396
Study & Interim Plan	0				0
Section 94 Officer	0				0
Public Art	0				0
Nth T'murra Sportsfield Development	-1,663,738			9,700	-1,654,038
<b>Sub Total</b>	<b>-10,865,059</b>	<b>0</b>	<b>0</b>	<b>9,700</b>	<b>-10,855,359</b>



## Restricted Assets Report Forecast as @ 30/06/08

Kuringai SEPP 5 Plan					
Description	Opening Balance	Interest Annual Budget	Transfer in Annual Budget	Transfer Out Annual Budget	Forecast Balance 30 June 08
Open Space Lindfield	-193,252				-193,252
Open Space Pymble	-214,870				-214,870
Open Space St Ives	-26,697				-26,697
					0
<b>Sub Total</b>	<b>-434,820</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-434,820</b>
2004/2009 Residential Plan					
Description	Opening Balance	Interest Annual Budget	Transfer in Annual Budget	Transfer Out Annual Budget	Forecast Balance 30 June 08
Child Care facilities	-1,858,619		0		-1,858,619
Park Upgrade	-1,986,273		0		-1,986,273
Nth T'murra Sportsfield Development	-1,447,689		0		-1,447,689
Purchase Library Bookstock	0		0		0
Study & Interim Plan	-23,347		0		-23,347
Section 94 Officer	-215,699		0		-215,699
Public Art	-14,283		0		-14,283
Youth Facilities	-75,970		0		-75,970
Seniors centres / Facilities	-51,827		0		-51,827
Information Services	-34,427		0		-34,427
Multipurpose community centre (stage 1-5)	-581,499		0		-581,499
Art centre upgrade	-105,297		0		-105,297
Park Acquisition / embellishment Roseville	-423,799		0		-423,799
Park Acquisition / embellishment Lindfield	-2,263,330		0		-2,263,330
Park Acquisition / embellishment Killara	-2,804,959		0		-2,804,959
Park Acquisition / embellishment St Ives	-3,821,586		0		-3,821,586
Park Acquisition / embellishment Turramurra	-1,974,943		0		-1,974,943
Park Acquisition / embellishment Wahroonga	-3,605,048		0		-3,605,048
Park Acquisition / embellishment Gordon	-1,790,836		(9,451,000)	8,657,200	-2,584,636
Park Acquisition / Planning costs Wahroonga	-286,745		0		-286,745
Southern Area Embellishment W Roseville	-393,804		0		-393,804
Northern Area Embellishment Works	-907,410		0		-907,410
LGA Wide Embellishment Works	-1,039,777		0		-1,039,777
West Pymble Pool	-75,487		0		-75,487
Traffic Management and Road Safety	-28,589		0		-28,589
Pedestrian Works	-41,590		0		-41,590
Cycleways	-18,523		0		-18,523
Public Domain Improvements	-306,910		0		-306,910
Traffic Studies	-104,068		0		-104,068
<b>Section 94 Interest</b>		<b>-2,548,300</b>			<b>-2,548,300</b>
<b>Sub Total</b>	<b>-26,282,333</b>	<b>-2,548,300</b>	<b>-9,451,000</b>	<b>8,657,200</b>	<b>-29,624,433</b>
<b>Total Section 94 Funds</b>	<b>-40,056,828</b>	<b>-2,548,300</b>	<b>-9,451,000</b>	<b>8,666,900</b>	<b>-43,389,228</b>
Other Externally Restricted Assets					
Description	Opening Balance	Interest Annual Budget	Transfer in Annual Budget	Transfer Out Annual Budget	Forecast Balance 30 June 08
Domestic Waste Council	-3,996,639			187,000	-3,809,639
Unexpended Grants Council	-344,434			221,100	-123,334
Environmental Levy Council	-425,534		(1,897,000)	2,322,200	-334
Unexpended Loans	0		(1,993,000)	1,993,000	0
Unexpended Infrastructure Levy	0				0
<b>Sub Total - Other Externally Restricted Asset</b>	<b>-4,766,607</b>	<b>0</b>	<b>-3,890,000</b>	<b>4,723,300</b>	<b>-3,933,307</b>
<b>Total Externally Restricted Assets</b>	<b>-44,823,435</b>	<b>-2,548,300</b>	<b>-13,341,000</b>	<b>13,390,200</b>	<b>-47,322,535</b>



## Restricted Assets Report Forecast as @ 30/06/08

Internally Restricted Assets					
Description	Opening Balance	Interest	Transfer in	Transfer Out	Forecast
		Annual Budget	Annual Budget	Annual Budget	Balance 30 June 08
Employee Leave Entitlements	-1,350,193		(20,000)		-1,370,193
Election Reserve	-382,700		(70,000)		-452,700
Kindergarten Reserve	-7,000				-7,000
Plant Replacement Reserve	-108,779		(350,000)	400,000	-58,779
Library Reserve	-9,000				-9,000
Parking Fund Gordon	-159,770				-159,770
Parking Fund Wahroonga	-162,185				-162,185
Parking Fund Ryde Road	-286,285			110,000	-176,285
Parking Fund Roseville	-36,436				-36,436
Parking Fund Lindfield	-18,614				-18,614
Insurance Reserve	-163,826				-163,826
Superannuation Reserve	-1,000,000				-1,000,000
Drainage Reserve	-225,857	-12,600	(210,000)	197,600	-250,857
Footpath Reserve	-270,665	-30,900	(210,000)	210,000	-301,565
Contribution To Works	-297,346			109,500	-187,846
Golf Course Reserve	-35,000				-35,000
Infrastructure Restoration Reserve	-299,412		(350,000)	320,000	-329,412
Sportsfield Improvement Reserve	-281,282	-12,100	(215,000)	265,000	-243,382
Playground Reserve	-50,642				-50,642
Bond/Security Reserve	-525,000		(125,000)		-650,000
Contingency Reserve	-207,440		(8,000)		-215,440
St Ives Showground Reserve	-150,000				-150,000
Revolving Energy Fund	-20,519				-20,519
Loan Reduction Reserve	-1,015,837		(1,797,000)	2,590,700	-222,137
Tree Planting Reserve	-35,000				-35,000
Parks Reserve	-25,000				-25,000
Golf Course Levy	-1,098,365		(263,000)	18,700	-1,342,665
Natural Environment Reserve	-32,500				-32,500
Swimming Pool Reserve	-108,600			30,000	-78,600
Showground Environmental Remediation	-19,301				-19,301
Street Furniture	-283,161				-283,161
Telco Communications	-5,543				-5,543
Facilities Reserve	-6,319,595	-409,400	(819,000)	6,000,000	-1,547,995
Catchment Management	-150,000				-150,000
Tennis Court	-120,000		(132,000)		-252,000
Revenue Fund carried Forward Works	-515,200			515,200	0
					0
<b>Total Internally Restricted Assets</b>	<b>-15,776,055</b>	<b>-465,000</b>	<b>-4,569,000</b>	<b>10,766,700</b>	<b>-10,043,355</b>
<b>Total All Restricted Assets</b>	<b>-60,599,490</b>	<b>-3,013,300</b>	<b>-17,910,000</b>	<b>24,156,900</b>	<b>-57,365,890</b>

\* Subject to Internal borrowings between Section 94 Plans



## Restricted Assets Report Actuals as @ 30/09/07

### Pre 1993 Plan

Description	Opening Balance	Actual Income	Actual Interest	Transfers In Actual	Transfers Out Actual	Closing balance Actual
Community Facilities	-79,788	0	-717	0	0	-80,505
Car Parking	-1,115,072	0	-10,020	0	0	-1,125,091
Children's Services	-17,335	0	-156	0	0	-17,491
Underground Electricity	-1,596	0	-14	0	0	-1,610
Open Space	-23,459	0	-211	0	0	-23,670
<b>Sub Total</b>	<b>-1,237,250</b>	<b>0</b>	<b>-11,117</b>	<b>0</b>	<b>0</b>	<b>-1,248,368</b>

### 1993 Plan

Description	Opening Balance	Actual Income	Actual Interest	Transfers In Actual	Transfers Out Actual	Closing balance Actual
Car Parking Alma St	-63,696	0	-572	0	0	-64,268
Car Parking Larkin Lane	-149,395	0	-1,342	0	0	-150,738
Car Parking Lindfield	-31,627	0	-284	0	0	-31,911
Car Parking St Ives	-427,756	0	-3,844	0	0	-431,600
Car Parking Wahroonga	-363,941	0	-3,270	0	0	-367,212
KWFG Master Plan	-2,428	0	-22	0	0	-2,450
St Ives Showground	-1,182	0	-11	0	0	-1,193
Walking Track Embellishment	-7,210	0	-65	0	0	-7,275
Bicentennial Park Amenities	-2,758	0	-25	0	0	-2,783
Central Library	-4,793	0	-43	0	0	-4,836
Child Care facilities	-182,580	0	-1,641	0	0	-184,221
Contributions Plan	0	0	0	0	0	0
Roundabout Bobbin Head Rd	0	0	0	0	0	0
Roundabout Curragul Rd	0	0	0	0	0	0
Street Trees	0	0	0	0	0	0
<b>Sub Total</b>	<b>-1,237,366</b>	<b>0</b>	<b>-11,118</b>	<b>0</b>	<b>0</b>	<b>-1,248,485</b>

### 2000/2003 Residential Plan

Description	Opening Balance	Actual Income	Actual Interest	Transfers In Actual	Transfers Out Actual	Closing balance Actual
Open Space Gordon	-195,979	0	-1,761	0	0	-197,740
Open Space Killara	-370,079	0	-3,325	0	0	-373,405
Open Space Lindfield	-3,236,646	0	-29,083	0	0	-3,265,729
Open Space Pymble	-516,425	0	-4,640	0	0	-521,066
Open Space Roseville	-83,503	0	-750	0	0	-84,254
Open Space St Ives	-1,764,038	0	-15,851	0	0	-1,779,889
Open Space Turramurra	-979,367	0	-8,800	0	0	-988,167
Open Space Wahroonga	-1,312,389	-46,819	-11,805	0	0	-1,371,013
Park Upgrade Koola Park	-264,475	-1,002	-2,377	0	0	-267,853
Child Care Centre Acquisition	-454,057	-1,765	-4,080	0	0	-459,902
Acron Rd Childrens Serv. Ctr Up Acron Road	-5,967	-17	-54	0	0	-6,037
Purchase Library Bookstock	0	-126	0	0	0	-125
New Residents Kit	0	-77	0	0	0	-77
New Residents Survey	-18,396	-69	-165	0	0	-18,630
Study & Interim Plan	0	-345	0	0	0	-346
Section 94 Officer	0	-829	0	0	0	-829
Public Art	0	-20	0	0	0	-20
Nth T'murra Sportsfield Development	-1,663,738	-6,908	-14,951	0	0	-1,685,597
<b>Sub Total</b>	<b>-10,865,059</b>	<b>-57,976</b>	<b>-97,644</b>	<b>0</b>	<b>0</b>	<b>-11,020,679</b>





## Restricted Assets Report Actuals as @ 30/09/07

Kuringai SEPP 5 Plan						
Description	Opening Balance	Actual Income	Actual Interest	Transfers In Actual	Transfers Out Actual	Closing balance Actual
Open Space Lindfield	-193,252	0	-1,736	0	0	-194,989
Open Space Pymble	-214,870	0	-1,931	0	0	-216,801
Open Space St Ives	-26,697	0	-240	0	0	-26,937
<b>Sub Total</b>	<b>-434,820</b>	<b>0</b>	<b>-3,907</b>	<b>0</b>	<b>0</b>	<b>-438,727</b>

2004/2009 Residential Plan						
Description	Opening Balance	Actual Income	Actual Interest	Transfers In Actual	Transfers Out Actual	Closing balance Actual
Child Care facilities	-1,858,619	-196,211	-17,765	0	0	-2,072,594
Park Upgrade	-1,986,273	-213,568	-19,006	0	0	-2,218,847
Nth T'murra Sportsfield Development	-1,447,689	-152,984	-13,838	0	0	-1,614,511
Purchase Library Bookstock	0	-16,438	-89	0	0	-16,527
Study & Interim Plan	-23,347	-5,564	-240	0	0	-29,150
Section 94 Officer	-215,699	-22,965	-2,065	0	0	-240,729
Public Art	-14,283	-5,591	-159	0	0	-20,033
Youth Facilities	-75,970	-8,033	-726	0	0	-84,729
Seniors centres / Facilities	-51,827	-5,564	-496	0	0	-57,886
Information Services	-34,427	-3,615	-329	0	0	-38,370
Multipurpose community centre (stage 1-5)	-581,499	-64,205	-5,573	0	0	-651,278
Art centre upgrade	-105,297	-11,127	-1,007	0	0	-117,431
Park Acquisition / embellishment Roseville	-423,799	-19,283	-3,981	0	0	-447,063
Park Acquisition / embellishment Lindfield	-2,263,330	-28,617	-20,345	0	0	-2,312,292
Park Acquisition / embellishment Killara	-2,804,959	-19,283	-25,377	0	0	-2,849,620
Park Acquisition / embellishment St Ives	-3,821,586	-869,346	-41,849	0	0	-4,732,782
Park Acquisition / embellishment Turramurra	-1,974,943	-457,990	-17,976	0	0	-2,450,910
Park Acquisition / embellishment Wahroonga	-3,605,048	-115,699	-32,592	0	0	-3,753,339
Park Acquisition / embellishment Gordon	-1,790,836	0	-16,092	0	0	-1,806,928
Park Acquisition / Planning costs Wahroonga	-286,745	-27,472	-2,723	0	0	-316,939
Southern Area Embellishment W Roseville	-393,804	-3,768	-3,561	0	0	-401,133
Northern Area Embellishment Works	-907,410	-144,102	-8,929	0	0	-1,060,441
LGA Wide Embellishment Works	-1,039,777	-109,873	-9,939	0	0	-1,159,589
West Pymble Pool	-75,487	-7,735	-720	0	0	-83,943
Traffic Management and Road Safety	-28,589	-1,763	-266	0	0	-30,619
Pedestrian Works	-41,590	-4,401	-398	0	0	-46,389
Cycleways	-18,523	-1,957	-177	0	0	-20,657
Public Domain Improvements	-306,910	-22,535	-2,880	0	0	-332,325
Traffic Studies	-104,068	-11,127	-995	0	0	-116,191
<b>Section 94 Interest</b>						0
<b>Sub Total</b>	<b>-26,282,333</b>	<b>-2,550,818</b>	<b>-250,094</b>	<b>0</b>	<b>0</b>	<b>-29,083,245</b>

<b>Total Section 94 Funds</b>	<b>-40,056,828</b>	<b>-2,608,794</b>	<b>-373,881</b>	<b>0</b>	<b>0</b>	<b>-43,039,502</b>
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Other Externally Restricted Assets						
Description	Opening Balance	Actual Income	Actual Interest	Transfers In Actual	Transfers Out Actual	Closing balance Actual
Domestic Waste Council	-3,996,639	0	0	0	0	-3,996,639
Unexpended Grants Council	-344,434	0	0	0	20,000	-324,434
Environmental Levy Council	-425,534	0	0	-20,000	0	-445,534
Unexpended Loans	0	0	0	-1,000,000	1,000,000	0
Unexpended Infrastructure Levy	0	0	0	-1,872,000	1,872,000	0
<b>Sub Total - Other Externally Restricted Asset</b>	<b>-4,766,607</b>	<b>0</b>	<b>0</b>	<b>-2,892,000</b>	<b>2,892,000</b>	<b>-4,766,607</b>
<b>Total Externally Restricted Assets</b>	<b>-44,823,435</b>	<b>-2,608,794</b>	<b>-373,881</b>	<b>-2,892,000</b>	<b>2,892,000</b>	<b>-47,806,110</b>



## Restricted Assets Report Actuals as @ 30/09/07

Internally Restricted Assets						
Description	Opening Balance	Actual Income	Actual Interest	Transfers In Actual	Transfers Out Actual	Closing balance Actual
Employee Leave Entitlements	-1,350,193	0	0	0	0	-1,350,193
Election Reserve	-382,700	0	0	0	0	-382,700
Kindergarten Reserve	-7,000	0	0	0	0	-7,000
Plant Replacement Reserve	-108,779	0	0	0	0	-108,779
Library Reserve	-9,000	0	0	0	0	-9,000
Parking Fund Gordon	-159,770	0	0	0	0	-159,770
Parking Fund Wahroonga	-162,185	0	0	0	0	-162,185
Parking Fund Ryde Road	-286,285	0	0	0	0	-286,285
Parking Fund Roseville	-36,436	0	0	0	0	-36,436
Parking Fund Lindfield	-18,614	0	0	0	0	-18,614
Insurance Reserve	-163,826	0	0	0	0	-163,826
Superannuation Reserve	-1,000,000	0	0	0	0	-1,000,000
Drainage Reserve	-225,857	0	0	0	0	-225,857
Footpath Reserve	-270,665	0	0	0	0	-270,665
Contribution To Works	-297,346	0	0	0	0	-297,346
Golf Course Reserve	-35,000	0	0	0	0	-35,000
Infrastructure Restoration Reserve	-299,412	0	0	0	0	-299,412
Sportsfield Improvement Reserve	-281,282	0	0	0	0	-281,282
Playground Reserve	-50,642	0	0	0	0	-50,642
Bond/Security Reserve	-525,000	0	0	0	0	-525,000
Contingency Reserve	-207,440	0	0	0	0	-207,440
St Ives Showground Reserve	-150,000	0	0	0	0	-150,000
Revolving Energy Fund	-20,519	0	0	0	0	-20,519
Loan Reduction Reserve	-1,015,837	0	0	0	0	-1,015,837
Tree Planting Reserve	-35,000	0	0	0	0	-35,000
Parks Reserve	-25,000	0	0	0	0	-25,000
Golf Course Levy	-1,098,365	0	0	0	0	-1,098,365
Natural Environment Reserve	-32,500	0	0	0	0	-32,500
Swimming Pool Reserve	-108,600	0	0	0	0	-108,600
Showground Environmental Remediation	-19,301	0	0	0	0	-19,301
Street Furniture	-283,161	0	0	0	0	-283,161
Telco Communications	-5,543	0	0	0	0	-5,543
Facilities Reserve	-6,319,595	0	0	0	0	-6,319,595
Catchment Management	-150,000	0	0	0	0	-150,000
Tennis Court	-120,000	0	0	0	0	-120,000
Revenue Fund carried Forward Works	-515,200	0	0	0	0	-515,200
						0
<b>Total Internally Restricted Assets</b>	<b>-15,776,055</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-15,776,055</b>
<b>Total All Restricted Assets</b>	<b>-60,599,490</b>	<b>-2,608,794</b>	<b>-373,881</b>	<b>-2,892,000</b>	<b>2,892,000</b>	<b>-63,582,164</b>



**PROJECT PERFORMANCE  
REPORT to September, 2007**

**Dept: Community**

**TOTALS >>**      79,500      13,170      32,096      0      18,926      47,404      3,130      31,500

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100055	Library Promotion Project	900	240	0	0	-240	900	0	31,500	100%	1/03/2007	This project was acquitted on 1/03/07
100294	I.D. Community Profile	5,000	1,260	1,250	0	-10	3,750	0		25%	30/06/2008	There is an annual fee of \$5,000 is to maintain and update the Demographic Profile on Council's website. Payments are made on a quarterly basis in advance.
100418	VRRTS Project	7,500	1,890	0	0	-1,890	7,500	0			30/06/2007	The NSW Department of Ageing & Disability has recently approved that these funds can be moved forward and spent in the 2007-2008 financial year. The funds will be used to implement volunteer recruitment strategies for HACC Services.
100512	Web Page Upgrade	27,000	0	10,760	0	10,760	16,240	0		90%	1/09/2007	The internet website project is complete. The remaining funds will be spent on the intranet website project which is due to be complete in January 2008. Some costs will be charged to the Env Levy and DWM.
100564	Ezone Project	39,100	9,780	18,778	0	8,998	20,323	3,130		90%	20/06/2007	This project was launched on 19 July 2007 and the grant is due to be acquitted and finalised by December 2007, following evaluation of the project.
100781	Artstart 2007	0	0	1,309	0	1,309	-1,309	0			30/06/2008	Grant funds will be transferred from reserves to this project in the Septemebr Budget review. \$2,500 has been received from Willoughby Council for this project.

**PROJECT PERFORMANCE  
REPORT to September, 2007**

**Dept: Corporate**

**TOTALS >>**    286,400    69,150    45,280    0    -23,870    241,120    64,041    0

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100210	IT Initiatives	0	0	5,280	0	5,280	-5,280	37,891				Funds used for new Payroll/HR system which is currently being implemented and the new performance management software.
100511	HR Payroll Performance Planning	45,400	11,250	0	0	-11,250	45,400	0				The budget for this project relates to PJ 100210 above and funds the remainder of the Payroll/HR and Performance Manager projects as well as other projects such as bookings software. Unspent funds will be carried over and utilised on future IT initiatives
100649	OH&S Procedures	42,000	10,500	0	0	-10,500	42,000	0				These funds are an incentive payment of \$42,000 received from Council's insurer to be spent on OH&S procedures .
100710	Works & Assets Stage 1	109,000	27,300	0	0	-27,300	109,000	0				These funds will be expended as required by the development of Council's asset management strategy
100712	Masterview	80,000	20,100	40,000	0	19,900	40,000	26,150				
100862	Booking System	10,000	0	0	0	0	10,000	0				

**PROJECT PERFORMANCE  
REPORT to September, 2007**

**Dept: Operations**

**TOTALS >> 16,418,200 2,030,758 1,575,486 1,978,316 -455,272 14,842,714 728,867 1,072,776**

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100045	Integrated Catchment Restorat	9,900	2,490	0	0	-2,490	9,900	0		5%	30/06/2008	Environmental Trust Grant funding to assist bush regeneration surrounding Barra Brui Oval. Project extends over three years and commenced in 2006. Remaining funds to be carried over. 1st quarter review-Contractors are currently on target, spreading out the remaining funds over the financial year.
100143	Kendall St FP	4,000	1,020	2,834	0	1,814	1,166	0	2,800	100%	31/08/2007	Works completed
100166	Yanko Rd FP	34,000	8,520	0	0	-8,520	34,000	0	22,400	100%	30/09/2006	Works completed
100171	Maxwell St - Traffic Program	10,000	2,520	0	0	-2,520	10,000	0				
100200	Depot Relocation 2005/2006	0	0	0	0	0	0	1,290		25%	30/09/2007	Design and documentation being prepared and due for completion by November 2007.
100301	Link Rd St. Ives	0	0	0	0	0	0	0				
100302	Cherry St Turrumurra	30,000	7,500	2,046	0	-5,454	27,954	0	50,000	5%	30/09/2007	Awaiting Telstra adjustment & material delivery
100368	Queen Elizabeth Reserve	0	0	614	0	614	-614	1,378		100%	30/06/2007	Completed
100390	Noxious Weeds	11,300	2,850	0	0	-2,850	11,300	0		25%		Local government funding for weed control in Cowan Catchment. Contract awarded for weed control adjacent to Cliff Oval to be completed by June 2007 Final report completed
100395	Bus Shelter Advertising	0	0	110	0	110	-110	15,070		100%		Pay for relocations and changes from some advertising shelters to non advertising shelters as per Council's resolutions.
100402	Kokoda Trail Memorial Project 2005/2006	0	0	0	0	0	0	0		100%		Completed
100415	Enviro Trust Glade	63,800	15,960	0	0	-15,960	63,800	1,160			01/06/2008	Design completed for creek restoration. Engaged contractor to remove dangerous tree. Creek works will commence on completion of the tree removal
100505	Operational Fleet NOW 100705	0	0	0	0	0	0	0				Consultation has taken place for the replacement of large plant items and orders expected to be placed soon.
100506	Passenger Fleet NOW 100706	0	0	0	0	0	0	0	400,000	25%		A number of vehicles have been purchased and replaced
100514	Tree Planting	25,800	6,450	8,355	0	1,905	17,445	0				Street tree planting complete; majority of park tree planting complete. A further 300 trees to be planted before the end of financial year and remainder of budget to be spent on materials.
100516	Swimming Pool Refurbishment	0	0	21,500	0	21,500	-21,500	0				Rename project as Pool Feasibility Study.

<b>PROJECT PERFORMANCE REPORT to September, 2007</b>	<b>Dept: Operations</b>
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**TOTALS >> 16,418,200 2,030,758 1,575,486 1,978,316 -455,272 14,842,714 728,867 1,072,776**

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100517	Tennis Court Refurbishment	24,800	6,210	24,810	0	18,600	-10	0		100%	31/07/2007	Resurfacing at SIVG complete. Resurfacing on Courts 5-7 at Roseville complete.
100518	Park Development	0	0	990	0	990	-990	0		100%	30/06/2007	Park signage as per council resolution OMC 27 - February 2007. Harry Seidler Reserve.
100526	Ayres Road St Ives	0	0	10,985	0	10,985	-10,985	0				deferred waiting for RTA approval
100548	Karuah Road Turramurra	0	0	952	0	952	-952	0		100%	24/04/2007	Road works completed and enviro levy work now complete.
100553	Pavement Condition Survey - Rehab	0	0	5,446	0	5,446	-5,446	0				Cover rating costs
100555	Lady Game Drive	0	0	0	100,000	0	0	0		100%	13/07/2006	Works completed
100556	The Comenarra Parkway	0	0	0	125,000	0	0	0		100%	17/08/2006	Works completed
100558	Powell St - R2R	0	0	7,930	0	7,930	-7,930	560		100%	25/06/2007	Roadworks completed, new traffic island to be constructed 07-08 financial year
100566	Seven Little Australians Park & Walking	85,800	21,450	1,718	0	-19,732	84,082	14,200	85,234	15%	31/12/2007	Ongoing - whole Grant amount (MGG )project CMP consultant appointment.
100567	Echo Point & Moores Creek Walking Track	137,600	34,530	2,755	0	-31,775	134,845	38,570	137,572	20%	31/12/2007	Ongoing.- whole Grant amount (SSHAP) project. Step contractor appointed
100568	Lindfield SMP Oval No 2	0	0	255	1,227	255	-255	41,020		30%	30/05/2008	For Oval reconstruction scheduled for end of winter season August 2007. Tender called for August 2007.
100570	Loyal Henry Park & Playground	12,900	3,300	8,951	0	5,651	3,949	3,968	25,050	75%	31/07/2007	Works underway. Building trades works.
100571	Cameron Park & Playground 2006/07	0	0	1,385	0	1,385	-1,385	0		100%	30/06/2007	Completed
100572	Hamilton Park & Playground 2006/07	8,000	2,010	2,469	0	459	5,531	7,447	27,530	95%	15/08/2007	Works completed
100574	Kissing Point Rd Cycleway North	15,000	3,750	0	0	-3,750	15,000	0	15,000	5%	30/11/2007	Resident drainage issues to be resolved
100575	Borombil St School To Station	0	0	19,065	0	19,065	-19,065	0				Work now complete
100576	Dunoon Ave Full Length	4,000	1,020	3,955	0	2,935	45	0	4,000	100%	31/07/2007	Works completed
100577	Monteith St AccessThrough Bushland	100,000	25,020	71,860	0	46,840	28,140	0	95,000	90%	31/12/2007	Stairway complete, lighting to be installed
100578	Boundary St Construct Pedestrian Ramp	45,000	11,250	0	0	-11,250	45,000	0				Awaiting RTA approval
100580	Tryon Rd No 143 To Sydney St	10,000	2,520	0	0	-2,520	10,000	0	10,000	90%	30/06/2008	Sandstone footway issue to be resolved
100581	Bobbin Head Rd Rushall St To East Side	12,000	3,000	0	0	-3,000	12,000	0	12,000	95%	31/12/2007	Telstra pit to be moved

<b>PROJECT PERFORMANCE REPORT to September, 2007</b>	<b>Dept: Operations</b>
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**TOTALS >>** 16,418,200   2,030,758   1,575,486   1,978,316   -455,272   14,842,714   728,867   1,072,776

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100583	Yarrabung Rd Catherine St/College Cr	50,000	12,510	0	0	-12,510	50,000	0				Work programmed for March 2008
100585	Yarrabung Rd Stanley Street	50,000	12,510	0	0	-12,510	50,000	0				Work programmed for March 2008
100586	Loyal Henry Park	9,900	2,490	5,913	0	3,423	3,987	1,330		90%	30/11/2007	Under construction.
100587	Hamilton Park	0	0	2,853	0	2,853	-2,853	0		90%	30/11/2007	Under construction.
100588	Caley's Common Park	0	0	9,080	0	9,080	-9,080	1,200		100%	30/06/2007	Completed
100596	West Pymble Shopping Centre at Kendall	57,800	14,670	3,809	0	-10,861	53,991	0		5%		Design commenced and project to commence early next year.
100598	Hassell Park Cricket Net Upgrade	13,000	3,270	0	0	-3,270	13,000	0		5%		Telco funded for cricket net upgrade
100623	Noxious Weeds Control	24,600	6,150	0	0	-6,150	24,600	0				Funding received from Department of Primary Industries. Expect this grant to carry forward to 2007/08
100626	Cameron Park Upgrade	0	0	350	0	350	-350	1,325		100%	30/06/2007	completed
100628	District Park Master Plan 2006/07	0	0	8,680	5,000	8,680	-8,680	0	70,000	25%	31/08/2007	Fencing works completed. Waiting briefing from Strategy for next stage.
100630	Wandella Ave Energy Australia	0	0	31,745	64,163	31,745	-31,745	0				Energy Aust Restorations
100631	Bancroft Ave Energy Australia	0	0	0	43,465	0	0	0				Energy Aust Restorations
100632	Glencroft Ave Energy Australia	0	0	13,668	31,046	13,668	-13,668	0				Energy Aust Restorations
100633	Lord St Energy Australia	0	0	0	18,628	0	0	0				Energy Aust Restorations
100634	Martin Lane Energy Australia	0	0	0	33,116	0	0	0				Energy Aust Restorations
100635	Roseville Ave Energy Australia	0	0	0	45,535	0	0	0				Energy Aust Restorations
100636	Gerald Ave Energy Australia	0	0	0	33,116	0	0	0				Energy Aust Restorations
100637	Dudley Ave Energy Australia	0	0	0	24,837	0	0	0				Energy Aust Restorations
100638	Gregory St Energy Australia	0	0	0	41,395	0	0	0				Energy Aust Restorations
100639	Clanville Rd Energy Australia	0	0	0	83,308	0	0	0				Energy Aust Restorations
100640	Mc Leod Ave Energy Australia	0	0	1,950	55,884	1,950	-1,950	0				Energy Aust Restorations
100641	Chelmsford Ave No.1 Energy Australia	0	0	2,790	475,010	2,790	-2,790	0				Energy Aust Restorations
100642	Chelmsford Ave No.2 Energy Australia	0	0	34,869	64,163	34,869	-34,869	0				Energy Aust Restorations
100643	Hobart Ave Energy Australia	0	0	5,674	89,000	5,674	-5,674	0				Energy Aust Restorations
100644	Melbourne Rd Energy Australia	0	0	11,760	47,604	11,760	-11,760	0				Energy Aust Restorations
100645	Allambie Ave Energy Australia	0	0	870	18,628	870	-870	0				Energy Aust Restorations
100646	Crana Ave Energy Australia	0	0	0	12,419	0	0	0				Energy Aust Restorations



<b>PROJECT PERFORMANCE REPORT to September, 2007</b>	<b>Dept: Operations</b>
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**TOTALS >> 16,418,200 2,030,758 1,575,486 1,978,316 -455,272 14,842,714 728,867 1,072,776**

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100647	Pleasant Ave Energy Australia	0	0	0	163,511	0	0	0				Energy Aust Restorations
100648	Carlyle Rd Energy Australia	0	0	0	60,023	0	0	0				Energy Aust Restorations
100650	Killeaton St Near No 91.	65,000	16,260	0	0	-16,260	65,000	0				Work programmed for March 2008
100651	Bobbin Head Rd K&G & Tipping.	25,000	6,270	869	0	-5,401	24,131	0				Awaiting advice and agreement from the school.
100652	Memorial Ave Near No.55.	60,000	15,000	0	0	-15,000	60,000	0				
100657	Burleigh Street	0	0	1,464	0	1,464	-1,464	0	75,000	100%		Repairs at development site funded by infrastructure restoration fee
100662	Killara Gordon Sewer Mining	20,000	5,100	4,297	0	-803	15,703	0	17,900			Increase contractors for project to reflect contributions received
100666	Bannockburn Road	0	0	1,080	0	1,080	-1,080	0				
100700	Depot Relocation	6,000,000	100,000	5,466	0	-94,534	5,994,534	0				Designs nearing completion with tenders to be called in early 2008. Negotiations on sale proceeding with some minor issues to be resolved with the preferred tenderer.
100702	Drainage Works	0	0	2,700	0	2,700	-2,700	0				
100703	Catchment Remediation Works (Lindfield Soldiers Memorial)	50,000	12,600	0	0	-12,600	50,000	0		25%		Tenderer appointed. First co-ord meeting 22/10/07
100705	Operational Fleet	875,000	218,850	429,039	70,637	210,189	445,961	81,356				Operational Plant listed for replacement confirmed on 14 Sept 07. Consultation process commenced with stakeholders
100706	Passenger Fleet	600,000	150,198	479,362	188,727	329,164	120,638	68,318				Passenger Plant listed for replacement confirmed on 14 Sept 07. Priority 1 being finalised.
100714	Tree Planting	126,000	31,500	0	0	-31,500	126,000	3,000				
100717	Swimming Pool Refurbishment	330,000	12,500	6,607	0	-5,893	323,393	0		30%	30/09/2008	Stage 5 works to 50m pool. Calling tenders for reporting to Council in February 08.
100718	Tennis Court Refurbishment	0	0	0	6,914	0	0	0			30/06/2007	Contribution to works
100725	Infrastructure Levy	10,000	10,000	2,530	0	-7,470	7,470	0				costing for completion of 06_07 budget
100727	Carnarvon Rd Roseville	79,100	39,600	241	0	-39,359	78,859	0				design required for K&G from # 5 to # 19
100728	Crana Ave East Lindfield	54,000	27,000	164	0	-26,836	53,836	0				Contractor appointed, completion date 7.12.07
100729	Crescent Close Warrawee	53,400	26,700	162	0	-26,538	53,238	0				Pavement testing in progress, awaiting road pavement design
100730	Ovens Pl St Ives Chase	82,300	41,400	250	0	-41,150	82,050	0				Pavement testing in progress, awaiting road pavement design
100733	Middle Harbour Rd Lindfield	82,500	41,400	251	0	-41,149	82,249	0				Contractor appointed, completion date 7.12.07
100734	Stanhope Rd Killara	47,500	24,000	144	0	-23,856	47,356	0				Contractor appointed, completion date 7.12.07
100735	Ayres Rd St Ives	130,700	65,400	398	0	-65,002	130,302	0				Waiting for RTA approval

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**TOTALS >> 16,418,200 2,030,758 1,575,486 1,978,316 -455,272 14,842,714 728,867 1,072,776**

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100736	Boyne PI Wahroonga	47,600	24,000	145	0	-23,855	47,455	0				Pavement testing in progress, awaiting road pavement design
100737	Burgoyne St Gordon	166,400	83,400	1,866	0	-81,534	164,534	0				Pavement testing in progress, awaiting road pavement design
100738	Chunooma Rd Wahroonga	80,600	40,500	245	0	-40,255	80,355	0				Pavement testing in progress, awaiting road pavement design
100739	Clyde Place Wahroonga	37,200	18,600	113	0	-18,487	37,087	0				Pavement testing in progress, awaiting road pavement design
100740	Corona Ave Roseville	87,000	43,500	265	0	-43,235	86,735	0				Pavement testing in progress, awaiting road pavement design
100741	Highfield Rd Lindfield	66,500	33,300	202	0	-33,098	66,298	0				Contractor appointed, completion date 7.12.07
100742	King Edward St Pymble	63,000	31,500	192	0	-31,308	62,808	0				Contractor appointed, completion date 7.12.07
100743	Manning Rd Killara	77,000	38,700	234	0	-38,466	76,766	0				Contractor appointed, completion date 7.12.07
100744	Marjorie St Roseville	67,900	34,200	207	0	-33,994	67,694	0				Pavement testing in progress, awaiting road pavement design
100745	Nentoura PI Nth Turramurra	61,700	30,900	188	0	-30,712	61,512	0				Pavement testing in progress, awaiting road pavement design
100746	Stuart St Wahroonga	31,600	15,900	96	0	-15,804	31,504	0				Contractor appointed, completion date 7.12.07
100747	Sydney Rd East Lindfield	34,100	17,100	104	0	-16,996	33,996	0				Contractor appointed, completion date 7.12.07
100748	Tanderra St Wahroonga	38,400	19,200	333	0	-18,867	38,067	36,643				Contractor appointed, completion date 7.12.07
100750	Wyuna Rd West Pymble	45,000	22,500	390	0	-22,110	44,610	0				Contractor appointed, completion date 7.12.07
100751	Baldwin St Gordon	96,900	48,600	841	0	-47,759	96,059	0				Contractor appointed, completion date 7.12.07
100752	Avondale Place West Pymble	57,100	28,800	495	0	-28,305	56,605	0				Pavement testing in progress, awaiting road pavement design
100753	Keith St Lindfield	48,200	24,300	1,183	0	-23,117	47,017	0				Pavement testing in progress, awaiting road pavement design
100754	Lennox St Gordon	39,700	20,100	344	0	-19,756	39,356	0				Contractor appointed, completion date 7.12.07
100756	Station St Pymble	207,600	103,800	1,801	0	-101,999	205,799	0				Pavement testing in progress, awaiting road pavement design
100759	Borambil St Warrawee	140,300	70,200	1,217	0	-68,983	139,083	0				Pavement testing in progress, awaiting road pavement design
100760	Stanley St St Ives	186,300	93,300	1,616	0	-91,684	184,684	0				Pavement testing in progress, awaiting road pavement design
100761	Warwilla Ave Wahroonga	79,400	39,900	689	0	-39,211	78,711	0				Pavement testing in progress, awaiting road pavement design
100762	Infrastructure Levy - Pavement condition survey	100,000	50,100	867	0	-49,233	99,133	0				Cover rating costs
100763	Rehabilitation	50,000	0	38,692	0	38,692	11,308	0				costing for completion of 06_07 budget
100765	Culworth Ave Killara	133,500	0	1,158	0	1,158	132,342	0				Pavement testing in progress, awaiting road pavement design

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Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
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100767	Hope St Pymble	210,700	0	1,828	0	1,828	208,872	0				Pavement testing in progress, awaiting road pavement design
100768	Nelson St Gordon	210,300	0	1,824	0	1,824	208,476	0				Pavement testing in progress, awaiting road pavement design
100769	Shirley Rd Roseville	167,000	0	1,449	0	1,449	165,551	0				Pavement testing in progress, awaiting road pavement design
100770	Wahroonga Ave Wahroonga	169,600	0	1,471	0	1,471	168,129	0				Pavement testing in progress, awaiting road pavement design
100771	Young St Warrawee	184,900	0	1,604	0	1,604	183,296	0				Pavement testing in progress, awaiting road pavement design
100772	Hydrant markers	5,000	0	43	0	43	4,957	0				Cost to cover replacement of blue hydrant markers
100773	Rehab - Pavement Condition Survey	100,000	0	867	0	867	99,133	0				Cover rating costs
100774	Boomarang St Turramurra	400,000	0	3,470	75,961	3,470	396,530	0				Initial investigation complete, full reconstruction required
100775	Powell St Killara	65,000	0	28,740	0	28,740	36,260	0				design required to raise K&G above under ground services
100776	Lady Game Drive	175,000	0	1,518	0	1,518	173,482	0				Night works, to be programmed
100777	Eastern Arterial Rd	275,000	0	2,385	0	2,385	272,615	2,545				design required
100778	Nola & MacLauren	0	0	258	0	258	-258	0			30/06/2008	Future work to be paid for by developer
100779	Alice St Turramurra Drainage	50,600	12,660	64,195	0	51,535	-13,595	7,035				asphalt shoulder & kerb to be done
100780	Pentecost Ave Sydney Water	0	0	10,410	0	10,410	-10,410	346,534				Sydney water restoration
100784	Memorial Seats Memorial Avenue	0	0	1,810	0	1,810	-1,810	1,281	1,290	98%	30.10.2007	Additonal income for additional seats invoiced.
100785	Two Creeks Wellington Upgrade	100,000	25,050	2,002	0	-23,048	97,998	0		2%	30.06.2008	SSHFAF Grant with Green Corps
100788	Chelmsford Ave Lindfield	47,000	0	3,097	0	3,097	43,903	0				
100789	Provincial Rd Lindfield	103,000	0	6,787	0	6,787	96,213	0				
100790	Alma St/Graham Ave Pymble	75,000	0	4,942	0	4,942	70,058	0				
100791	Tryon Rd Lindfield	30,000	0	1,977	0	1,977	28,023	0				
100792	Bradfield Road Lindfield	16,000	0	1,054	0	1,054	14,946	0				
100793	Frances Street Lindfield	18,000	0	1,186	0	1,186	16,814	0				
100794	Inverallen Ave to Iona Ave Pymble	12,000	0	791	0	791	11,209	0				
100795	Rosedale Road Pymble	6,000	0	395	0	395	5,605	0				
100796	Orana Ave Pymble	6,000	0	395	0	395	5,605	0				
100797	Fern St Pymble	6,000	0	395	0	395	5,605	0				
100798	Eastern Road Shops	15,000	3,900	23,131	0	19,231	-8,131	0	22,000	100%	30/09/2007	Works completed
100799	Bobbin Head Road Footpath	100,000	0	6,589	0	6,589	93,411	0				



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Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
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100800	Fiddens Wharf Road Footpath	74,400	0	4,902	0	4,902	69,498	0				
100801	Highfield Road Footpath	53,100	0	3,499	0	3,499	49,601	0				
100802	The Comenarra Pwy Footpath	42,500	0	2,800	0	2,800	39,700	0				
100803	Grayling Road Footpath	22,800	0	1,502	0	1,502	21,298	0				
100804	Brentwood Avenue Footpath	21,800	0	1,436	0	1,436	20,364	0				
100805	Babbage Road Footpath	6,400	0	422	0	422	5,978	0				
100806	Memorial Avenue Footpath	53,100	0	3,499	0	3,499	49,601	0				
100807	Mona Vale Road Footpath	42,500	0	2,800	0	2,800	39,700	0				
100808	Burns Road Footpath	31,400	0	2,069	0	2,069	29,331	0				
100810	St John Ave/Wade Lane Northside	35,000	0	2,306	0	2,306	32,694	0				
100811	Princess St. Shops Bannockburn Rd	55,000	0	3,624	0	3,624	51,376	0				
100812	Shopping Centre Auluba Rd	50,000	0	3,295	0	3,295	46,705	0			31/03/2008	Design under way
100813	West Lindfield Shopping Centre	29,000	0	1,911	0	1,911	27,089	0			31/12/2007	Design under way
100831	Canoon Rd Tennis Courts	70,000	0	1,402	0	1,402	68,598	0			30/06/2007	Works subject to preliminary site meeting to be held by 31/10/07.
100832	Roseville Park Tennis Courts	40,000	0	801	0	801	39,199	0			30/06/2007	Works subject to preliminary site meeting to be held by 31/10/07.
100834	St Ives Showground Picnic Area Park	40,000	0	801	0	801	39,199	6,450		5%	30/06/2008	Project design stage commenced, Survey Underway
100835	Sir David Martin Reserve Park	151,000	0	0	0	0	151,000	0			30/06/2008	Awaiting approval of Masterplan
100836	Lindfield Soldiers Memorial Park	100,000	0	2,503	0	2,503	97,497	2,440		10%	30/04/2008	Tenderer appointed. First co-ord meeting 22/10/07
100837	Edenborough Oval Park	11,000	0	0	0	0	11,000	0			30/06/2008	Carry over funding for stormwater harvesting project.
100838	Yarrabung Rd Reserve Park	8,000	0	160	0	160	7,840	0		8%	20/12/2007	Project design stage commenced. Notification completed.
100840	Acron Oval Stage 1 Park	6,000	0	0	0	0	6,000	0			30/06/2008	Funding available for signs, bins, dispensers and seats to be installed next quarter.
100844	Mahratta & 1536 Pacific Highway Park	55,000	0	1,101	0	1,101	53,899	0		3%	30/06/2008	Commence second half of year
100845	Dukes Green Park	15,000	0	300	0	300	14,700	3,900		2%	30/06/2008	Project design stage commenced. Survey underway.
100846	Lindfield Soldiers Memorial Oval No 2 SptFld	820,400	0	16,687	0	16,687	803,713	0		5%	30/04/2008	Tenderer appointed. First co-ord meeting 22/10/07
100848	Edenborough Oval Sportsfield	100,000	0	0	0	0	100,000	0			30/06/2008	Require briefing from Strategy
100849	Comenarra Oval Sportsfield	10,000	0	0	0	0	10,000	0			30/06/2008	Require briefing from Strategy

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Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100850	St Ives Showground Playground	48,000	0	961	0	961	47,039	0		2%	30/06/2008	Project design stage commenced
100851	Dukes Green Playground	58,000	0	1,161	0	1,161	56,839	0		2%	30/06/2008	Project design stage commenced. Survey underway
100852	Killara Park/Bert Oldfield Playground	25,000	0	501	0	501	24,499	21,857		5%	30/06/2008	Project design stage commenced
100853	Hicks Ave Reserve Playground	18,000	0	360	0	360	17,640	1,500		2%	30/06/2008	Project design stage commenced
100854	Yarrabung Rd Reserve Playground	8,000	0	162	0	162	7,838	17,490		3%	20/12/2007	Project design stage commenced. Notification completed.
100855	Bobbin Head Road Traffic	16,000	0	1,054	0	1,054	14,946	0				
100856	Bannockburn Road/Selwyn St Traffic	60,000	0	3,954	0	3,954	56,046	0			31/03/2008	Design under way
100857	Bannockburn Road/Rushall St Traffic	30,000	0	1,977	0	1,977	28,023	0			31/03/2008	Design under way
100858	Koola Ave Traffic	20,000	0	1,318	0	1,318	18,682	0				
100859	Yarrabung Road Traffic	37,000	0	10,100	0	10,100	26,900	0				
100860	Edenborough Rd Energy Australia	0	0	0	0	0	0	0				Reconstruction completed, asphalt overlay postponed until development at # 1 is completed
100861	Leash Free Program Lindfield	25,000	0	0	0	0	25,000	0		5%	30/04/2008	Tenderer appointed. First co-ord meeting 22/10/07

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TOTALS >> 10,909,900 725,130 1,536,426 1,042 811,296 9,373,474 763,130 0

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
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100080	North Turrumurra Recreation Area	59,700	15,030	7,145	0	-7,885	52,555	10,749				Project considered by Council on 8 May and plan to be exhibited.
100211	Planning Projects	0	0	14,338	0	14,338	-14,338	0				Project used to fund the development of the town centres LEP - completed
100310	Lindfield Soldiers Oval	260,900	65,490	16,980	0	-48,510	243,920	84,014		5%	01/06/2008	Design completed. Contract awarded Project to be carried forward as discussed with user groups.
100311	Swales And Bioretention	50,000	12,720	14,586	0	1,866	35,414	1,663		5%	01/06/2008	Design and construct WSUD principles in a catchment wide purification program Quarry Creek Catchment adjacent to Bicentennial Park 1st quarter review- Investigation of Inverellen and Kamilaroy streets for WSUD. Dial before you dig completed. Suitable contractors have been selected to quote on works.
100312	Integrated Side Entry And Street Tree Pi	25,600	6,420	800	0	-5,620	24,800	9,568		5%	01/06/2008	Funding used in additional to project PJ100311 Swales and Bioretention as part of Quarry creek catchment
100313	Sheldon Forest	20,000	5,100	3,102	0	-1,998	16,898	13,661		5%	01/06/2008	3rd of 7year Bush regeneration contract. Pre fire work is completed and awaiting right conditions to burn 2007/08
100314	Browns Field And Surrounds	15,900	4,140	3,710	0	-430	12,190	9,681		5%	01/06/2008	3rd of seven year bush regeneration contract Emphasis is on follow up due to the weeds and conditions.
100315	Browns Forest (Bgh)	10,900	2,940	2,275	0	-665	8,625	5,976		5%	01/06/2008	Third of a seven year bush regeneration contract. Supplement and coordinate work with the DCC grant for threatened plant community demonstration site.
100316	St Ives Showground (Duffy's Forest)	29,700	7,590	2,375	0	-5,215	27,325	8,758		25%	01/06/2008	Third of seven year contract for Bush Regeneration Contractor is working at various areas concentrating on drainage lines.
100317	Aluba Oval And Surrounds	10,000	2,760	1,549	0	-1,211	8,451	3,886		25%	01/06/2008	Third of seven year Bush Regeneration contract funded by the Environmental Levy Weeding various zones targeting problematic weeds as they occur in post fire areas.
100318	The Glade	9,600	2,670	0	0	-2,670	9,600	2,871		25%	01/06/2008	Third of seven year bush Regeneration contract. Contractor targeted edges of reserve Erharta and Trad. Maintenance of previous plantings.
100319	Maddison (BGH)	15,100	3,930	7,110	0	3,180	7,990	3,716		25%	01/06/2008	Third of seven year Bush Regeneration contract funded by the Environmental Levy The contractor have worked various zones. Spraying and planting has been incorporated into the program.

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**TOTALS >>** 10,909,900    725,130    1,536,426    1,042    811,296    9,373,474    763,130    0

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100320	Acron Oval	15,600	4,050	1,557	0	-2,493	14,043	25,480		25%	01/06/2008	Third of seven year Bush Regeneration contract funded by the Environmental Levy
100321	Turiban Reserve (Bgh)	11,600	3,120	4,884	0	1,764	6,716	4,207		25%	01/06/2008	Third of seven year Bush Regeneration contract funded by the Environmental Levy Large area of bank stablization was a focus of access weeds and plant out in future. Awaiting hazard reduction burn when conditions are appropriate
100322	Wildlife Promotion And Management	10,000	2,700	227	0	-2,473	9,773	3,400		5%	01/06/2008	Production of Biodiversity Plant Box for resale
100323	Feral Animal / Noxious Weed Control	17,700	4,590	3,283	0	-1,307	14,417	0		60%	01/06/2008	Payment of myna bird brochures.CTV cameras are being positioned for monitoring purposes
100324	Creek Maintenance	75,000	18,960	14,593	0	-4,367	60,407	59,592		60%	01/06/2008	Contracts in place for creek maintenance targeted towards the Blackbutt Reserve Gordon which is nearing completion.,Pymble within the Harold Nipper Hammond Reserve previously known as AGAL preparing the site for hazard reduction fire and Branch of Cowan Creek adjacent to Bannockburn Oval Reserve weed control and monitoring.
100325	Coups Creek (The Glade)	53,500	13,380	965	0	-12,415	52,535	14,441		5%	01/11/2007	This project will fund the stabilisation of the upper reaches of Coupes Creek immediately down stream of The Glade Oval. Design and residential consultation completed. Commencement of work delayed due to critically endangered plant community. Works to commence in October 07
100326	Stoney Creek (Richmond Park)	7,000	1,800	0	0	-1,800	7,000	6,398		95%	01/10/2007	Pre fire weeding,contract awarded
100327	Middle Harbour	35,500	9,090	12,817	0	3,727	22,683	0		35%	01/07/2008	Contract awarded for erosion control at Kylie and Wattle Streets Awaiting hazard reduction to be complete to initiate post fire weed control at Carlyle Road East Lindfield and Richmond Park.
100328	Cowan Creek	30,500	7,740	0	0	-7,740	30,500	6,772		5%	01/06/2008	Darrie Track storm water outlet protection,design in concept stage. Windsor place storm water outlet protection,design completed awaiting to engage contractors Contract awarded for maitenance of vegetation on Karuah Road creekline of South Branch of Cowan creek Pymble .
100329	Lane Cove	10,000	2,700	44,598	0	41,898	-34,598	43,663		5%	01/06/2008	Contractor engaged for Sheldon Forest Creek restoration to commence second stage.

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**TOTALS >>** 10,909,900    725,130    1,536,426    1,042    811,296    9,373,474    763,130    0

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100330	Blackbutt Creek	18,500	4,650	2,121	0	-2,529	16,379	10,717		10%	01/06/2008	Stage two of fire weeding program at Blackbutt creek after completion of stage one post fire weeding .Stage two consists of pre fire hazard weeding. Awarded ABR contractor
100331	Du Faur Street Wetland	5,000	1,500	0	0	-1,500	5,000	0			01/06/2008	Awaiting to award contract for maintenance of wetland
100332	General Sites	35,000	8,850	1,056	0	-7,794	33,944	12,908			01/06/2008	Post fire weeding at Stanhope Road.
100333	Bushcare Site Improvements	50,000	12,600	16,196	0	3,596	33,804	13,897		25%	01/06/2008	Currently working on 25 sites to provide supplementary regeneration and individual site support in and adjacent to bushcare sites. This is an ongoing program with contract works to be undertaken over a number of years to maximise longterm benefits.
100334	Bushcare	8,000	2,100	0	0	-2,100	8,000	0		100%	01/06/2007	Project completed and has funded additional site visits by qualified bushcare trainers to complement current program.
100335	Urban Landcare	8,000	2,100	2,946	0	846	5,054	2,414		60%	01/08/2007	Funding used to employ 2 staff that have liaised with over 40 private property owners across the LGA. Unexpended funds will be used to complement a \$430,000 grant from the NSW Government Sustainability Trust.
100336	Community Firewise	8,000	2,100	0	0	-2,100	8,000	0			01/06/2008	Purchase of promotional display material
100338	Parkcare	16,000	4,200	2,675	0	-1,525	13,325	0		100%	01/06/2008	Project involved supporting the growing number of volunteers for Parkcare and Streetcare. Registered groups now covering 20 sites.
100339	Small Grant Projects	80,000	20,100	25,041	0	4,941	54,959	7,650		50%	01/06/2008	Round four funds allocated to 9 projects equating to \$40000 - \$24000 of which will be drawn from this number over the remainder of the year. Round Five small grants due December 7th
100340	Promotions And Initiatives	10,000	2,700	1,403	0	-1,297	8,597	6,834		65%	01/06/2008	Wildflower garden signs 13 in total and installation costs of other interpretive signs



<b>PROJECT PERFORMANCE REPORT to September, 2007</b>	<b>Dept: Strategy</b>
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TOTALS >> 10,909,900 725,130 1,536,426 1,042 811,296 9,373,474 763,130 0

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100342	Golden Jubilee Fire Trail	147,000	36,900	208,361	0	171,461	-61,361	110,218		85%	end of 07-08	The total budget within the environmental levy for the construction of the fire trails is \$817,000. In 2006 a tender was called for the construction of the North Wahroonga to North Turramurra section. All tenders received were well in excess of the budget and Council resolved to progress the project using in house supervision and contractors on a rate basis. Expenditure against this item has been brought forward this year across the 7 year environmental levy program with the total project expected to be on budget.
100345	AGAL Land	1,000	300	0	0	-300	1,000	0			01/06/2007	Remaining funds used for maintenance.
100346	Seven Little Australians	38,000	9,600	0	0	-9,600	38,000	0		25%	01/06/2008	Weed control at entrance and second stage of weed control. Work to be undertaken in conjunction with Park Development Project
100347	Sheldon Forest To Mimosa	4,900	1,290	0	0	-1,290	4,900	0			01/06/2008	Opening walking track with scouts and installation of interpretive signs. This amount will also assist with maintenance of the walking track
100348	Dumping	50,000	12,600	-3,262	315	-15,862	53,262	0		25%	01/06/2008	Funding used for Community Environment Officers including development and implementation of the dumping program.
100349	Encroachment	50,000	12,600	30,892	727	18,292	19,108	0		25%	01/06/2008	Funding used for the implementation of the Community Environmental Officers program. Costs to be shared between PJ100348 and PJ100349.
100350	Noxious Weed Control	50,000	12,600	4,488	0	-8,112	45,512	32,147		85%	01/06/2007	Contract awarded for long term bush regeneration and weed control in reserve Kylie and Wattle Streets
100351	Biodiversity (Macroinvertebrate, Flora, F	31,100	7,890	5,965	0	-1,925	25,135	3,700		1%	01/06/2008	Duplicate initial bird survey spring and winter, Fencing the Duffys vegetation at St Ives Showground Install dog signs at Blackbutt Creek, Purchase GPS unit to investigate possible Phytophthora sites in collaboration with Botanical gardens. Macquarie University student to develop best practice guidelines for wildlife tunnel Terrestrial macro invertebrate sampling Engage expert to photograph threatened plants obtain GPS site coordinates for each species and down load onto council GIS system.

<b>PROJECT PERFORMANCE REPORT to September, 2007</b>	<b>Dept: Strategy</b>
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TOTALS >> 10,909,900 725,130 1,536,426 1,042 811,296 9,373,474 763,130 0

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100353	Community Survey	20,000	5,100	4,214	0	-886	15,786	0		25%	01/06/2008	Further development of future planning for sustainability plan to be extrapolated from the interview process. This is an ongoing project line.
100354	Social Research	20,000	5,100	96	0	-5,004	19,904	0		25%	01/06/2008	Funding used for social research and consultation as part of the sustainability survey wages for staff to carry out the project line above PJ100353.
100355	Program Evaluation	20,000	5,100	6,869	0	1,769	13,131	0		25%	01/06/2008	This project cost centre and PJ100622 is used for the administration and evaluation of the Levy.
100356	Fire - Fuel Loads And Moisture Monitorin	10,000	2,700	0	0	-2,700	10,000	0			01/04/2008	Contribute to the North Wahroonga fire trail
100357	Weed Inspectorial (Weed Condition)	10,000	2,700	11,458	0	8,758	-1,458	0			01/06/2008	To review the current collected data prior to futhering weed inspectorials program.Cowan catchment completed and a brief to be drawn up for assessment of the program.
100358	Quarterly Newsletters	30,000	7,500	11,283	0	3,783	18,717	12,034		25%	01/07/2008	Reports and web site update Edenborough professional artwork on water tanks Reports and web site update
100359	General Promotion	20,000	5,100	3,004	0	-2,096	16,996	5,909		25%	01/06/2008	Youth artwork at Lindfield train tunnel in collaboration with community services completed, Engaged producers of directional signs for walking tracks, Purchase of STEP walking track maps Engage interpretive sign designer for Wild Flower Garden signs Lift profile of STIFF plant community at Killara Park
100401	Tulkiyan Heritage Strategic Plan 2005/06	0	0	0	0	0	0	0				Project completed
100405	Swain Garden	194,500	48,630	0	0	-48,630	194,500	36,112		10%	01/06/2008	Delays in finalising design. Expect construction to commence late 2007. Refer to PJ100620.
100412	Fire Break Construction	50,000	12,600	5,815	0	-6,785	44,185	0		25%	01/06/2008	To be allocated for completion of Ku-ring-gai fire trail
100417	Bicentennial Park Stormwater Project	0	0	7,080	0	7,080	-7,080	0		5%	01/06/2008	Further refine the logistics of delivering water sensitive urban design techniques in the Lofberg catchment as part of catchment wide water harvesting for Bicentennial park.

<b>PROJECT PERFORMANCE REPORT to September, 2007</b>	<b>Dept: Strategy</b>
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TOTALS >> 10,909,900 725,130 1,536,426 1,042 811,296 9,373,474 763,130 0

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100504	Catchment Management	114,000	28,500	0	0	-28,500	114,000	0				Draft report for Lofberg Quarry Creek sustainable water management options report completed. Expect final document to be completed by June including a detailed implementation plan. Quotes for GPT at Roseville GC obtained and expect expenditure against this end of Dec
100590	Comenarra Oval	101,100	25,290	900	0	-24,390	100,200	3,350		45%	01/06/2008	Storm water harvesting. Second community consultation completed with changes to design to implement project proceeding to further investigate for storm water harvesting
100591	Edenborough Oval	202,000	50,700	165,065	0	114,365	36,935	8,500				Design completed. Contract for construction awarded. Works to commence end May and completed end June
100615	Water & Catchments The Glade	72,000	18,000	0	0	-18,000	72,000	0		50%	01/06/2008	This project is to repair erosion within Coupes Creek and the vegetation within the riparian zone. The Glade playing field and it's drainage has direct influences on the creek being adjacent to the creek. This project complements PJ100325.
100617	WSUD Stormwater Qty & Quality	80,000	20,100	33,588	0	13,488	46,412	178,245		98%	01/11/2007	Project funding the water sensitive urban design storage and harvesting work at Edenborough Oval. This is to be complemented by an irrigation system on the adjacent sporting field. As part of the capital works upgrade 2007/08.
100620	Water & Catchments Swain Creek	42,000	10,500	0	0	-10,500	42,000	0		10%	01/06/2008	Shot machine creek weed and sediment control to complement storm water harvesting a brief to be written up in collaboration of storm water harvesting for irrigation.
100621	Walking Track Rothwell to Comenarra	6,000	1,500	0	0	-1,500	6,000	0		99%	01/10/2007	Contractors from Total Earth Care were employed to completion of walking track from Rothwell to The Comenarra including creek crossing and foot track from Browns Field to The Comenarra
100622	Administration Environ Levy	82,000	20,700	44,110	0	23,410	37,890	0		25%	06/08/2007	Salaries for Environmental Levy Project Leader and Environmental Engineer.
100627	Vehicle Maintenance Costs	13,000	3,300	3,250	0	-50	9,750	0		25%	01/06/2008	Covered the costs of maintenance and fuel for two utes and a car for the purpose of Environmental Levy projects
100654	Developing a GRI Sustainability Plan	20,000	5,010	0	0	-5,010	20,000	0				This project is ongoing with funding received in April 2007. Expect project to be completed in August 2007
100704	Catchment Management	0	0	0	0	0	0	0				



<b>PROJECT PERFORMANCE REPORT to September, 2007</b>	<b>Dept: Strategy</b>
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**TOTALS >>** 10,909,900 725,130 1,536,426 1,042 811,296 9,373,474 763,130 0

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100716	Sec 94 Plan - Admin	82,000	20,700	46,351	0	25,651	35,649	0		80%	on-going	Amendment to 2004-09 plan complete. Town Centres S94 CP 75% COMPLETE. Sec 94 co-ordinator commenced 14-9-07
100782	Open Space Acquisition	8,000,000	0	700,000	0	700,000	7,300,000	0				Contracts exchanged on 9,15,17 Dumaresq Street Gordon being purchased to provide future open space
100786	Town Centre Project Planning	5,000	1,500	1,440	0	-60	3,560	0		5%	01/06/2008	To design a sustainable open space demonstration site
100787	Cliff Oval	20,000	5,100	0	0	-5,100	20,000	0			06/08/2007	Hydroshare meter logging equipment
100814	Employment Land Study	20,000	5,100	0	0	-5,100	20,000	0		10%	30/06/2008	Jointly funded project with Hornsby Council and DoP. SGS Economics an Planning have been engaged to undertake project. Inception meeting held and initial background investigations commenced.
100815	Demographic Analysis	40,000	10,200	0	0	-10,200	40,000	0		10%	11/12/2007	SGS Economics and Planning Engaged to undertake work. Consultant's have been provided with relevant background data to commence modelling.
100816	Traffic & Transport Study	10,000	2,700	0	0	-2,700	10,000	0			30/06/2008	Not yet commenced (assuming this project is actually the Integrated Transport Strategy)
100817	Community Facilities Planning S94 Nexus	15,000	3,900	0	0	-3,900	15,000	0			30/06/2008	Project not yet commenced. Brief being drafted early November
100818	Retail Study Update	15,000	3,900	0	0	-3,900	15,000	0			30/06/2008	Not commenced yet. Part of background work for principal LEP.
100819	Affordable Housing Project	10,000	2,700	0	0	-2,700	10,000	0		5%	30/06/2008	Key staff enrolled to do UWS Affordable housing short course in November. Issues paper due for Policy Committee by 31/12/07
100820	NSROC Study Review	5,000	1,500	0	0	-1,500	5,000	0			30/06/2008	Not commenced yet. Part of background work for principal LEP.
100821	Urban Design Studies	10,000	2,700	6,615	0	3,915	3,385	0			1/06/2008	Project has not commenced
100822	Simmersion	30,000	7,500	6,615	0	-885	23,385	0		70%	21/12/2007	St Ives model is now complete and presented to Planning Committee. Next Stage is to complete models for Lindfield and Turrumurra. No expenses incurred to date
100823	Parking Management Plan	55,000	13,800	6,030	0	-7,770	48,970	0		50%	04/12/2007	Draft report prepared by consultant, internal staff workshop held
100824	Economic Feasibility Studies	10,000	2,700	4,125	0	1,425	5,875	0		30%	ongoing	Sphere Property Corporation have undertaken an economic review of Precinct C Turrumurra. Report is complete
100825	Reclassification Project	10,000	2,700	0	0	-2,700	10,000	0		10%	ongoing	Project deferred

<b>PROJECT PERFORMANCE REPORT to September, 2007</b>	<b>Dept: Strategy</b>
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**TOTALS >>** 10,909,900    725,130    1,536,426    1,042    811,296    9,373,474    763,130    0

Project	Description	Annual Budget	YTD Budget	YTD ACTUALS		Variance	Annual Budget Remaining	Commit 'ments	PROJECT PERFORMANCE			
				Expended	Grants/ Contribs Received				Revised Budget (Annual)	Percent Complete	Completion Date	Project Status
100826	Development Public Domain Stage 1	50,000	0	13,230	0	13,230	36,770	0		5%	1/09/2008	It is proposed to employ a landscape architect to manage this project. To date the position has been advertised applications received and assessed and interviews set for the 14th November. No expenses incurred to date
100827	Heritage Items and UCA Review	5,000	1,500	0	0	-1,500	5,000	0			30/06/2008	Not commenced. Project part of background for Principal LEP
100828	Heritage Assistance Fund	22,000	5,700	0	0	-5,700	22,000	0		5%	30/06/2008	Project commenced. Seeking applications for funding - expenditure early 2008
100829	GIS Mapping Updates	5,000	1,500	0	0	-1,500	5,000	0			30/06/2008	Not commenced. Project part of background for Principal LEP
100863	Energy Performance Contract	0	0	514	0	514	-514	0				



# MONTHLY FINANCIAL REPORTING - 2007/08

## COUNCIL SUMMARY

### Total Council

NET EXPENDITURE Department	September		September Year To Date			Commitments	Full Year
	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Civic	111,499	111,700	359,602	353,500	(6,102)	8,490	1,424,200
Community	181,145	336,600	1,100,305	1,232,300	131,995	22,244	5,233,000
Development & Regulation	115,594	232,900	415,718	804,500	388,782	26,138	3,234,000
Corporate	(5,890,995)	(3,207,243)	(11,572,343)	(11,402,079)	170,264	82,135	(50,009,800)
Strategy	(22,753)	(112,000)	465,124	420,500	(44,624)	6,555	3,115,400
Operations	1,673,042	1,610,870	4,896,141	5,041,510	145,369	64,672	19,722,700
Waste Management	(320,307)	(20,900)	(200,647)	(56,800)	143,847	21,172	(328,200)
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(4,152,775)</b>	<b>(1,048,073)</b>	<b>(4,536,100)</b>	<b>(3,606,569)</b>	<b>929,531</b>	<b>231,405</b>	<b>(17,608,700)</b>
<b>PROJECTS</b>							
<b>Capital Projects</b>	264,853	63,200	307,902	190,600	(117,302)	137,209	1,311,000
<b>Operating Projects</b>	540,238	46,220	902,028	138,660	(763,368)	413,216	571,200
<b>TOTAL PROJECTS</b>	<b>805,091</b>	<b>109,420</b>	<b>1,209,930</b>	<b>329,260</b>	<b>(880,670)</b>	<b>550,425</b>	<b>1,882,200</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	1,882,544	2,329,149	6,760,696	7,559,947	799,251	29,281	30,455,800
Operating Expenses	937,820	1,457,783	2,882,164	3,225,949	343,785	74,918	10,699,400
Materials & Contract	903,161	1,429,700	3,987,319	4,494,100	506,781	115,263	17,462,600
Statutory Levies	498,845	673,200	986,532	1,009,800	23,268	0	2,347,000
Pensioner Rebate	0	0	0	0	0	0	0
Interest Expense	(393)	52,400	177,399	157,200	(20,199)	0	629,000
Depreciation	609,372	587,700	1,852,293	1,764,000	(88,293)	0	7,056,200
Internal Transactions	506,831	437,500	1,507,989	1,313,300	(194,689)	0	5,276,800
<b>TOTAL OPERATING EXPENSE</b>	<b>5,338,180</b>	<b>6,967,432</b>	<b>18,154,393</b>	<b>19,524,296</b>	<b>1,369,903</b>	<b>219,461</b>	<b>73,926,800</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	38,584	53,825	123,190	154,725	31,535	9,070	668,900
<b>TOTAL CAPITALISED EXPENSE</b>	<b>38,584</b>	<b>53,825</b>	<b>123,190</b>	<b>154,725</b>	<b>31,535</b>	<b>9,070</b>	<b>668,900</b>
<b>TOTAL EXPENSE</b>	<b>5,376,764</b>	<b>7,021,257</b>	<b>18,277,582</b>	<b>19,679,021</b>	<b>1,401,439</b>	<b>228,532</b>	<b>74,595,700</b>
<b>REVENUE</b>							
Pensioner Rebate	(92,504)	(87,100)	(290,174)	(261,300)	(28,874)	0	(1,045,000)
Rates	3,295,628	3,295,800	9,887,362	9,887,400	(38)	0	39,550,400
Infrastructure Levy	166,070	166,100	498,236	498,300	(64)	0	1,993,000
Environmental Levy	169,737	169,700	509,229	509,100	129	0	2,037,000
Annual Charges	830,692	821,200	2,473,257	2,463,600	9,657	0	9,855,400
User Fees & Charges	1,248,086	1,798,730	4,157,206	4,539,390	(382,184)	(2,873)	16,368,100
Interest Income	140,610	326,500	553,854	979,500	(425,646)	0	3,918,500
Grants Recurrent	813,982	336,700	863,227	944,500	(81,273)	0	4,614,100
Contributions	2,420,559	787,600	2,608,794	2,362,800	245,994	0	9,451,100
Other Revenue	28,722	15,400	43,510	46,200	(2,690)	0	185,000
Internal Transactions	507,956	438,700	1,509,182	1,316,100	193,082	0	5,276,800
<b>TOTAL REVENUE</b>	<b>9,529,538</b>	<b>8,069,330</b>	<b>22,813,682</b>	<b>23,285,590</b>	<b>(471,908)</b>	<b>(2,873)</b>	<b>92,204,400</b>
<b>NET DEFICIT / (SURPLUS)</b>	<b>(4,152,775)</b>	<b>(1,048,073)</b>	<b>(4,536,100)</b>	<b>(3,606,569)</b>	<b>929,531</b>	<b>231,405</b>	<b>(17,608,700)</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## DEPARTMENT SUMMARY

Department : Civic

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Responsibility Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Councillor Support	45,751	43,600	143,998	133,400	(10,598)	8,303	536,300
Executive Support	65,748	68,100	215,603	220,100	4,497	187	887,900
<b>NET EXPENDITURE / (REVENUE)</b>	<b>111,499</b>	<b>111,700</b>	<b>359,602</b>	<b>353,500</b>	<b>(6,102)</b>	<b>8,490</b>	<b>1,424,200</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	69,087	72,300	213,808	235,300	21,492	0	947,800
Operating Expenses	29,254	26,200	107,126	78,600	(28,526)	5,546	318,500
Materials & Contract	1,438	1,600	4,133	4,800	667	2,944	19,300
Statutory Levies	0	0	131	0	(131)	0	0
Depreciation	64	100	197	300	103	0	800
Internal Transactions	11,656	11,500	34,206	34,500	294	0	137,800
<b>TOTAL OPERATING EXPENSE</b>	<b>111,499</b>	<b>111,700</b>	<b>359,602</b>	<b>353,500</b>	<b>(6,102)</b>	<b>8,490</b>	<b>1,424,200</b>
<b>TOTAL EXPENSE</b>	<b>111,499</b>	<b>111,700</b>	<b>359,602</b>	<b>353,500</b>	<b>(6,102)</b>	<b>8,490</b>	<b>1,424,200</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(111,499)</b>	<b>(111,700)</b>	<b>(359,602)</b>	<b>(353,500)</b>	<b>6,102</b>	<b>(8,490)</b>	<b>(1,424,200)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Councillor Support

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Councillor Support	45,751	43,600	143,998	133,400	(10,598)	25,329	536,300
<b>NET EXPENDITURE / (REVENUE)</b>	45,751	43,600	143,998	133,400	(10,598)	25,329	536,300
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	12,104	11,100	32,117	35,900	3,783	0	144,400
Operating Expenses	24,038	22,500	82,720	67,500	(15,220)	11,166	273,100
Materials & Contract	789	1,200	2,710	3,600	890	14,163	13,800
Statutory Levies	0	0	131	0	(131)	0	0
Internal Transactions	8,821	8,800	26,321	26,400	79	0	105,000
<b>TOTAL OPERATING EXPENSE</b>	45,751	43,600	143,998	133,400	(10,598)	25,329	536,300
<b>TOTAL EXPENSE</b>	45,751	43,600	143,998	133,400	(10,598)	25,329	536,300
<b>NET SURPLUS / (DEFICIT)</b>	(45,751)	(43,600)	(143,998)	(133,400)	10,598	(25,329)	(536,300)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Executive Support

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Executive Support	65,748	68,100	215,603	220,100	4,497	562	887,900
<b>NET EXPENDITURE / (REVENUE)</b>	65,748	68,100	215,603	220,100	4,497	562	887,900
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	56,983	61,200	181,691	199,400	17,709	0	803,400
Operating Expenses	5,216	3,700	24,406	11,100	(13,306)	562	45,400
Materials & Contract	649	400	1,423	1,200	(223)	0	5,500
Depreciation	64	100	197	300	103	0	800
Internal Transactions	2,836	2,700	7,886	8,100	214	0	32,800
<b>TOTAL OPERATING EXPENSE</b>	65,748	68,100	215,603	220,100	4,497	562	887,900
<b>TOTAL EXPENSE</b>	65,748	68,100	215,603	220,100	4,497	562	887,900
<b>NET SURPLUS / (DEFICIT)</b>	(65,748)	(68,100)	(215,603)	(220,100)	(4,497)	(562)	(887,900)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## DEPARTMENT SUMMARY

Department : Community

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Responsibility Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Community Development	(12,766)	53,000	187,428	254,500	67,072	10,539	1,372,400
Community & Recreation Property Use	(211,272)	(194,100)	(521,336)	(565,400)	(44,064)	0	(2,288,700)
Communications	19,881	25,600	80,901	82,100	1,199	701	330,100
Cultural Services	(10,634)	29,700	67,301	132,600	65,299	3,045	742,700
Customer Services	66,333	75,500	212,252	245,000	32,748	186	984,900
Library Services	300,690	319,600	965,176	995,200	30,024	6,121	3,735,200
Mgmt Sup Community	28,912	27,300	108,583	88,300	(20,283)	1,652	356,400
<b>NET EXPENDITURE / (REVENUE)</b>	181,145	336,600	1,100,305	1,232,300	131,995	22,244	5,233,000
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	468,890	539,800	1,642,361	1,741,400	99,039	7,757	7,009,300
Operating Expenses	104,981	190,600	671,128	577,800	(93,328)	2,053	2,270,700
Materials & Contract	40,544	53,500	123,006	205,900	82,894	7,612	775,500
Depreciation	100,247	98,500	306,482	295,500	(10,982)	0	1,184,400
Internal Transactions	42,116	44,700	152,289	134,900	(17,389)	0	546,500
<b>TOTAL OPERATING EXPENSE</b>	756,777	927,100	2,895,265	2,955,500	60,235	17,422	11,786,400
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	38,584	46,000	107,264	134,300	27,036	4,822	525,500
<b>TOTAL CAPITALISED EXPENSE</b>	38,584	46,000	107,264	134,300	27,036	4,822	525,500
<b>TOTAL EXPENSE</b>	795,361	973,100	3,002,529	3,089,800	87,271	22,244	12,311,900
<b>REVENUE</b>							
User Fees & Charges	486,914	545,500	1,746,078	1,650,100	(95,978)	0	6,322,800
Grants Recurrent	127,302	91,000	156,147	207,400	51,253	0	756,100
Internal Transactions	0	0	0	0	0	0	0
<b>TOTAL REVENUE</b>	614,216	636,500	1,902,225	1,857,500	(44,725)	0	7,078,900
<b>NET SURPLUS / (DEFICIT)</b>	(181,145)	(336,600)	(1,100,305)	(1,232,300)	(131,995)	(22,244)	(5,233,000)
<b>PROJECTS</b>							
Operating Projects	13,173	420	32,096	1,260	(30,836)	1,250	32,000
<b>TOTAL PROJECTS</b>	13,173	420	32,096	1,260	(30,836)	1,250	32,000





# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Community Development

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Aged Services	(10,490)	(5,000)	13,537	(11,200)	(24,737)	38	158,800
Children Services Development	17,226	25,700	58,680	79,100	20,420	0	316,000
Family Day Care	(37,332)	(17,400)	11,885	19,800	7,915	0	211,000
Service Planning and Development	13,681	23,400	40,040	72,100	32,060	382	290,300
Thomas Carlyle Children's Centre	(12,583)	(4,500)	(16,205)	(2,000)	14,205	40,917	(2,200)
Youth Services	10,196	17,200	30,464	54,000	23,536	0	227,700
Immunisation	1,496	0	1,620	0	(1,620)	0	0
Community Volunteer Programs	5,040	13,600	47,406	42,700	(4,706)	691	170,800
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(12,766)</b>	<b>53,000</b>	<b>187,428</b>	<b>254,500</b>	<b>67,072</b>	<b>42,027</b>	<b>1,372,400</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	99,655	121,000	368,552	391,900	23,348	29,026	1,578,100
Operating Expenses	46,355	102,900	347,271	309,400	(37,871)	1,434	1,244,300
Materials & Contract	9,189	20,600	34,808	61,300	26,492	11,567	263,700
Depreciation	20,719	21,100	63,537	63,300	(237)	0	254,800
Internal Transactions	16,652	20,600	60,771	62,600	1,829	0	250,700
<b>TOTAL OPERATING EXPENSE</b>	<b>192,569</b>	<b>286,200</b>	<b>874,938</b>	<b>888,500</b>	<b>13,562</b>	<b>42,027</b>	<b>3,591,600</b>
<b>TOTAL EXPENSE</b>	<b>192,569</b>	<b>286,200</b>	<b>874,938</b>	<b>888,500</b>	<b>13,562</b>	<b>42,027</b>	<b>3,591,600</b>
<b>REVENUE</b>							
User Fees & Charges	84,605	144,300	544,401	432,900	(111,501)	0	1,735,400
Grants Recurrent	120,729	88,900	143,109	201,100	57,991	0	483,800
<b>TOTAL REVENUE</b>	<b>205,335</b>	<b>233,200</b>	<b>687,510</b>	<b>634,000</b>	<b>(53,510)</b>	<b>0</b>	<b>2,219,200</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>12,766</b>	<b>(53,000)</b>	<b>(187,428)</b>	<b>(254,500)</b>	<b>(67,072)</b>	<b>(42,027)</b>	<b>(1,372,400)</b>
<b>PROJECTS</b>							
Operating Projects	1,620	420	2,559	1,260	(1,299)	1,250	5,000
<b>TOTAL PROJECTS</b>	<b>1,620</b>	<b>420</b>	<b>2,559</b>	<b>1,260</b>	<b>(1,299)</b>	<b>1,250</b>	<b>5,000</b>





# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Community & Recreation Property

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Community Facilities Unit	14,584	31,100	55,631	109,300	53,669	0	415,400
Community Halls	24,649	19,800	14,527	60,300	45,773	0	242,000
Meeting Rooms	9,198	6,600	11,980	19,800	7,820	0	80,000
Gordon Golf Course - Revenue	(78,307)	(67,400)	(172,406)	(202,200)	(29,794)	0	(809,200)
Park Revenue	(6,767)	(4,400)	(16,724)	(13,200)	3,524	0	(53,600)
Nth Turramurra Golf - Revenue	(140,012)	(75,900)	(138,078)	(227,700)	(89,622)	0	(912,100)
Tennis - Revenue	(22,266)	(29,900)	(162,163)	(89,700)	72,463	0	(360,000)
Sportsground - Revenue	(3,587)	(48,700)	(70,945)	(146,100)	(75,155)	0	(586,800)
St Ives Showground Revenue	(8,765)	(25,300)	(43,157)	(75,900)	(32,743)	0	(304,400)
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(211,272)</b>	<b>(194,100)</b>	<b>(521,336)</b>	<b>(565,400)</b>	<b>(44,064)</b>	<b>0</b>	<b>(2,288,700)</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	14,108	34,600	47,628	112,400	64,772	0	453,300
Operating Expenses	14,235	41,700	194,094	133,400	(60,694)	0	508,400
Materials & Contract	315	900	2,306	2,700	394	0	10,500
Depreciation	30,489	31,300	93,500	93,900	400	0	375,000
Internal Transactions	4,729	8,000	24,206	24,000	(206)	0	97,300
<b>TOTAL OPERATING EXPENSE</b>	<b>63,876</b>	<b>116,500</b>	<b>361,734</b>	<b>366,400</b>	<b>4,666</b>	<b>0</b>	<b>1,444,500</b>
<b>TOTAL EXPENSE</b>	<b>63,876</b>	<b>116,500</b>	<b>361,734</b>	<b>366,400</b>	<b>4,666</b>	<b>0</b>	<b>1,444,500</b>
<b>REVENUE</b>							
User Fees & Charges	275,148	310,600	883,070	931,800	48,730	0	3,733,200
<b>TOTAL REVENUE</b>	<b>275,148</b>	<b>310,600</b>	<b>883,070</b>	<b>931,800</b>	<b>48,730</b>	<b>0</b>	<b>3,733,200</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>211,272</b>	<b>194,100</b>	<b>521,336</b>	<b>565,400</b>	<b>44,064</b>	<b>0</b>	<b>2,288,700</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Communications

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Communications	19,881	25,600	80,901	82,100	1,199	2,103	330,100
<b>NET EXPENDITURE / (REVENUE)</b>	19,881	25,600	80,901	82,100	1,199	2,103	330,100
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	18,087	19,500	65,271	63,500	(1,771)	0	255,500
Operating Expenses	1,512	3,200	3,621	9,900	6,279	0	38,900
Materials & Contract	112	2,600	11,125	7,800	(3,325)	2,103	31,800
Internal Transactions	170	300	883	900	17	0	3,900
<b>TOTAL OPERATING EXPENSE</b>	19,881	25,600	80,901	82,100	1,199	2,103	330,100
<b>TOTAL EXPENSE</b>	19,881	25,600	80,901	82,100	1,199	2,103	330,100
<b>NET SURPLUS / (DEFICIT)</b>	(19,881)	(25,600)	(80,901)	(82,100)	(1,199)	(2,103)	(330,100)
<b>PROJECTS</b>							
Operating Projects	10,760	0	10,760	0	(10,760)	0	27,000
<b>TOTAL PROJECTS</b>	10,760	0	10,760	0	(10,760)	0	27,000



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Cultural Services

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Art Centre	(24,976)	(8,600)	(47,222)	(24,400)	22,822	2,224	111,000
Community Programs	(20,180)	700	411	2,100	1,689	604	58,500
Cultural Development	7,873	11,900	35,218	38,200	2,982	0	153,100
Community Functions	0	2,700	1,363	43,700	42,337	371	126,700
Bushland Education	9,405	11,300	30,214	35,900	5,686	3,558	143,100
Wildflower Gardens	17,244	11,700	47,317	37,100	(10,217)	136	150,300
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(10,634)</b>	<b>29,700</b>	<b>67,301</b>	<b>132,600</b>	<b>65,299</b>	<b>6,893</b>	<b>742,700</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	68,610	80,100	267,614	251,800	(15,814)	1,000	1,011,600
Operating Expenses	12,038	8,600	22,042	25,300	3,258	2,887	88,400
Materials & Contract	16,022	13,900	40,915	86,300	45,385	3,007	281,500
Depreciation	2,424	2,500	7,435	7,500	65	0	29,700
Internal Transactions	6,055	7,300	23,882	21,900	(1,982)	0	89,400
<b>TOTAL OPERATING EXPENSE</b>	<b>105,149</b>	<b>112,400</b>	<b>361,888</b>	<b>392,800</b>	<b>30,912</b>	<b>6,893</b>	<b>1,500,600</b>
<b>TOTAL EXPENSE</b>	<b>105,149</b>	<b>112,400</b>	<b>361,888</b>	<b>392,800</b>	<b>30,912</b>	<b>6,893</b>	<b>1,500,600</b>
<b>REVENUE</b>							
User Fees & Charges	109,210	80,600	281,550	253,900	(27,650)	0	732,200
Grants Recurrent	6,573	2,100	13,037	6,300	(6,737)	0	25,700
<b>TOTAL REVENUE</b>	<b>115,783</b>	<b>82,700</b>	<b>294,587</b>	<b>260,200</b>	<b>(34,387)</b>	<b>0</b>	<b>757,900</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>10,634</b>	<b>(29,700)</b>	<b>(67,301)</b>	<b>(132,600)</b>	<b>(65,299)</b>	<b>(6,893)</b>	<b>(742,700)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Customer Services

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Customer Services	66,333	75,500	212,252	245,000	32,748	415	984,900
<b>NET EXPENDITURE / (REVENUE)</b>	66,333	75,500	212,252	245,000	32,748	415	984,900
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	64,442	69,500	203,733	226,400	22,667	0	912,600
Operating Expenses	3,579	6,000	11,647	18,300	6,653	330	71,800
Materials & Contract	102	1,100	904	3,600	2,696	85	13,300
Depreciation	15	0	46	0	(46)	0	200
Internal Transactions	0	400	215	1,200	985	0	5,000
<b>TOTAL OPERATING EXPENSE</b>	68,138	77,000	216,544	249,500	32,956	415	1,002,900
<b>TOTAL EXPENSE</b>	68,138	77,000	216,544	249,500	32,956	415	1,002,900
<b>REVENUE</b>							
User Fees & Charges	1,805	1,500	4,291	4,500	209	0	18,000
<b>TOTAL REVENUE</b>	1,805	1,500	4,291	4,500	209	0	18,000
<b>NET SURPLUS / (DEFICIT)</b>	(66,333)	(75,500)	(212,252)	(245,000)	(32,748)	(415)	(984,900)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Library Services

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Library Services	51,181	199,500	293,775	641,300	347,525	28	2,336,800
Gordon Library	97,679	44,000	254,212	132,300	(121,912)	76	530,300
Information Services	50,631	44,100	144,091	125,700	(18,391)	2,957	489,700
Lindfield Library	11,822	4,400	32,784	14,100	(18,684)	0	53,300
Special Library Services	8,076	1,300	19,761	3,900	(15,861)	0	12,100
St. Ives Library	23,703	5,800	61,036	16,700	(44,336)	0	69,300
Technical Services	21,273	3,500	54,557	10,000	(44,557)	2,171	34,800
Turramurra Library	32,214	7,800	81,972	24,100	(57,872)	0	98,400
Young Adult and Childrens Services	4,112	9,200	22,988	27,100	4,112	16,142	110,500
<b>NET EXPENDITURE / (REVENUE)</b>	<b>300,690</b>	<b>319,600</b>	<b>965,176</b>	<b>995,200</b>	<b>30,024</b>	<b>21,374</b>	<b>3,735,200</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	178,944	190,000	600,393	613,700	13,307	0	2,468,600
Operating Expenses	26,473	26,200	80,612	75,500	(5,112)	859	294,100
Materials & Contract	13,123	13,800	29,259	42,400	13,141	2,270	167,200
Depreciation	46,514	43,500	141,700	130,500	(11,200)	0	523,600
Internal Transactions	13,144	6,500	38,233	19,500	(18,733)	0	81,800
<b>TOTAL OPERATING EXPENSE</b>	<b>278,198</b>	<b>280,000</b>	<b>890,196</b>	<b>881,600</b>	<b>(8,596)</b>	<b>3,129</b>	<b>3,535,300</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	38,584	46,000	107,264	134,300	27,036	18,245	525,500
<b>TOTAL CAPITALISED EXPENSE</b>	<b>38,584</b>	<b>46,000</b>	<b>107,264</b>	<b>134,300</b>	<b>27,036</b>	<b>18,245</b>	<b>525,500</b>
<b>TOTAL EXPENSE</b>	<b>316,781</b>	<b>326,000</b>	<b>997,460</b>	<b>1,015,900</b>	<b>18,440</b>	<b>21,374</b>	<b>4,060,800</b>
<b>REVENUE</b>							
User Fees & Charges	16,091	6,400	32,285	20,700	(11,585)	0	79,000
Grants Recurrent	0	0	0	0	0	0	246,600
Internal Transactions	0	0	0	0	0	0	0
<b>TOTAL REVENUE</b>	<b>16,091</b>	<b>6,400</b>	<b>32,285</b>	<b>20,700</b>	<b>(11,585)</b>	<b>0</b>	<b>325,600</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(300,690)</b>	<b>(319,600)</b>	<b>(965,176)</b>	<b>(995,200)</b>	<b>(30,024)</b>	<b>(21,374)</b>	<b>(3,735,200)</b>
<b>PROJECTS</b>							
Operating Projects	793	0	18,778	0	(18,778)	0	0
<b>TOTAL PROJECTS</b>	<b>793</b>	<b>0</b>	<b>18,778</b>	<b>0</b>	<b>(18,778)</b>	<b>0</b>	<b>0</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Mgnt Sup Community

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Community S	28,912	27,300	108,583	88,300	(20,283)	3,118	356,400
<b>NET EXPENDITURE / (REVENUE)</b>	28,912	27,300	108,583	88,300	(20,283)	3,118	356,400
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	25,044	25,100	89,171	81,700	(7,471)	0	329,600
Operating Expenses	790	2,000	11,842	6,000	(5,842)	1,532	24,800
Materials & Contract	1,680	600	3,689	1,800	(1,889)	1,586	7,500
Depreciation	86	100	263	300	37	0	1,100
Internal Transactions	1,367	1,600	4,100	4,800	700	0	18,400
<b>TOTAL OPERATING EXPENSE</b>	28,967	29,400	109,065	94,600	(14,465)	3,118	381,400
<b>TOTAL EXPENSE</b>	28,967	29,400	109,065	94,600	(14,465)	3,118	381,400
<b>REVENUE</b>							
User Fees & Charges	55	2,100	482	6,300	5,818	0	25,000
<b>TOTAL REVENUE</b>	55	2,100	482	6,300	5,818	0	25,000
<b>NET SURPLUS / (DEFICIT)</b>	(28,912)	(27,300)	(108,583)	(88,300)	20,283	(3,118)	(356,400)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## DEPARTMENT SUMMARY

Department : Development & Regulation

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Responsibility Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Building Unit	(32,062)	(26,300)	(90,853)	(71,900)	18,953	727	(287,200)
Compliance & Health Services	43,628	46,800	96,274	152,900	56,626	815	612,200
Administration	34,076	63,800	113,824	207,900	94,077	6,232	836,900
Development Assessment	150,547	135,000	278,232	448,300	170,068	2,696	1,809,200
Landscape Assessment	26,644	29,800	82,649	96,900	14,251	0	389,000
Regulation	(86,290)	(3,500)	23,734	2,900	(20,834)	12,772	1,300
Development Engineers	(20,949)	(12,700)	(88,141)	(32,500)	55,641	2,896	(127,400)
<b>NET EXPENDITURE / (REVENUE)</b>	<b>115,594</b>	<b>232,900</b>	<b>415,718</b>	<b>804,500</b>	<b>388,782</b>	<b>26,138</b>	<b>3,234,000</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	378,917	408,700	1,269,694	1,330,200	60,506	1,700	5,360,300
Operating Expenses	91,684	142,100	48,351	427,700	379,349	13,649	1,705,900
Materials & Contract	20,275	23,600	39,334	70,800	31,466	7,534	283,700
Depreciation	40	0	124	300	176	0	500
Internal Transactions	48,922	45,900	143,155	137,700	(5,455)	0	551,900
<b>TOTAL OPERATING EXPENSE</b>	<b>539,838</b>	<b>620,300</b>	<b>1,500,659</b>	<b>1,966,700</b>	<b>466,041</b>	<b>22,883</b>	<b>7,902,300</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	0	0	0	382	0
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>382</b>	<b>0</b>
<b>TOTAL EXPENSE</b>	<b>539,838</b>	<b>620,300</b>	<b>1,500,659</b>	<b>1,966,700</b>	<b>466,041</b>	<b>23,265</b>	<b>7,902,300</b>
<b>REVENUE</b>							
User Fees & Charges	424,244	387,400	1,084,940	1,162,200	77,260	(2,873)	4,668,300
<b>TOTAL REVENUE</b>	<b>424,244</b>	<b>387,400</b>	<b>1,084,940</b>	<b>1,162,200</b>	<b>77,260</b>	<b>(2,873)</b>	<b>4,668,300</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(115,594)</b>	<b>(232,900)</b>	<b>(415,718)</b>	<b>(804,500)</b>	<b>(388,782)</b>	<b>(26,138)</b>	<b>(3,234,000)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Building Unit

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Building Unit	(32,062)	(26,300)	(90,853)	(71,900)	18,953	2,182	(287,200)
<b>NET EXPENDITURE / (REVENUE)</b>	(32,062)	(26,300)	(90,853)	(71,900)	18,953	2,182	(287,200)
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	17,262	26,300	69,415	85,900	16,485	0	346,400
Operating Expenses	183	200	580	600	20	2,182	2,400
Materials & Contract	0	1,700	0	5,100	5,100	0	20,000
Internal Transactions	4,167	4,200	12,500	12,600	100	0	50,000
<b>TOTAL OPERATING EXPENSE</b>	21,612	32,400	82,496	104,200	21,704	2,182	418,800
<b>TOTAL EXPENSE</b>	21,612	32,400	82,496	104,200	21,704	2,182	418,800
<b>REVENUE</b>							
User Fees & Charges	53,674	58,700	173,349	176,100	2,751	0	706,000
<b>TOTAL REVENUE</b>	53,674	58,700	173,349	176,100	2,751	0	706,000
<b>NET SURPLUS / (DEFICIT)</b>	32,062	26,300	90,853	71,900	(18,953)	(2,182)	287,200
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							





# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Compliance & Health Services

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Development Compliance	17,148	13,900	13,494	45,400	31,906	98	180,500
Public Health Services	26,480	32,900	82,780	107,500	24,720	0	431,700
<b>NET EXPENDITURE / (REVENUE)</b>	<b>43,628</b>	<b>46,800</b>	<b>96,274</b>	<b>152,900</b>	<b>56,626</b>	<b>98</b>	<b>612,200</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	45,572	44,400	127,923	144,600	16,677	0	582,500
Operating Expenses	14,800	7,700	15,921	23,900	7,979	98	93,400
Materials & Contract	0	2,500	8,423	7,500	(923)	0	30,500
Depreciation	23	0	72	300	228	0	300
Internal Transactions	6,417	6,400	19,250	19,200	(50)	0	77,000
<b>TOTAL OPERATING EXPENSE</b>	<b>66,812</b>	<b>61,000</b>	<b>171,588</b>	<b>195,500</b>	<b>23,912</b>	<b>98</b>	<b>783,700</b>
<b>TOTAL EXPENSE</b>	<b>66,812</b>	<b>61,000</b>	<b>171,588</b>	<b>195,500</b>	<b>23,912</b>	<b>98</b>	<b>783,700</b>
<b>REVENUE</b>							
User Fees & Charges	23,183	14,200	75,314	42,600	(32,714)	0	171,500
<b>TOTAL REVENUE</b>	<b>23,183</b>	<b>14,200</b>	<b>75,314</b>	<b>42,600</b>	<b>(32,714)</b>	<b>0</b>	<b>171,500</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(43,628)</b>	<b>(46,800)</b>	<b>(96,274)</b>	<b>(152,900)</b>	<b>(56,626)</b>	<b>(98)</b>	<b>(612,200)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Administration

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Mgt Support - Development & Regulation	23,155	21,800	78,064	70,400	(7,664)	0	282,700
Administration	10,921	42,000	35,760	137,500	101,740	24,057	554,200
<b>NET EXPENDITURE / (REVENUE)</b>	<b>34,076</b>	<b>63,800</b>	<b>113,824</b>	<b>207,900</b>	<b>94,077</b>	<b>24,057</b>	<b>836,900</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	61,944	68,500	215,947	222,000	6,053	2,337	894,700
Operating Expenses	1,759	2,400	5,233	7,200	1,967	0	28,600
Materials & Contract	1,864	6,900	6,752	20,700	13,948	21,719	82,200
Internal Transactions	5,372	2,400	12,505	7,200	(5,305)	0	28,800
<b>TOTAL OPERATING EXPENSE</b>	<b>70,938</b>	<b>80,200</b>	<b>240,437</b>	<b>257,100</b>	<b>16,663</b>	<b>24,057</b>	<b>1,034,300</b>
<b>TOTAL EXPENSE</b>	<b>70,938</b>	<b>80,200</b>	<b>240,437</b>	<b>257,100</b>	<b>16,663</b>	<b>24,057</b>	<b>1,034,300</b>
<b>REVENUE</b>							
User Fees & Charges	36,862	16,400	126,613	49,200	(77,413)	0	197,400
<b>TOTAL REVENUE</b>	<b>36,862</b>	<b>16,400</b>	<b>126,613</b>	<b>49,200</b>	<b>(77,413)</b>	<b>0</b>	<b>197,400</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(34,076)</b>	<b>(63,800)</b>	<b>(113,824)</b>	<b>(207,900)</b>	<b>(94,077)</b>	<b>(24,057)</b>	<b>(836,900)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Development Assessment

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Development Assessment	150,547	135,000	278,232	448,300	170,068	0	1,809,200
<b>NET EXPENDITURE / (REVENUE)</b>	150,547	135,000	278,232	448,300	170,068	0	1,809,200
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	161,275	167,400	551,613	545,500	(6,113)	0	2,198,100
Operating Expenses	73,386	118,500	20,956	355,500	334,544	0	1,422,200
Materials & Contract	14,588	6,700	14,645	20,100	5,455	0	80,000
Depreciation	17	0	52	0	(52)	0	200
Internal Transactions	23,225	23,200	69,675	69,600	(75)	0	278,700
<b>TOTAL OPERATING EXPENSE</b>	272,490	315,800	656,941	990,700	333,759	0	3,979,200
<b>TOTAL EXPENSE</b>	272,490	315,800	656,941	990,700	333,759	0	3,979,200
<b>REVENUE</b>							
User Fees & Charges	121,943	180,800	378,710	542,400	163,690	0	2,170,000
<b>TOTAL REVENUE</b>	121,943	180,800	378,710	542,400	163,690	0	2,170,000
<b>NET SURPLUS / (DEFICIT)</b>	(150,547)	(135,000)	(278,232)	(448,300)	(170,068)	0	(1,809,200)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Landscape Assessment

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Landscape Assessment	26,644	29,800	82,649	96,900	14,251	0	389,000
<b>NET EXPENDITURE / (REVENUE)</b>	26,644	29,800	82,649	96,900	14,251	0	389,000
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	25,029	28,200	77,981	91,800	13,819	0	369,400
Operating Expenses	548	500	1,468	1,800	332	0	5,800
Materials & Contract	0	0	0	0	0	0	1,000
Internal Transactions	1,067	1,100	3,200	3,300	100	0	12,800
<b>TOTAL OPERATING EXPENSE</b>	26,644	29,800	82,649	96,900	14,251	0	389,000
<b>TOTAL EXPENSE</b>	26,644	29,800	82,649	96,900	14,251	0	389,000
<b>NET SURPLUS / (DEFICIT)</b>	(26,644)	(29,800)	(82,649)	(96,900)	(14,251)	0	(389,000)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Regulation

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Animal Control	(5,626)	5,800	7,294	19,200	11,906	173	77,700
Parking & Traffic	(111,054)	(39,100)	(88,152)	(112,600)	(24,448)	27,479	(448,600)
Area Rangers	30,391	29,800	104,592	96,300	(8,292)	9,141	372,200
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(86,290)</b>	<b>(3,500)</b>	<b>23,734</b>	<b>2,900</b>	<b>(20,834)</b>	<b>36,793</b>	<b>1,300</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	48,930	52,600	166,881	170,900	4,019	264	688,600
Operating Expenses	733	12,500	3,368	37,800	34,432	36,529	150,000
Materials & Contract	3,824	5,800	9,514	17,400	7,886	0	70,000
Internal Transactions	7,550	7,500	22,650	22,500	(150)	0	91,100
<b>TOTAL OPERATING EXPENSE</b>	<b>61,038</b>	<b>78,400</b>	<b>202,413</b>	<b>248,600</b>	<b>46,187</b>	<b>36,793</b>	<b>999,700</b>
<b>TOTAL EXPENSE</b>	<b>61,038</b>	<b>78,400</b>	<b>202,413</b>	<b>248,600</b>	<b>46,187</b>	<b>36,793</b>	<b>999,700</b>
<b>REVENUE</b>							
User Fees & Charges	147,328	81,900	178,680	245,700	67,020	0	998,400
<b>TOTAL REVENUE</b>	<b>147,328</b>	<b>81,900</b>	<b>178,680</b>	<b>245,700</b>	<b>67,020</b>	<b>0</b>	<b>998,400</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>86,290</b>	<b>3,500</b>	<b>(23,734)</b>	<b>(2,900)</b>	<b>20,834</b>	<b>(36,793)</b>	<b>(1,300)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Development Engineers

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Development Assessment Engineers	15,315	19,400	49,878	63,800	13,922	45	257,600
Infrastructure Restoration	(36,263)	(32,100)	(138,018)	(96,300)	41,718	14,365	(385,000)
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(20,949)</b>	<b>(12,700)</b>	<b>(88,141)</b>	<b>(32,500)</b>	<b>55,641</b>	<b>14,410</b>	<b>(127,400)</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	18,906	21,300	59,934	69,500	9,566	0	280,600
Operating Expenses	275	300	825	900	75	45	3,500
Internal Transactions	1,125	1,100	3,375	3,300	(75)	0	13,500
<b>TOTAL OPERATING EXPENSE</b>	<b>20,306</b>	<b>22,700</b>	<b>64,134</b>	<b>73,700</b>	<b>9,566</b>	<b>45</b>	<b>297,600</b>
<b>TOTAL EXPENSE</b>	<b>20,306</b>	<b>22,700</b>	<b>64,134</b>	<b>73,700</b>	<b>9,566</b>	<b>45</b>	<b>297,600</b>
<b>REVENUE</b>							
User Fees & Charges	41,255	35,400	152,275	106,200	(46,075)	0	425,000
<b>TOTAL REVENUE</b>	<b>41,255</b>	<b>35,400</b>	<b>152,275</b>	<b>106,200</b>	<b>(46,075)</b>	<b>0</b>	<b>425,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>20,949</b>	<b>12,700</b>	<b>88,141</b>	<b>32,500</b>	<b>(55,641)</b>	<b>(14,410)</b>	<b>127,400</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## DEPARTMENT SUMMARY

Department : Corporate

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Responsibility Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Council Services	26,319	23,200	71,038	75,100	4,062	971	301,100
Corporate Accounts	(6,292,085)	(4,177,000)	(13,677,907)	(13,630,100)	47,807	1,316	(56,736,300)
Financial Management	63,963	72,100	202,014	234,200	32,186	1,037	1,076,000
Human Resource Management	77,721	107,832	253,780	335,296	81,516	29,385	1,346,600
Information Tech	102,928	148,925	566,012	609,225	43,213	15,048	2,012,800
Insurance & Risk	32,342	526,900	679,458	675,100	(4,358)	450	787,000
Land Information	(5,848)	(5,000)	(7,987)	(10,800)	(2,813)	0	(42,800)
Mgmt Sup Fin & Bus	20,617	21,200	69,254	68,200	(1,054)	274	274,000
Print Room	(2,059)	(3,300)	1,611	(7,700)	(9,311)	25,424	(31,100)
Records	46,002	47,100	156,301	149,700	(6,601)	7,593	601,800
Supply	39,105	30,800	114,082	99,700	(14,382)	638	401,100
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(5,890,995)</b>	<b>(3,207,243)</b>	<b>(11,572,343)</b>	<b>(11,402,079)</b>	<b>170,264</b>	<b>82,135</b>	<b>(50,009,800)</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	265,957	303,449	733,211	982,147	248,936	17,790	3,955,100
Operating Expenses	245,905	722,783	1,042,436	1,171,649	129,213	42,046	2,858,100
Materials & Contract	34,602	54,900	317,656	322,100	4,444	18,432	808,000
Statutory Levies	498,845	673,200	986,401	1,009,800	23,399	0	2,347,000
Pensioner Rebate	0	0	0	0	0	0	0
Interest Expense	(393)	52,400	177,399	157,200	(20,199)	0	629,000
Depreciation	6,638	6,300	20,374	18,900	(1,474)	0	75,100
Internal Transactions	14,971	15,500	43,077	46,500	3,423	0	184,700
<b>TOTAL OPERATING EXPENSE</b>	<b>1,066,526</b>	<b>1,828,532</b>	<b>3,320,554</b>	<b>3,708,296</b>	<b>387,742</b>	<b>78,268</b>	<b>10,857,000</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	6,325	15,925	15,925	0	3,867	115,000
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>6,325</b>	<b>15,925</b>	<b>15,925</b>	<b>0</b>	<b>3,867</b>	<b>115,000</b>
<b>TOTAL EXPENSE</b>	<b>1,066,526</b>	<b>1,834,857</b>	<b>3,336,479</b>	<b>3,724,221</b>	<b>387,742</b>	<b>82,135</b>	<b>10,972,000</b>
<b>REVENUE</b>							
Pensioner Rebate	(76,059)	(71,300)	(238,745)	(213,900)	24,845	0	(855,000)
Rates	3,295,628	3,295,800	9,887,362	9,887,400	38	0	39,550,400
Infrastructure Levy	166,070	166,100	498,236	498,300	64	0	1,993,000
Environmental Levy	169,737	169,700	509,229	509,100	(129)	0	2,037,000
User Fees & Charges	37,471	35,800	106,731	107,400	669	0	586,200
Interest Income	140,610	326,500	553,858	979,500	425,642	0	3,918,500
Grants Recurrent	686,680	228,400	686,680	685,200	(1,480)	0	3,058,000
Contributions	2,420,559	787,600	2,608,794	2,362,800	(245,994)	0	9,451,100
Other Revenue	28,722	15,400	43,510	46,200	2,690	0	185,000
Internal Transactions	88,103	88,100	253,168	264,300	11,132	0	1,057,600
<b>TOTAL REVENUE</b>	<b>6,957,521</b>	<b>5,042,100</b>	<b>14,908,822</b>	<b>15,126,300</b>	<b>217,478</b>	<b>0</b>	<b>60,981,800</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>5,890,995</b>	<b>3,207,243</b>	<b>11,572,343</b>	<b>11,402,079</b>	<b>(170,264)</b>	<b>(82,135)</b>	<b>50,009,800</b>
<b>PROJECTS</b>							
Capital Projects	0	9,100	0	27,300	27,300	0	119,000
Operating Projects	45,280	10,450	45,280	31,350	(13,930)	37,891	125,400
<b>TOTAL PROJECTS</b>	<b>45,280</b>	<b>19,550</b>	<b>45,280</b>	<b>58,650</b>	<b>13,370</b>	<b>37,891</b>	<b>244,400</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Council Services

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Corporate Governance	26,319	23,200	71,038	75,100	4,062	1,231	301,100
<b>NET EXPENDITURE / (REVENUE)</b>	26,319	23,200	71,038	75,100	4,062	1,231	301,100
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	17,122	19,600	51,189	64,000	12,811	0	257,800
Operating Expenses	6,510	800	12,662	2,400	(10,262)	0	9,600
Materials & Contract	526	400	636	1,500	864	1,231	5,300
Internal Transactions	2,250	2,500	6,750	7,500	750	0	30,100
<b>TOTAL OPERATING EXPENSE</b>	26,408	23,300	71,237	75,400	4,163	1,231	302,800
<b>TOTAL EXPENSE</b>	26,408	23,300	71,237	75,400	4,163	1,231	302,800
<b>REVENUE</b>							
User Fees & Charges	89	100	199	300	101	0	1,700
<b>TOTAL REVENUE</b>	89	100	199	300	101	0	1,700
<b>NET SURPLUS / (DEFICIT)</b>	(26,319)	(23,200)	(71,038)	(75,100)	(4,062)	(1,231)	(301,100)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							





# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Corporate Accounts

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Corporate Accounts	(4,359,255)	(3,850,300)	(11,681,633)	(11,640,200)	41,433	2,492	(47,083,900)
Statutory Levies	498,845	673,200	986,401	1,009,800	23,399	0	2,347,000
Section 94	(2,431,675)	(999,900)	(2,982,675)	(2,999,700)	(17,025)	0	(11,999,400)
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(6,292,085)</b>	<b>(4,177,000)</b>	<b>(13,677,907)</b>	<b>(13,630,100)</b>	<b>47,807</b>	<b>2,492</b>	<b>(56,736,300)</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	9,467	2,800	(142,056)	9,100	151,156	0	36,500
Operating Expenses	101,175	82,000	56,972	156,000	99,028	2,492	476,000
Statutory Levies	498,845	673,200	986,401	1,009,800	23,399	0	2,347,000
Interest Expense	(393)	52,400	177,399	157,200	(20,199)	0	629,000
<b>TOTAL OPERATING EXPENSE</b>	<b>609,095</b>	<b>810,400</b>	<b>1,078,716</b>	<b>1,332,100</b>	<b>253,384</b>	<b>2,492</b>	<b>3,488,500</b>
<b>TOTAL EXPENSE</b>	<b>609,095</b>	<b>810,400</b>	<b>1,078,716</b>	<b>1,332,100</b>	<b>253,384</b>	<b>2,492</b>	<b>3,488,500</b>
<b>REVENUE</b>							
Pensioner Rebate	(76,059)	(71,300)	(238,745)	(213,900)	24,845	0	(855,000)
Rates	3,295,628	3,295,800	9,887,362	9,887,400	38	0	39,550,400
Infrastructure Levy	166,070	166,100	498,236	498,300	64	0	1,993,000
Environmental Levy	169,737	169,700	509,229	509,100	(129)	0	2,037,000
User Fees & Charges	0	0	0	0	0	0	56,000
Interest Income	140,610	326,500	553,858	979,500	425,642	0	3,918,500
Grants Recurrent	686,680	228,400	686,680	685,200	(1,480)	0	3,058,000
Contributions	2,420,559	787,600	2,608,794	2,362,800	(245,994)	0	9,451,100
Other Revenue	28,722	15,400	43,510	46,200	2,690	0	185,000
Internal Transactions	69,233	69,200	207,700	207,600	(100)	0	830,800
<b>TOTAL REVENUE</b>	<b>6,901,180</b>	<b>4,987,400</b>	<b>14,756,622</b>	<b>14,962,200</b>	<b>205,578</b>	<b>0</b>	<b>60,224,800</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>6,292,085</b>	<b>4,177,000</b>	<b>13,677,907</b>	<b>13,630,100</b>	<b>(47,807)</b>	<b>(2,492)</b>	<b>56,736,300</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Financial Management

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Financial Management	55,014	52,000	154,366	168,200	13,834	1,000	678,900
Rates & Debtors	8,949	20,100	47,648	66,000	18,352	73	397,100
<b>NET EXPENDITURE / (REVENUE)</b>	<b>63,963</b>	<b>72,100</b>	<b>202,014</b>	<b>234,200</b>	<b>32,186</b>	<b>1,073</b>	<b>1,076,000</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	55,142	69,100	183,199	225,200	42,001	0	907,800
Operating Expenses	15,518	9,300	42,460	27,900	(14,560)	0	244,000
Materials & Contract	465	300	913	900	(13)	1,073	3,500
Internal Transactions	3,838	3,400	10,422	10,200	(222)	0	40,700
<b>TOTAL OPERATING EXPENSE</b>	<b>74,963</b>	<b>82,100</b>	<b>236,994</b>	<b>264,200</b>	<b>27,206</b>	<b>1,073</b>	<b>1,196,000</b>
<b>TOTAL EXPENSE</b>	<b>74,963</b>	<b>82,100</b>	<b>236,994</b>	<b>264,200</b>	<b>27,206</b>	<b>1,073</b>	<b>1,196,000</b>
<b>REVENUE</b>							
User Fees & Charges	11,000	10,000	34,980	30,000	(4,980)	0	120,000
<b>TOTAL REVENUE</b>	<b>11,000</b>	<b>10,000</b>	<b>34,980</b>	<b>30,000</b>	<b>(4,980)</b>	<b>0</b>	<b>120,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(63,963)</b>	<b>(72,100)</b>	<b>(202,014)</b>	<b>(234,200)</b>	<b>(32,186)</b>	<b>(1,073)</b>	<b>(1,076,000)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Human Resource Management

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Occupational, Health and Safety	7,031	11,700	32,620	36,600	3,980	631	147,800
Payroll Processing	6,748	10,600	30,757	34,600	3,843	9,394	138,600
Staff Training and Development	10,739	32,632	39,925	99,296	59,371	25,213	398,200
Workforce Management	53,203	52,900	150,478	164,800	14,322	15,695	662,000
<b>NET EXPENDITURE / (REVENUE)</b>	<b>77,721</b>	<b>107,832</b>	<b>253,780</b>	<b>335,296</b>	<b>81,516</b>	<b>50,933</b>	<b>1,346,600</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	34,779	72,249	158,326	228,547	70,221	33,600	917,600
Operating Expenses	42,257	33,783	89,356	101,349	11,993	17,073	407,200
Materials & Contract	528	900	1,040	2,700	1,660	260	10,500
Internal Transactions	2,657	3,000	7,559	9,000	1,441	0	36,300
<b>TOTAL OPERATING EXPENSE</b>	<b>80,221</b>	<b>109,932</b>	<b>256,280</b>	<b>341,596</b>	<b>85,316</b>	<b>50,933</b>	<b>1,371,600</b>
<b>TOTAL EXPENSE</b>	<b>80,221</b>	<b>109,932</b>	<b>256,280</b>	<b>341,596</b>	<b>85,316</b>	<b>50,933</b>	<b>1,371,600</b>
<b>REVENUE</b>							
User Fees & Charges	2,500	2,100	2,500	6,300	3,800	0	25,000
<b>TOTAL REVENUE</b>	<b>2,500</b>	<b>2,100</b>	<b>2,500</b>	<b>6,300</b>	<b>3,800</b>	<b>0</b>	<b>25,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(77,721)</b>	<b>(107,832)</b>	<b>(253,780)</b>	<b>(335,296)</b>	<b>(81,516)</b>	<b>(50,933)</b>	<b>(1,346,600)</b>
<b>PROJECTS</b>							
Operating Projects	0	0	0	0	0	0	0
<b>TOTAL PROJECTS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Information Tech

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
IT Support	102,928	148,925	566,012	609,225	43,213	23,186	2,012,800
<b>NET EXPENDITURE / (REVENUE)</b>	102,928	148,925	566,012	609,225	43,213	23,186	2,012,800
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	34,829	32,800	115,384	106,800	(8,584)	0	430,200
Operating Expenses	34,458	56,300	114,770	168,900	54,130	6,840	676,100
Materials & Contract	25,360	45,500	294,952	293,600	(1,352)	11,344	695,500
Depreciation	6,131	6,000	18,812	18,000	(812)	0	72,000
Internal Transactions	2,149	2,000	6,149	6,000	(149)	0	24,000
<b>TOTAL OPERATING EXPENSE</b>	102,928	142,600	550,067	593,300	43,233	18,184	1,897,800
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	6,325	15,925	15,925	0	5,001	115,000
<b>TOTAL CAPITALISED EXPENSE</b>	0	6,325	15,925	15,925	0	5,001	115,000
<b>TOTAL EXPENSE</b>	102,928	148,925	565,992	609,225	43,233	23,186	2,012,800
<b>REVENUE</b>							
User Fees & Charges	0	0	(20)	0	20	0	0
<b>TOTAL REVENUE</b>	0	0	(20)	0	20	0	0
<b>NET SURPLUS / (DEFICIT)</b>	(102,928)	(148,925)	(566,012)	(609,225)	(43,213)	(23,186)	(2,012,800)
<b>PROJECTS</b>							
Capital Projects	0	9,100	0	27,300	27,300	0	119,000
Operating Projects	45,280	10,450	45,280	31,350	(13,930)	113,672	125,400
<b>TOTAL PROJECTS</b>	45,280	19,550	45,280	58,650	13,370	113,672	244,400



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Insurance & Risk

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Insurance and Risk	32,342	526,900	679,458	675,100	(4,358)	2,250	787,000
<b>NET EXPENDITURE / (REVENUE)</b>	32,342	526,900	679,458	675,100	(4,358)	2,250	787,000
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	5,348	4,900	17,076	15,800	(1,276)	0	63,200
Operating Expenses	26,837	521,900	662,225	659,000	(3,225)	2,250	822,700
Materials & Contract	157	100	157	300	143	0	1,100
<b>TOTAL OPERATING EXPENSE</b>	32,342	526,900	679,458	675,100	(4,358)	2,250	887,000
<b>TOTAL EXPENSE</b>	32,342	526,900	679,458	675,100	(4,358)	2,250	887,000
<b>REVENUE</b>							
User Fees & Charges	0	0	0	0	0	0	100,000
<b>TOTAL REVENUE</b>	0	0	0	0	0	0	100,000
<b>NET SURPLUS / (DEFICIT)</b>	(32,342)	(526,900)	(679,458)	(675,100)	4,358	(2,250)	(787,000)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Land Information

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Geographical Information Services	(5,848)	(5,000)	(7,987)	(10,800)	(2,813)	0	(42,800)
<b>NET EXPENDITURE / (REVENUE)</b>	(5,848)	(5,000)	(7,987)	(10,800)	(2,813)	0	(42,800)
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	16,214	16,500	55,401	53,700	(1,701)	0	216,300
Operating Expenses	367	400	1,100	1,200	100	0	4,400
Materials & Contract	0	300	199	900	702	0	4,000
Depreciation	234	0	727	0	(727)	0	0
Internal Transactions	1,083	1,300	3,250	3,900	650	0	15,000
<b>TOTAL OPERATING EXPENSE</b>	17,898	18,500	60,676	59,700	(976)	0	239,700
<b>TOTAL EXPENSE</b>	17,898	18,500	60,676	59,700	(976)	0	239,700
<b>REVENUE</b>							
User Fees & Charges	23,746	23,500	68,663	70,500	1,837	0	282,500
<b>TOTAL REVENUE</b>	23,746	23,500	68,663	70,500	1,837	0	282,500
<b>NET SURPLUS / (DEFICIT)</b>	5,848	5,000	7,987	10,800	2,813	0	42,800
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Mgnt Sup Fin & Bus

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Finance & Bu	20,617	21,200	69,254	68,200	(1,054)	1,094	274,000
<b>NET EXPENDITURE / (REVENUE)</b>	20,617	21,200	69,254	68,200	(1,054)	1,094	274,000
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	17,631	17,600	60,082	57,400	(2,682)	0	231,700
Operating Expenses	658	800	2,101	2,400	299	0	8,400
Materials & Contract	685	1,000	2,277	3,000	723	1,094	12,500
Internal Transactions	1,644	1,800	4,794	5,400	607	0	21,400
<b>TOTAL OPERATING EXPENSE</b>	20,617	21,200	69,254	68,200	(1,054)	1,094	274,000
<b>TOTAL EXPENSE</b>	20,617	21,200	69,254	68,200	(1,054)	1,094	274,000
<b>NET SURPLUS / (DEFICIT)</b>	(20,617)	(21,200)	(69,254)	(68,200)	1,054	(1,094)	(274,000)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Print Room

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Print Room	(2,059)	(3,300)	1,611	(7,700)	(9,311)	98,786	(31,100)
<b>NET EXPENDITURE / (REVENUE)</b>	(2,059)	(3,300)	1,611	(7,700)	(9,311)	98,786	(31,100)
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	12,673	8,000	29,738	26,200	(3,538)	0	105,700
Operating Expenses	737	2,600	5,860	7,800	1,940	77,420	30,800
Materials & Contract	3,351	4,800	11,316	14,400	3,084	21,366	56,900
Depreciation	187	200	575	600	26	0	2,300
<b>TOTAL OPERATING EXPENSE</b>	16,948	15,600	47,488	49,000	1,512	98,786	195,700
<b>TOTAL EXPENSE</b>	16,948	15,600	47,488	49,000	1,512	98,786	195,700
<b>REVENUE</b>							
User Fees & Charges	136	0	409	0	(409)	0	0
Internal Transactions	18,870	18,900	45,468	56,700	11,232	0	226,800
<b>TOTAL REVENUE</b>	19,006	18,900	45,877	56,700	10,823	0	226,800
<b>NET SURPLUS / (DEFICIT)</b>	2,059	3,300	(1,611)	7,700	9,311	(98,786)	31,100
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							





# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Records

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Records Management	46,002	47,100	156,301	149,700	(6,601)	23,771	601,800
<b>NET EXPENDITURE / (REVENUE)</b>	46,002	47,100	156,301	149,700	(6,601)	23,771	601,800
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	30,828	32,500	105,637	105,900	263	0	427,200
Operating Expenses	15,005	13,200	47,526	39,600	(7,926)	11,713	158,800
Materials & Contract	84	1,200	2,773	3,600	827	9,858	14,000
Depreciation	85	100	261	300	39	0	800
Internal Transactions	0	100	104	300	196	0	1,000
<b>TOTAL OPERATING EXPENSE</b>	46,002	47,100	156,301	149,700	(6,601)	21,571	601,800
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	0	0	0	2,200	0
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	0	0	0	2,200	0
<b>TOTAL EXPENSE</b>	46,002	47,100	156,301	149,700	(6,601)	23,771	601,800
<b>NET SURPLUS / (DEFICIT)</b>	(46,002)	(47,100)	(156,301)	(149,700)	6,601	(23,771)	(601,800)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Supply

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Accounts Payable	15,213	9,700	37,354	31,600	(5,754)	0	127,300
Purchasing / Supply	23,892	21,100	76,728	68,100	(8,628)	73	273,800
<b>NET EXPENDITURE / (REVENUE)</b>	<b>39,105</b>	<b>30,800</b>	<b>114,082</b>	<b>99,700</b>	<b>(14,382)</b>	<b>73</b>	<b>401,100</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	31,924	27,400	99,233	89,500	(9,733)	0	361,100
Operating Expenses	2,383	1,700	7,405	5,100	(2,305)	0	20,100
Materials & Contract	3,447	400	3,394	1,200	(2,194)	73	4,700
Internal Transactions	1,350	1,400	4,050	4,200	150	0	16,200
<b>TOTAL OPERATING EXPENSE</b>	<b>39,105</b>	<b>30,900</b>	<b>114,082</b>	<b>100,000</b>	<b>(14,082)</b>	<b>73</b>	<b>402,100</b>
<b>TOTAL EXPENSE</b>	<b>39,105</b>	<b>30,900</b>	<b>114,082</b>	<b>100,000</b>	<b>(14,082)</b>	<b>73</b>	<b>402,100</b>
<b>REVENUE</b>							
User Fees & Charges	0	100	0	300	300	0	1,000
<b>TOTAL REVENUE</b>	<b>0</b>	<b>100</b>	<b>0</b>	<b>300</b>	<b>300</b>	<b>0</b>	<b>1,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(39,105)</b>	<b>(30,800)</b>	<b>(114,082)</b>	<b>(99,700)</b>	<b>14,382</b>	<b>(73)</b>	<b>(401,100)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## DEPARTMENT SUMMARY

Department : Strategy

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Responsibility Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Mgmt Sup Strategy	28,934	32,500	101,805	103,900	2,095	4,635	420,700
Corporate Planning & Sustainability	50,124	81,600	231,901	262,700	30,799	1,893	1,058,000
Strategic Asset Management	(144,465)	(307,100)	(78,008)	(207,000)	(128,992)	27	584,600
Urban Planning	42,655	81,000	209,426	260,900	51,474	0	1,052,100
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(22,753)</b>	<b>(112,000)</b>	<b>465,124</b>	<b>420,500</b>	<b>(44,624)</b>	<b>6,555</b>	<b>3,115,400</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	96,522	188,600	515,237	614,200	98,963	0	2,475,400
Operating Expenses	90,997	114,900	158,541	181,700	23,159	2,997	400,500
Materials & Contract	3,712	4,300	8,691	13,600	4,909	3,557	54,200
Depreciation	31,839	32,600	97,641	97,800	159	0	391,500
Internal Transactions	40,113	50,300	120,700	150,900	30,200	0	604,300
<b>TOTAL OPERATING EXPENSE</b>	<b>263,183</b>	<b>390,700</b>	<b>900,811</b>	<b>1,058,200</b>	<b>157,389</b>	<b>6,555</b>	<b>3,925,900</b>
<b>TOTAL EXPENSE</b>	<b>263,183</b>	<b>390,700</b>	<b>900,811</b>	<b>1,058,200</b>	<b>157,389</b>	<b>6,555</b>	<b>3,925,900</b>
<b>REVENUE</b>							
User Fees & Charges	285,936	502,700	435,686	637,700	202,014	0	810,500
<b>TOTAL REVENUE</b>	<b>285,936</b>	<b>502,700</b>	<b>435,686</b>	<b>637,700</b>	<b>202,014</b>	<b>0</b>	<b>810,500</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>22,753</b>	<b>112,000</b>	<b>(465,124)</b>	<b>(420,500)</b>	<b>44,624</b>	<b>(6,555)</b>	<b>(3,115,400)</b>
<b>PROJECTS</b>							
Capital Projects	3,673	0	724,574	0	(724,574)	38,612	0
Operating Projects	470,897	22,700	810,810	68,100	(742,710)	360,655	262,000
<b>TOTAL PROJECTS</b>	<b>474,569</b>	<b>22,700</b>	<b>1,535,384</b>	<b>68,100</b>	<b>(1,467,284)</b>	<b>399,266</b>	<b>262,000</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Mgnt Sup Strategy

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Strategy	21,617	28,200	84,273	91,000	6,727	4,817	368,400
Management Support - Planning	7,317	4,300	17,532	12,900	(4,632)	504	52,300
<b>NET EXPENDITURE / (REVENUE)</b>	<b>28,934</b>	<b>32,500</b>	<b>101,805</b>	<b>103,900</b>	<b>2,095</b>	<b>5,321</b>	<b>420,700</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	22,333	24,400	79,553	79,600	47	0	320,600
Operating Expenses	991	1,500	5,417	4,500	(917)	777	18,200
Materials & Contract	1,586	1,900	3,754	5,700	1,946	4,544	24,500
Depreciation	52	0	160	0	(160)	0	500
Internal Transactions	3,972	4,700	12,920	14,100	1,180	0	56,900
<b>TOTAL OPERATING EXPENSE</b>	<b>28,934</b>	<b>32,500</b>	<b>101,805</b>	<b>103,900</b>	<b>2,095</b>	<b>5,321</b>	<b>420,700</b>
<b>TOTAL EXPENSE</b>	<b>28,934</b>	<b>32,500</b>	<b>101,805</b>	<b>103,900</b>	<b>2,095</b>	<b>5,321</b>	<b>420,700</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(28,934)</b>	<b>(32,500)</b>	<b>(101,805)</b>	<b>(103,900)</b>	<b>(2,095)</b>	<b>(5,321)</b>	<b>(420,700)</b>
<b>PROJECTS</b>							
Capital Projects	(11,702)	0	514	0	(514)	0	0
Operating Projects	44,537	0	67,834	0	(67,834)	28,109	0
<b>TOTAL PROJECTS</b>	<b>32,835</b>	<b>0</b>	<b>68,347</b>	<b>0</b>	<b>(68,347)</b>	<b>28,109</b>	<b>0</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Corporate Planning & Sustainability

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Environmental Levy	(17,332)	2,200	6,525	6,600	75	0	26,100
Mgt Suppt - Corporate Planning & Su	67,456	79,400	225,376	256,100	30,724	2,075	1,031,900
<b>NET EXPENDITURE / (REVENUE)</b>	<b>50,124</b>	<b>81,600</b>	<b>231,901</b>	<b>262,700</b>	<b>30,799</b>	<b>2,075</b>	<b>1,058,000</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	37,551	69,600	194,894	226,700	31,806	0	913,700
Operating Expenses	5,604	3,100	14,563	9,300	(5,263)	0	37,800
Materials & Contract	214	2,100	2,463	6,300	3,837	2,075	25,500
Depreciation	266	300	817	900	83	0	3,300
Internal Transactions	6,488	6,500	19,165	19,500	335	0	77,700
<b>TOTAL OPERATING EXPENSE</b>	<b>50,124</b>	<b>81,600</b>	<b>231,901</b>	<b>262,700</b>	<b>30,799</b>	<b>2,075</b>	<b>1,058,000</b>
<b>TOTAL EXPENSE</b>	<b>50,124</b>	<b>81,600</b>	<b>231,901</b>	<b>262,700</b>	<b>30,799</b>	<b>2,075</b>	<b>1,058,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(50,124)</b>	<b>(81,600)</b>	<b>(231,901)</b>	<b>(262,700)</b>	<b>(30,799)</b>	<b>(2,075)</b>	<b>(1,058,000)</b>
<b>PROJECTS</b>							
Capital Projects	15,375	0	24,060	0	(24,060)	41,112	0
Operating Projects	390,577	0	706,361	0	(706,361)	921,582	0
<b>TOTAL PROJECTS</b>	<b>405,952</b>	<b>0</b>	<b>730,421</b>	<b>0</b>	<b>(730,421)</b>	<b>962,694</b>	<b>0</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Strategic Asset Management

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Strategic Asset Management	(144,465)	(307,100)	(78,008)	(207,000)	(128,992)	52	584,600
<b>NET EXPENDITURE / (REVENUE)</b>	(144,465)	(307,100)	(78,008)	(207,000)	(128,992)	52	584,600
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	1,104	23,800	55,964	77,600	21,636	0	312,700
Operating Expenses	83,554	106,600	133,159	156,800	23,641	2	298,700
Materials & Contract	1,839	200	2,402	1,300	(1,102)	50	2,700
Depreciation	31,521	32,300	96,664	96,900	236	0	387,700
Internal Transactions	23,454	32,500	69,490	97,500	28,010	0	390,300
<b>TOTAL OPERATING EXPENSE</b>	141,471	195,400	357,679	430,100	72,421	52	1,392,100
<b>TOTAL EXPENSE</b>	141,471	195,400	357,679	430,100	72,421	52	1,392,100
<b>REVENUE</b>							
User Fees & Charges	285,936	502,500	435,686	637,100	201,414	0	807,500
<b>TOTAL REVENUE</b>	285,936	502,500	435,686	637,100	201,414	0	807,500
<b>NET SURPLUS / (DEFICIT)</b>	144,465	307,100	78,008	207,000	128,992	(52)	(584,600)
<b>PROJECTS</b>							
Capital Projects	0	0	700,000	0	(700,000)	0	0
Operating Projects	0	0	0	0	0	0	0
<b>TOTAL PROJECTS</b>	0	0	700,000	0	(700,000)	0	0



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Urban Planning

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Urban Planning	42,655	81,000	209,426	260,900	51,474	0	1,052,100
<b>NET EXPENDITURE / (REVENUE)</b>	42,655	81,000	209,426	260,900	51,474	0	1,052,100
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	35,534	70,800	184,826	230,300	45,474	0	928,400
Operating Expenses	849	3,700	5,402	11,100	5,698	0	45,800
Materials & Contract	73	100	73	300	227	0	1,500
Internal Transactions	6,200	6,600	19,125	19,800	675	0	79,400
<b>TOTAL OPERATING EXPENSE</b>	42,655	81,200	209,426	261,500	52,074	0	1,055,100
<b>TOTAL EXPENSE</b>	42,655	81,200	209,426	261,500	52,074	0	1,055,100
<b>REVENUE</b>							
User Fees & Charges	0	200	0	600	600	0	3,000
<b>TOTAL REVENUE</b>	0	200	0	600	600	0	3,000
<b>NET SURPLUS / (DEFICIT)</b>	(42,655)	(81,000)	(209,426)	(260,900)	(51,474)	0	(1,052,100)
<b>PROJECTS</b>							
Operating Projects	35,782	22,700	36,615	68,100	31,485	0	262,000
<b>TOTAL PROJECTS</b>	35,782	22,700	36,615	68,100	31,485	0	262,000



# MONTHLY FINANCIAL REPORTING - 2007/08

## DEPARTMENT SUMMARY

Department : Operations

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Responsibility Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Depot Support Servs	28,171	28,400	117,431	90,700	(26,731)	182	366,800
Fleet Operations	(62,926)	(49,200)	70,210	(132,400)	(202,610)	608	(531,600)
Maint & Construction	518,953	486,900	1,665,305	1,496,500	(168,805)	4,866	5,743,300
Mgmt Sup Operations	346,197	161,300	546,461	490,100	(56,361)	1,393	1,738,300
Plant Nursery	4,993	8,070	29,229	27,410	(1,819)	2,055	57,900
Parks	217,197	259,600	663,733	819,700	155,967	39,371	3,302,300
Pavement Rehab	102	0	6,759	0	(6,759)	0	0
Sport & Recreation	392,745	332,500	855,497	1,029,200	173,703	9,935	4,136,200
Street Sweep & Litter	102,781	111,400	342,239	348,100	5,861	4,692	1,403,000
Trade Services	28,250	108,000	119,253	346,300	227,047	1,519	1,383,600
Traffic & Projects	(3,520)	51,200	140,656	166,900	26,244	29	678,400
Trees	100,101	112,700	339,368	359,000	19,632	21	1,444,500
<b>NET EXPENDITURE / (REVENUE)</b>	<b>1,673,042</b>	<b>1,610,870</b>	<b>4,896,141</b>	<b>5,041,510</b>	<b>145,369</b>	<b>64,672</b>	<b>19,722,700</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	582,635	794,000	2,313,368	2,583,900	270,532	2,035	10,414,300
Operating Expenses	373,448	255,000	850,582	769,900	(80,682)	6,507	3,070,400
Materials & Contract	369,004	443,100	1,075,222	1,330,800	255,578	56,130	5,335,400
Depreciation	470,315	448,200	1,426,778	1,345,200	(81,578)	0	5,379,400
Internal Transactions	277,545	198,200	797,481	594,600	(202,881)	0	2,395,300
<b>TOTAL OPERATING EXPENSE</b>	<b>2,072,947</b>	<b>2,138,500</b>	<b>6,463,432</b>	<b>6,624,400</b>	<b>160,968</b>	<b>64,672</b>	<b>26,594,800</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	1,500	0	4,500	4,500	0	28,400
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>1,500</b>	<b>0</b>	<b>4,500</b>	<b>4,500</b>	<b>0</b>	<b>28,400</b>
<b>TOTAL EXPENSE</b>	<b>2,072,947</b>	<b>2,140,000</b>	<b>6,463,432</b>	<b>6,628,900</b>	<b>165,468</b>	<b>64,672</b>	<b>26,623,200</b>
<b>REVENUE</b>							
User Fees & Charges	(13,665)	173,430	310,671	520,290	209,619	0	2,133,300
Grants Recurrent	0	11,300	20,400	33,900	13,500	0	622,000
Internal Transactions	413,570	344,400	1,236,220	1,033,200	(203,020)	0	4,145,200
<b>TOTAL REVENUE</b>	<b>399,904</b>	<b>529,130</b>	<b>1,567,291</b>	<b>1,587,390</b>	<b>20,099</b>	<b>0</b>	<b>6,900,500</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(1,673,042)</b>	<b>(1,610,870)</b>	<b>(4,896,141)</b>	<b>(5,041,510)</b>	<b>(145,369)</b>	<b>(64,672)</b>	<b>(19,722,700)</b>
<b>PROJECTS</b>							
Capital Projects	261,180	54,100	(416,672)	163,300	579,972	98,597	1,192,000
Operating Projects	10,888	12,650	13,842	37,950	24,108	13,420	151,800
<b>TOTAL PROJECTS</b>	<b>272,069</b>	<b>66,750</b>	<b>(402,830)</b>	<b>201,250</b>	<b>604,080</b>	<b>112,018</b>	<b>1,343,800</b>





# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Depot Support Servs

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Depot Service	28,171	28,400	117,431	90,700	(26,731)	262	366,800
<b>NET EXPENDITURE / (REVENUE)</b>	28,171	28,400	117,431	90,700	(26,731)	262	366,800
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	15,284	21,300	65,239	69,400	4,161	0	280,000
Operating Expenses	2,545	3,300	25,696	9,900	(15,796)	129	39,800
Materials & Contract	0	600	123	1,800	1,677	132	8,500
Depreciation	0	500	0	1,500	1,500	0	5,500
Internal Transactions	11,726	2,700	27,757	8,100	(19,657)	0	33,000
<b>TOTAL OPERATING EXPENSE</b>	29,555	28,400	118,815	90,700	(28,115)	262	366,800
<b>TOTAL EXPENSE</b>	29,555	28,400	118,815	90,700	(28,115)	262	366,800
<b>REVENUE</b>							
User Fees & Charges	1,384	0	1,384	0	(1,384)	0	0
<b>TOTAL REVENUE</b>	1,384	0	1,384	0	(1,384)	0	0
<b>NET SURPLUS / (DEFICIT)</b>	(28,171)	(28,400)	(117,431)	(90,700)	26,731	(262)	(366,800)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Fleet Operations

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Fleet Operations	12,208	20,800	47,589	68,300	20,711	0	273,300
Operational Fleet	(48,368)	(45,200)	(34,917)	(135,100)	(100,183)	384	(539,600)
Passenger Fleet	(59,896)	(58,600)	(52,939)	(175,200)	(122,261)	0	(702,200)
Small Plant & Equipment	3,527	3,700	15,706	11,100	(4,606)	1,954	43,700
Workshop	29,604	30,100	94,771	98,500	3,729	605	393,200
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(62,926)</b>	<b>(49,200)</b>	<b>70,210</b>	<b>(132,400)</b>	<b>(202,610)</b>	<b>2,943</b>	<b>(531,600)</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	29,259	56,300	120,775	181,600	60,825	0	729,100
Operating Expenses	8,940	35,600	271,990	108,500	(163,490)	0	429,600
Materials & Contract	73,438	57,600	213,845	173,600	(40,245)	2,943	693,600
Depreciation	117,996	97,300	346,060	291,900	(54,160)	0	1,168,600
Internal Transactions	2,718	2,700	8,589	8,100	(489)	0	32,200
<b>TOTAL OPERATING EXPENSE</b>	<b>232,351</b>	<b>249,500</b>	<b>961,259</b>	<b>763,700</b>	<b>(197,559)</b>	<b>2,943</b>	<b>3,053,100</b>
<b>TOTAL EXPENSE</b>	<b>232,351</b>	<b>249,500</b>	<b>961,259</b>	<b>763,700</b>	<b>(197,559)</b>	<b>2,943</b>	<b>3,053,100</b>
<b>REVENUE</b>							
User Fees & Charges	24,886	28,300	79,874	84,900	5,026	0	340,000
Internal Transactions	270,392	270,400	811,175	811,200	25	0	3,244,700
<b>TOTAL REVENUE</b>	<b>295,277</b>	<b>298,700</b>	<b>891,049</b>	<b>896,100</b>	<b>5,051</b>	<b>0</b>	<b>3,584,700</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>62,926</b>	<b>49,200</b>	<b>(70,210)</b>	<b>132,400</b>	<b>202,610</b>	<b>(2,943)</b>	<b>531,600</b>
<b>PROJECTS</b>							
Capital Projects	188,481	54,200	649,036	162,600	(486,436)	0	650,000
<b>TOTAL PROJECTS</b>	<b>188,481</b>	<b>54,200</b>	<b>649,036</b>	<b>162,600</b>	<b>(486,436)</b>	<b>0</b>	<b>650,000</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Maint & Construction

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Mgt Support - Maintenance & Constr	21,919	18,700	70,023	60,200	(9,823)	493	244,300
Access Crossings	(12,206)	(7,700)	(41,405)	(21,500)	19,905	0	(86,700)
Drainage Maintenance & Repair	101,274	84,800	276,510	262,800	(13,710)	2,709	1,057,100
Footpath Maintenance	44,324	55,900	155,352	175,400	20,048	0	703,500
Kerb & Gutter Maintenance	15,412	21,500	39,586	68,900	29,314	0	276,100
Patching	8,201	8,600	23,274	27,200	3,926	6,815	108,800
Restorations	(14,829)	(55,800)	70,814	(166,900)	(237,714)	0	(664,700)
Road Maintenance	290,652	312,100	920,892	940,400	19,508	5,045	3,501,600
Road Maintenance - Road Shoulders	43,097	31,800	84,697	99,000	14,303	0	397,600
Car Parks	21,108	17,000	65,562	51,000	(14,562)	0	205,700
<b>NET EXPENDITURE / (REVENUE)</b>	<b>518,953</b>	<b>486,900</b>	<b>1,665,305</b>	<b>1,496,500</b>	<b>(168,805)</b>	<b>15,062</b>	<b>5,743,300</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	108,602	138,400	378,284	450,700	72,416	1,958	1,815,600
Operating Expenses	5,219	4,600	16,538	14,100	(2,438)	0	57,700
Materials & Contract	113,099	133,000	346,005	399,000	52,995	13,104	1,594,500
Depreciation	309,351	309,200	948,856	927,600	(21,256)	0	3,710,600
Internal Transactions	42,822	29,600	140,232	88,800	(51,432)	0	357,900
<b>TOTAL OPERATING EXPENSE</b>	<b>579,094</b>	<b>614,800</b>	<b>1,829,916</b>	<b>1,880,200</b>	<b>50,284</b>	<b>15,062</b>	<b>7,536,300</b>
<b>TOTAL EXPENSE</b>	<b>579,094</b>	<b>614,800</b>	<b>1,829,916</b>	<b>1,880,200</b>	<b>50,284</b>	<b>15,062</b>	<b>7,536,300</b>
<b>REVENUE</b>							
User Fees & Charges	60,141	127,900	164,611	383,700	219,089	0	1,533,000
Grants Recurrent	0	0	0	0	0	0	260,000
<b>TOTAL REVENUE</b>	<b>60,141</b>	<b>127,900</b>	<b>164,611</b>	<b>383,700</b>	<b>219,089</b>	<b>0</b>	<b>1,793,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(518,953)</b>	<b>(486,900)</b>	<b>(1,665,305)</b>	<b>(1,496,500)</b>	<b>168,805</b>	<b>(15,062)</b>	<b>(5,743,300)</b>
<b>PROJECTS</b>							
Capital Projects	237,176	0	(1,033,252)	0	1,033,252	175	0
Operating Projects	87	0	1,080	0	(1,080)	0	0
<b>TOTAL PROJECTS</b>	<b>237,263</b>	<b>0</b>	<b>(1,032,173)</b>	<b>0</b>	<b>1,032,173</b>	<b>175</b>	<b>0</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Mgmt Sup Operations

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Operations	14,444	28,400	59,511	91,400	31,889	28	366,100
Public Lighting	320,864	119,400	448,340	358,200	(90,140)	0	1,207,000
Rural Fire Brigade Services	5,679	7,300	17,162	21,900	4,738	0	89,700
SES Services	5,210	6,200	21,448	18,600	(2,848)	2,240	75,500
<b>NET EXPENDITURE / (REVENUE)</b>	<b>346,197</b>	<b>161,300</b>	<b>546,461</b>	<b>490,100</b>	<b>(56,361)</b>	<b>2,268</b>	<b>1,738,300</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	9,207	22,100	45,595	72,100	26,505	0	291,100
Operating Expenses	322,899	121,700	457,053	365,500	(91,553)	2,240	1,459,800
Materials & Contract	1,463	9,500	9,459	28,500	19,041	28	115,200
Depreciation	2,217	1,900	6,812	5,700	(1,112)	0	22,700
Internal Transactions	10,410	10,300	32,155	30,900	(1,255)	0	125,500
<b>TOTAL OPERATING EXPENSE</b>	<b>346,197</b>	<b>165,500</b>	<b>551,074</b>	<b>502,700</b>	<b>(48,374)</b>	<b>2,268</b>	<b>2,014,300</b>
<b>TOTAL EXPENSE</b>	<b>346,197</b>	<b>165,500</b>	<b>551,074</b>	<b>502,700</b>	<b>(48,374)</b>	<b>2,268</b>	<b>2,014,300</b>
<b>REVENUE</b>							
User Fees & Charges	0	0	4,614	0	(4,614)	0	0
Grants Recurrent	0	4,200	0	12,600	12,600	0	276,000
<b>TOTAL REVENUE</b>	<b>0</b>	<b>4,200</b>	<b>4,614</b>	<b>12,600</b>	<b>7,986</b>	<b>0</b>	<b>276,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(346,197)</b>	<b>(161,300)</b>	<b>(546,461)</b>	<b>(490,100)</b>	<b>56,361</b>	<b>(2,268)</b>	<b>(1,738,300)</b>
<b>PROJECTS</b>							
Capital Projects	1,398	0	5,466	0	(5,466)	2,580	0
Operating Projects	0	0	110	0	(110)	0	0
<b>TOTAL PROJECTS</b>	<b>1,398</b>	<b>0</b>	<b>5,576</b>	<b>0</b>	<b>(5,576)</b>	<b>2,580</b>	<b>0</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Plant Nursery

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Plant Nursery	4,993	8,070	29,229	27,410	(1,819)	8,222	57,900
<b>NET EXPENDITURE / (REVENUE)</b>	4,993	8,070	29,229	27,410	(1,819)	8,222	57,900
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	7,926	11,600	29,068	37,600	8,532	0	150,800
Operating Expenses	305	1,800	1,680	5,800	4,120	0	23,100
Materials & Contract	3,268	2,800	7,736	8,400	664	8,222	33,600
Depreciation	635	700	1,946	2,100	154	0	7,800
Internal Transactions	1,560	600	5,922	1,800	(4,122)	0	8,500
<b>TOTAL OPERATING EXPENSE</b>	13,693	17,500	46,352	55,700	9,348	8,222	223,800
<b>TOTAL EXPENSE</b>	13,693	17,500	46,352	55,700	9,348	8,222	223,800
<b>REVENUE</b>							
User Fees & Charges	2,730	6,630	8,148	19,890	11,742	0	132,600
Internal Transactions	5,970	2,800	8,975	8,400	(575)	0	33,300
<b>TOTAL REVENUE</b>	8,700	9,430	17,123	28,290	11,167	0	165,900
<b>NET SURPLUS / (DEFICIT)</b>	(4,993)	(8,070)	(29,229)	(27,410)	1,819	(8,222)	(57,900)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Parks

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Bushland Reserves	75,238	92,800	256,763	295,000	38,237	136,317	1,189,000
Management Support - Parks	12,175	23,000	42,925	74,100	31,175	0	300,400
Council Properties	4,338	8,000	9,593	24,000	14,407	0	97,300
Parks	125,445	135,800	354,451	426,600	72,149	11,889	1,715,600
<b>NET EXPENDITURE / (REVENUE)</b>	<b>217,197</b>	<b>259,600</b>	<b>663,733</b>	<b>819,700</b>	<b>155,967</b>	<b>148,206</b>	<b>3,302,300</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	126,691	154,100	433,539	503,200	69,662	0	2,028,200
Operating Expenses	2,804	4,700	10,526	14,100	3,574	5,122	57,600
Materials & Contract	37,961	61,800	80,198	185,400	105,202	143,084	743,600
Depreciation	7,520	6,200	23,121	18,600	(4,521)	0	74,900
Internal Transactions	38,225	31,300	116,218	93,900	(22,318)	0	380,100
<b>TOTAL OPERATING EXPENSE</b>	<b>213,202</b>	<b>258,100</b>	<b>663,601</b>	<b>815,200</b>	<b>151,599</b>	<b>148,206</b>	<b>3,284,400</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	1,500	0	4,500	4,500	0	18,400
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>1,500</b>	<b>0</b>	<b>4,500</b>	<b>4,500</b>	<b>0</b>	<b>18,400</b>
<b>TOTAL EXPENSE</b>	<b>213,202</b>	<b>259,600</b>	<b>663,601</b>	<b>819,700</b>	<b>156,099</b>	<b>148,206</b>	<b>3,302,800</b>
<b>REVENUE</b>							
User Fees & Charges	(3,995)	0	(132)	0	132	0	500
<b>TOTAL REVENUE</b>	<b>(3,995)</b>	<b>0</b>	<b>(132)</b>	<b>0</b>	<b>132</b>	<b>0</b>	<b>500</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(217,197)</b>	<b>(259,600)</b>	<b>(663,733)</b>	<b>(819,700)</b>	<b>(155,967)</b>	<b>(148,206)</b>	<b>(3,302,300)</b>
<b>PROJECTS</b>							
Capital Projects	20,916	(100)	52,582	700	(51,882)	26,714	0
Operating Projects	0	0	0	0	0	13,420	0
<b>TOTAL PROJECTS</b>	<b>20,916</b>	<b>(100)</b>	<b>52,582</b>	<b>700</b>	<b>(51,882)</b>	<b>40,134</b>	<b>0</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Pavement Rehab

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Pavement Rehabilitation & Reconstruction	102	0	6,759	0	(6,759)	0	0
<b>NET EXPENDITURE / (REVENUE)</b>	102	0	6,759	0	(6,759)	0	0
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	102	0	6,759	0	(6,759)	0	0
<b>TOTAL OPERATING EXPENSE</b>	102	0	6,759	0	(6,759)	0	0
<b>TOTAL EXPENSE</b>	102	0	6,759	0	(6,759)	0	0
<b>NET SURPLUS / (DEFICIT)</b>	(102)	0	(6,759)	0	6,759	0	0
<b>PROJECTS</b>							
Capital Projects	(261,630)	0	(198,062)	0	198,062	560	387,000
<b>TOTAL PROJECTS</b>	<b>(261,630)</b>	<b>0</b>	<b>(198,062)</b>	<b>0</b>	<b>198,062</b>	<b>560</b>	<b>387,000</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Sport & Recreation

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Sport & Recreation	(4,742)	16,000	56,962	50,700	(6,262)	0	203,900
Gordon Golf Course	65,101	47,900	102,002	148,600	46,598	55	598,000
North Turrumurra Golf Course	133,863	50,300	148,597	155,900	7,303	7,649	625,900
Swimming Pool	16,652	12,400	30,716	37,500	6,784	0	150,800
Tennis Courts	17,662	11,800	37,000	35,800	(1,200)	32	142,900
General Sportsgrounds	137,562	158,500	362,737	491,300	128,563	39,501	1,974,000
St Ives Showground	26,647	35,600	117,484	109,400	(8,084)	0	440,700
<b>NET EXPENDITURE / (REVENUE)</b>	<b>392,745</b>	<b>332,500</b>	<b>855,497</b>	<b>1,029,200</b>	<b>173,703</b>	<b>47,236</b>	<b>4,136,200</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	105,657	124,700	396,454	404,100	7,646	0	1,627,600
Operating Expenses	14,822	64,500	14,870	194,600	179,730	0	777,900
Materials & Contract	37,231	67,500	115,577	202,500	86,923	47,236	816,100
Depreciation	26,036	25,700	79,867	77,700	(2,167)	0	308,700
Internal Transactions	98,771	50,100	251,840	150,300	(101,540)	0	605,900
<b>TOTAL OPERATING EXPENSE</b>	<b>282,517</b>	<b>332,500</b>	<b>858,608</b>	<b>1,029,200</b>	<b>170,592</b>	<b>47,236</b>	<b>4,136,200</b>
<b>TOTAL EXPENSE</b>	<b>282,517</b>	<b>332,500</b>	<b>858,608</b>	<b>1,029,200</b>	<b>170,592</b>	<b>47,236</b>	<b>4,136,200</b>
<b>REVENUE</b>							
User Fees & Charges	(110,228)	0	3,110	0	(3,110)	0	0
<b>TOTAL REVENUE</b>	<b>(110,228)</b>	<b>0</b>	<b>3,110</b>	<b>0</b>	<b>(3,110)</b>	<b>0</b>	<b>0</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(392,745)</b>	<b>(332,500)</b>	<b>(855,497)</b>	<b>(1,029,200)</b>	<b>(173,703)</b>	<b>(47,236)</b>	<b>(4,136,200)</b>
<b>PROJECTS</b>							
Capital Projects	33,700	0	63,920	0	(63,920)	120,310	0
Operating Projects	4,297	0	4,297	0	(4,297)	0	0
<b>TOTAL PROJECTS</b>	<b>37,997</b>	<b>0</b>	<b>68,217</b>	<b>0</b>	<b>(68,217)</b>	<b>120,310</b>	<b>0</b>





# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Street Sweep & Litter

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Litter Control & Clearing	21,187	25,100	66,253	79,700	13,447	4,223	323,100
Routine Pit Clearance	12,161	13,500	44,745	43,600	(1,145)	0	176,200
Street Sweeping	57,778	64,400	191,753	198,300	6,547	3,636	795,900
Unformed Shoulder Clearing	11,656	8,400	39,489	26,500	(12,989)	0	107,800
<b>NET EXPENDITURE / (REVENUE)</b>	102,781	111,400	342,239	348,100	5,861	7,859	1,403,000
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	41,713	52,400	152,451	171,100	18,649	4,223	691,900
Operating Expenses	83	1,100	7,495	3,300	(4,195)	3,636	13,600
Materials & Contract	27,735	24,900	82,543	74,700	(7,843)	0	300,500
Internal Transactions	33,250	33,200	99,750	99,600	(150)	0	399,000
<b>TOTAL OPERATING EXPENSE</b>	102,781	111,600	342,239	348,700	6,461	7,859	1,405,000
<b>TOTAL EXPENSE</b>	102,781	111,600	342,239	348,700	6,461	7,859	1,405,000
<b>REVENUE</b>							
Internal Transactions	0	200	0	600	600	0	2,000
<b>TOTAL REVENUE</b>	0	200	0	600	600	0	2,000
<b>NET SURPLUS / (DEFICIT)</b>	(102,781)	(111,400)	(342,239)	(348,100)	(5,861)	(7,859)	(1,403,000)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Trade Services

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Security Services	10,252	10,300	30,859	30,900	41	0	124,200
Cleaning Services	17,998	22,600	59,798	71,600	11,802	2,636	290,100
Management Support - Trade Services	21,590	19,600	76,312	62,700	(13,612)	0	251,800
Building Management	(21,590)	55,500	(47,717)	181,100	228,817	4,387	717,500
<b>NET EXPENDITURE / (REVENUE)</b>	<b>28,250</b>	<b>108,000</b>	<b>119,253</b>	<b>346,300</b>	<b>227,047</b>	<b>7,023</b>	<b>1,383,600</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	71,525	86,900	264,329	282,700	18,372	0	1,140,400
Operating Expenses	11,248	11,900	33,454	36,000	2,546	0	143,700
Materials & Contract	62,188	59,600	176,449	178,800	2,351	7,023	716,900
Depreciation	6,457	6,600	19,800	19,800	0	0	79,300
Internal Transactions	14,042	14,000	42,125	42,000	(125)	0	168,500
<b>TOTAL OPERATING EXPENSE</b>	<b>165,458</b>	<b>179,000</b>	<b>536,156</b>	<b>559,300</b>	<b>23,144</b>	<b>7,023</b>	<b>2,248,800</b>
<b>TOTAL EXPENSE</b>	<b>165,458</b>	<b>179,000</b>	<b>536,156</b>	<b>559,300</b>	<b>23,144</b>	<b>7,023</b>	<b>2,248,800</b>
<b>REVENUE</b>							
User Fees & Charges	0	0	833	0	(833)	0	0
Internal Transactions	137,208	71,000	416,070	213,000	(203,070)	0	865,200
<b>TOTAL REVENUE</b>	<b>137,208</b>	<b>71,000</b>	<b>416,903</b>	<b>213,000</b>	<b>(203,903)</b>	<b>0</b>	<b>865,200</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(28,250)</b>	<b>(108,000)</b>	<b>(119,253)</b>	<b>(346,300)</b>	<b>(227,047)</b>	<b>(7,023)</b>	<b>(1,383,600)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Traffic & Projects

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Investigation & Design	(44,741)	17,000	58,827	54,700	(4,127)	0	230,500
Road Safety	6,328	2,100	20,298	8,100	(12,198)	0	30,800
Traffic Management	27,499	29,700	69,044	96,300	27,256	0	387,100
Road Safety Programs	7,394	2,400	(7,513)	7,800	15,313	0	30,000
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(3,520)</b>	<b>51,200</b>	<b>140,656</b>	<b>166,900</b>	<b>26,244</b>	<b>0</b>	<b>678,400</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(16,690)	45,300	143,533	147,800	4,267	0	596,100
Operating Expenses	2,621	3,400	7,475	10,900	3,425	0	40,300
Materials & Contract	6,799	4,000	12,292	12,700	408	0	50,100
Depreciation	104	100	318	300	(18)	0	1,300
Internal Transactions	6,717	6,700	20,150	20,100	(50)	0	80,600
<b>TOTAL OPERATING EXPENSE</b>	<b>(450)</b>	<b>59,500</b>	<b>183,769</b>	<b>191,800</b>	<b>8,031</b>	<b>0</b>	<b>768,400</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	0	0	0	0	10,000
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,000</b>
<b>TOTAL EXPENSE</b>	<b>(450)</b>	<b>59,500</b>	<b>183,769</b>	<b>191,800</b>	<b>8,031</b>	<b>0</b>	<b>778,400</b>
<b>REVENUE</b>							
User Fees & Charges	3,070	1,200	22,713	3,600	(19,113)	0	14,000
Grants Recurrent	0	7,100	20,400	21,300	900	0	86,000
<b>TOTAL REVENUE</b>	<b>3,070</b>	<b>8,300</b>	<b>43,113</b>	<b>24,900</b>	<b>(18,213)</b>	<b>0</b>	<b>100,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>3,520</b>	<b>(51,200)</b>	<b>(140,656)</b>	<b>(166,900)</b>	<b>(26,244)</b>	<b>0</b>	<b>(678,400)</b>
<b>PROJECTS</b>							
Capital Projects	18,402	0	18,402	0	(18,402)	2,273	155,000
<b>TOTAL PROJECTS</b>	<b>18,402</b>	<b>0</b>	<b>18,402</b>	<b>0</b>	<b>(18,402)</b>	<b>2,273</b>	<b>155,000</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Trees

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Tree Assessments	7,521	8,500	29,611	29,400	(211)	0	118,000
Management Support - Trees	26,236	10,300	80,688	32,800	(47,888)	0	131,500
Street Trees	66,345	93,900	229,070	296,800	67,730	85	1,195,000
<b>NET EXPENDITURE / (REVENUE)</b>	<b>100,101</b>	<b>112,700</b>	<b>339,368</b>	<b>359,000</b>	<b>19,632</b>	<b>85</b>	<b>1,444,500</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	83,359	80,900	277,341	263,600	(13,741)	0	1,063,500
Operating Expenses	1,962	2,400	3,806	7,200	3,394	0	27,300
Materials & Contract	5,822	21,800	30,995	65,400	34,405	85	262,800
Internal Transactions	17,305	17,000	52,742	51,000	(1,742)	0	204,100
<b>TOTAL OPERATING EXPENSE</b>	<b>108,448</b>	<b>122,100</b>	<b>364,884</b>	<b>387,200</b>	<b>22,316</b>	<b>85</b>	<b>1,557,700</b>
<b>TOTAL EXPENSE</b>	<b>108,448</b>	<b>122,100</b>	<b>364,884</b>	<b>387,200</b>	<b>22,316</b>	<b>85</b>	<b>1,557,700</b>
<b>REVENUE</b>							
User Fees & Charges	8,347	9,400	25,516	28,200	2,684	0	113,200
<b>TOTAL REVENUE</b>	<b>8,347</b>	<b>9,400</b>	<b>25,516</b>	<b>28,200</b>	<b>2,684</b>	<b>0</b>	<b>113,200</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(100,101)</b>	<b>(112,700)</b>	<b>(339,368)</b>	<b>(359,000)</b>	<b>(19,632)</b>	<b>(85)</b>	<b>(1,444,500)</b>
<b>PROJECTS</b>							
Operating Projects	6,505	12,650	8,355	37,950	29,595	0	151,800
<b>TOTAL PROJECTS</b>	<b>6,505</b>	<b>12,650</b>	<b>8,355</b>	<b>37,950</b>	<b>29,595</b>	<b>0</b>	<b>151,800</b>



# MONTHLY FINANCIAL REPORTING - 2007/08

## DEPARTMENT SUMMARY

### Department : Waste Management

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Responsibility Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Domestic Waste	(318,828)	22,600	(39,799)	72,800	112,599	21,172	189,400
Trade Waste	(1,480)	(43,500)	(160,849)	(129,600)	31,249	0	(517,600)
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(320,307)</b>	<b>(20,900)</b>	<b>(200,647)</b>	<b>(56,800)</b>	<b>143,847</b>	<b>21,172</b>	<b>(328,200)</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	20,537	22,300	73,017	72,800	(217)	0	293,600
Operating Expenses	1,551	6,200	4,000	18,600	14,600	2,119	75,300
Materials & Contract	433,586	848,700	2,419,277	2,546,100	126,823	19,053	10,186,500
Pensioner Rebate	0	0	0	0	0	0	0
Depreciation	228	2,000	698	6,000	5,302	0	24,500
Internal Transactions	71,507	71,400	217,079	214,200	(2,879)	0	856,300
<b>TOTAL OPERATING EXPENSE</b>	<b>527,409</b>	<b>950,600</b>	<b>2,714,071</b>	<b>2,857,700</b>	<b>143,629</b>	<b>21,172</b>	<b>11,436,200</b>
<b>TOTAL EXPENSE</b>	<b>527,409</b>	<b>950,600</b>	<b>2,714,071</b>	<b>2,857,700</b>	<b>143,629</b>	<b>21,172</b>	<b>11,436,200</b>
<b>REVENUE</b>							
Pensioner Rebate	(16,445)	(15,800)	(51,429)	(47,400)	4,029	0	(190,000)
Annual Charges	830,692	821,200	2,473,257	2,463,600	(9,657)	0	9,855,400
User Fees & Charges	27,186	153,900	473,100	461,700	(11,400)	0	1,847,000
Interest Income	0	0	(4)	0	4	0	0
Grants Recurrent	0	6,000	0	18,000	18,000	0	178,000
Internal Transactions	6,283	6,200	19,795	18,600	(1,195)	0	74,000
<b>TOTAL REVENUE</b>	<b>847,717</b>	<b>971,500</b>	<b>2,914,718</b>	<b>2,914,500</b>	<b>(218)</b>	<b>0</b>	<b>11,764,400</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>320,307</b>	<b>20,900</b>	<b>200,647</b>	<b>56,800</b>	<b>(143,847)</b>	<b>(21,172)</b>	<b>328,200</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Domestic Waste

NET EXPENDITURE	September		September Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Domestic Waste	(454,367)	(374,900)	(1,186,518)	(1,122,400)	64,118	87,850	(4,592,800)
Green Waste Service	108,337	252,100	749,788	756,900	7,112	0	3,028,100
Recycling Service	27,202	145,400	396,932	438,300	41,368	0	1,754,100
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(318,828)</b>	<b>22,600</b>	<b>(39,799)</b>	<b>72,800</b>	<b>112,599</b>	<b>87,850</b>	<b>189,400</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	17,840	18,900	61,849	61,700	(149)	0	248,800
Operating Expenses	1,468	6,100	3,750	18,300	14,550	2,119	74,300
Materials & Contract	391,313	759,900	2,158,018	2,279,700	121,682	85,731	9,120,500
Depreciation	228	2,000	698	6,000	5,302	0	24,500
Internal Transactions	71,507	71,400	217,079	214,200	(2,879)	0	856,300
<b>TOTAL OPERATING EXPENSE</b>	<b>482,355</b>	<b>858,300</b>	<b>2,441,394</b>	<b>2,579,900</b>	<b>138,506</b>	<b>87,850</b>	<b>10,324,400</b>
<b>TOTAL EXPENSE</b>	<b>482,355</b>	<b>858,300</b>	<b>2,441,394</b>	<b>2,579,900</b>	<b>138,506</b>	<b>87,850</b>	<b>10,324,400</b>
<b>REVENUE</b>							
Pensioner Rebate	(16,445)	(15,800)	(51,429)	(47,400)	4,029	0	(190,000)
Annual Charges	792,150	783,300	2,358,814	2,349,900	(8,914)	0	9,400,000
User Fees & Charges	25,478	62,200	173,812	186,600	12,788	0	747,000
Interest Income	0	0	(4)	0	4	0	0
Grants Recurrent	0	6,000	0	18,000	18,000	0	178,000
<b>TOTAL REVENUE</b>	<b>801,183</b>	<b>835,700</b>	<b>2,481,193</b>	<b>2,507,100</b>	<b>25,907</b>	<b>0</b>	<b>10,135,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>318,828</b>	<b>(22,600)</b>	<b>39,799</b>	<b>(72,800)</b>	<b>(112,599)</b>	<b>(87,850)</b>	<b>(189,400)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2007/08

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Trade Waste

NET EXPENDITURE								
Cost Centre	September		September Year To Date			Commitments	Full Year	
	Actual	Budget	Actual	Budget	Variance		Budget	
<b>OPERATING</b>								
Trade Waste	(1,480)	(43,500)	(160,849)	(129,600)	31,249	0		(517,600)
<b>NET EXPENDITURE / (REVENUE)</b>	(1,480)	(43,500)	(160,849)	(129,600)	31,249	0		(517,600)
<b>NET OPERATING RESULT</b>								
<b>EXPENSE</b>								
Employee Costs	2,697	3,400	11,167	11,100	(67)	0		44,800
Operating Expenses	83	100	250	300	50	0		1,000
Materials & Contract	42,274	88,800	261,259	266,400	5,141	0		1,066,000
<b>TOTAL OPERATING EXPENSE</b>	45,054	92,300	272,677	277,800	5,123	0		1,111,800
<b>TOTAL EXPENSE</b>	45,054	92,300	272,677	277,800	5,123	0		1,111,800
<b>REVENUE</b>								
Annual Charges	38,543	37,900	114,443	113,700	(743)	0		455,400
User Fees & Charges	1,708	91,700	299,288	275,100	(24,188)	0		1,100,000
Internal Transactions	6,283	6,200	19,795	18,600	(1,195)	0		74,000
<b>TOTAL REVENUE</b>	46,534	135,800	433,525	407,400	(26,125)	0		1,629,400
<b>NET SURPLUS / (DEFICIT)</b>	1,480	43,500	160,849	129,600	(31,249)	0		517,600
<b>PROJECTS</b>								
<b>TOTAL PROJECTS</b>								

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## **ANALYSIS OF LAND & ENVIRONMENT COURT COSTS FIRST QUARTER 2007 - 2008**

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### **EXECUTIVE SUMMARY**

**PURPOSE OF REPORT:**

To provide information in relation to proceedings to which Council is a party in the Land & Environment Court for the quarter ended 30 September 2007, including appeals commenced, costs incurred by Council and outcomes.

**BACKGROUND:**

A person may commence proceedings in the Land and Environment Court for an application which has either been refused by Council or is deemed to have been refused. An appeal may also be commenced in relation to conditions in any consent granted by Council.

**COMMENTS:**

For the first quarter ended 30 September 2007, Council's legal costs and associated expenses in relation to Land & Environment Court matters were \$7,800. This compares to the year to date budget of \$337,500.

**RECOMMENDATION:**

That the analysis of Land & Environment Court costs for the first quarter ended 30 September 2007 be received and noted.



## PURPOSE OF REPORT

To provide information in relation to proceedings to which Council is a party in the Land & Environment Court for the quarter ended 30 September 2007, including appeals commenced, costs incurred by Council and outcomes.

## BACKGROUND

Pursuant to the *Environmental Planning and Assessment Act 1979*, a person may commence proceedings in the Land and Environment Court in respect of an application for which Council was the relevant consent authority and which has either been refused by Council or is deemed by the Act to have been refused (a development application is deemed to have been refused if it has not been determined within a period of 40 days or such longer period that may be calculated in accordance with the Act). An appeal may also be commenced in relation to conditions imposed in relation to consent granted by Council. Council is a respondent to such proceedings.

Under Section 428 of the *Local Government Act 1993*, Council is required to report legal costs, and the outcome of each case in its Annual Report.

## COMMENTS

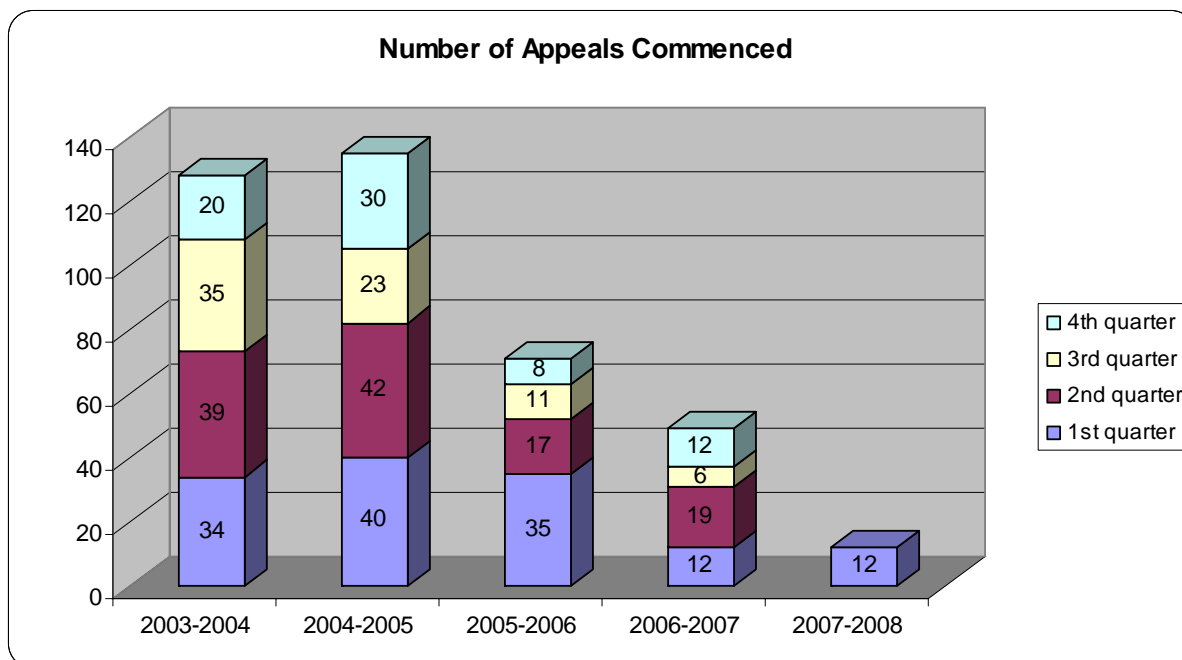
### APPEALS LODGED

In the first quarter, there were 12 new appeals lodged in respect of development applications with the Land and Environment Court, none of which have incurred costs to Council. This represents the same number of appeals compared to last year. The number of appeals received in prior years is as follows:

Financial year	Number of appeals received (whole year)
2003/2004	128
2004/2005	135
2005/2006	71
2006/2007	49
2007/2008@30 September	12

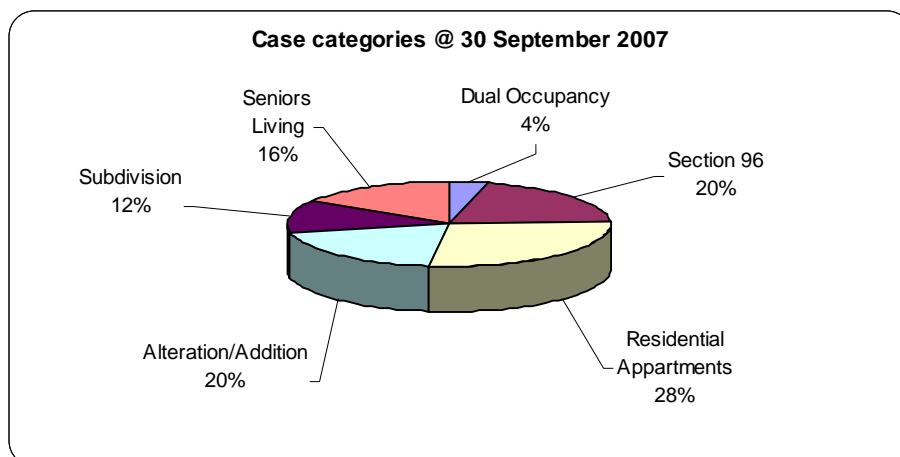
Item 10

S02466  
1 November 2007



Five (5) of the twelve (12) new appeals lodged during the period were in relation to deemed (as opposed to actual) refusal of an application. This proportion (41%) represents a slightly lower percentage of deemed refusal appeals compared to last year. The percentage of deemed refusal appeals in 2006-2007 was 43% and 60% in 2005-2006.

Appeals commenced for the first quarter ended September 2007 are made up of the following development categories:



The larger categories are appeals in respect of residential apartments (28%), additions and alterations (20%) and Section 96 (20%).

The "Section 96" category in the previous chart includes appeals in relation to Section 94 contributions.

## Item 10

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During the first quarter, Council had a net expenditure of \$7,800 on legal costs and associated expenses in relation to Land & Environment Court matters. This compares to the year to date budget of \$337,500 a positive variation of \$329,700. At the time of writing this report Council has incurred legal costs and associated expenses of \$143,700 in October 2007 and \$81,600 in November 2007.

These costs are made up of legal fees, fees charged by consultants retained as expert witnesses and other costs incurred as a result of Council's role in the proceedings. A further amount of \$18,500 was accrued last financial year on expert legal advice regarding non-litigious development assessment matters.

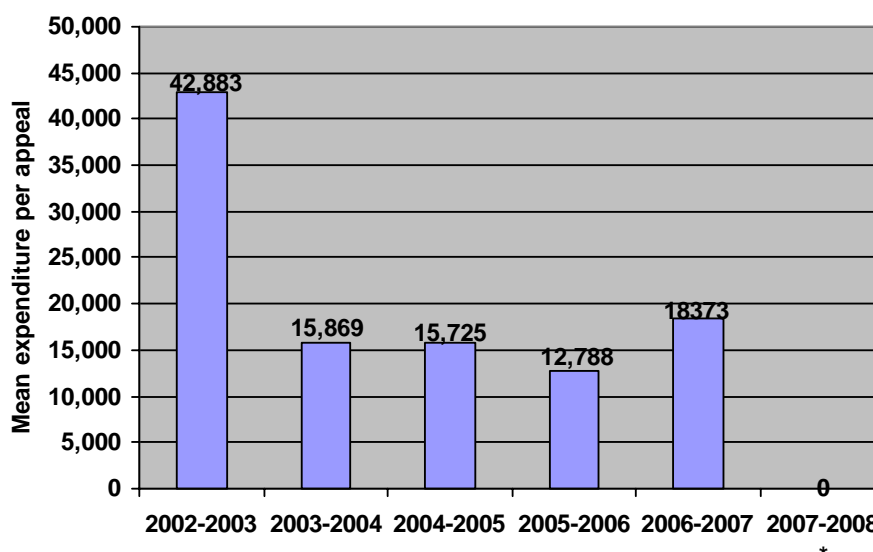
<b>Legal Costs and Associated Expenses 2002/2003 - 2007/2008</b>					
<i>Financial Year</i>	<i>Total Costs</i>	<i>1st quarter September</i>	<i>2nd quarter December</i>	<i>3rd quarter March</i>	<i>4th quarter June</i>
<b>2002/2003</b> (76 appeals lodged)	<b>\$2,252,000</b>	\$302,000	\$452,000	\$665,000	\$833,000
<b>2003/2004</b> (128 appeals lodged)	<b>\$2,205,000</b>	\$468,000	\$378,000	\$605,000	\$754,000
<b>2004/2005</b> (135 appeals lodged)	<b>\$1,867,000</b>	\$274,000	\$562,000	\$314,000	\$717,000
<b>2005/2006</b> (71 appeals lodged)	<b>\$1,239,900</b>	\$338,350	\$362,950	\$329,300	\$209,300
<b>2006/2007</b> (49 appeals lodged)	<b>\$1,195,900</b>	\$141,950	\$148,520	\$350,730	\$554,700
<b>2007/2008</b> (12 appeals @Sept)	<b>\$7,800</b>	\$7,800			

A factor contributing towards legal costs for the first quarter being lower than the previous quarters is that work in progress and unbilled legal costs totalling \$217,000 has been accrued in the last financial year. Even taking this into account, costs for the period are below budget.

A comparison of the average total costs incurred in relation to matters commenced in the past five years indicates that the cost per appeal incurred by Council has initially reduced substantially, and remained relatively stable. For the financial year 2006-2007 average costs per appeal rose slightly. This can be generally attributed to a significant proportion of appeals being matters of a more substantial nature. This is consistent with the lower proportion of deemed refusal appeals, which historically have sometimes quickly resolved as a result of Council approving the development.

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- \* The "Zero" amount for 2007-2008 is not statistically relevant due to the absence of data for the period at this stage.

Factors which may be regarded as contributing to improved value to Council in relation to legal costs are:

- Efficient processing of development applications that are subject to deemed refusal appeals so that they are determined at an earlier stage of Court proceedings;
- Efficient management of the process of instructing Council's external legal representatives;
- More rapid progress and determination of appeals by the Court as a result of the revised practice directions;

## SUMMARY BY WARD

A summary of Land & Environment Court costs (excluding legal associated expenses) this year by ward is shown in the following table:

Land & Environment Court costs by Ward for the financial year 2007/2008		
Comenarra	\$-3,717	-20.7%
Gordon	\$-4,437	-24.7%
Roseville	\$6,396	35.6%
St Ives	\$22,862	127.1%
Wahroonga	\$-3,121	-17.4%
<b>Total Costs</b>	<b>\$17,983</b>	<b>100.0%</b>

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A total cost of \$17,600, was incurred in relation to 19 matters that commenced in the last financial year 2006-2007. The balance of \$380 relates to appeals that were commenced prior to 1 July 2006. It should be noted that as a result of a reversal of an accrual in 2007/2008, relating to expenses for 2006/2007, the amount showing as expenditure in the General Ledger is \$7,800, as opposed to the actual costs incurred of \$17,980.

## OUTCOMES

At an early stage of each appeal, Council as respondent is required to file with the Court a Statement of Facts and Contentions outlining the grounds which Council asserts as warranting refusal of a development, or alternatively, that may be addressed by way of conditions of consent.

In cases where issues raised by Council are capable of resolution by the provision by the applicant of additional information or amendment of the proposal, it is the Court's expectation that this should occur. The Court's current practice of appointing a Court-appointed expert witness, rather than allowing the parties to call their own expert evidence, strongly encourages this.

In this context, any of three outcomes can be regarded as favourable, namely:

1. If the appeal is in relation to a deemed refusal of an application which, upon assessment, is appropriate for approval: that the development is determined by Council, allowing the appeal to be discontinued by the applicant and avoiding as much as is practicable the incurring of unnecessary legal costs;
2. If the issues raised by Council are capable of resolution by the applicant providing further information, or amending the proposal: that this occurs, so that development consent should be granted, either by Council or the Court;
3. If the issues raised by Council are either not capable of resolution, or the applicant declines to take the steps that are necessary to resolve them: that the appeal is either discontinued by the applicant, or dismissed (refused) by the Court.

## CASE CATEGORIES

Of the 12 appeals commenced in the first quarter ended September 2007, 3 appeals were resolved in the period. In all three appeals, significant compromise on the part of the applicant was achieved, representing a positive outcome for Council.

## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

Land & Environment Court legal costs form part of Council's recurrent operating budget.

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The result for the first quarter is a positive variance of \$329,900. This budget will continue to be monitored throughout the year and reviewed as part of the quarterly budget review process where appropriate.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

This report has been developed with input from Council's Corporate Lawyer, Director Corporate and Director Development & Regulation.

## **SUMMARY**

For the first quarter ended September 2007 Council has expended \$7,800 on legal costs and associated expenses in relation to Land & Environment Court matters. This compares to the year to date budget of \$337,500, a positive variation of \$329,700.

At the time of writing this report Council has incurred legal costs and associated expenses of \$143,700 in October 2007 and \$81,600 in November 2007.

## **RECOMMENDATION**

That the analysis of Land & Environment Court costs for the first quarter ended September 2007 be received and noted.

Edwin Athaide  
**Accounting Officer**

Jamie Taylor  
**Corporate Lawyer**

John Clark  
**Director Corporate**

Michael Miocic  
**Director Development  
& Regulation**

**Attachments:**      **Individual Case Recommendations September 2007 - 853056**

**Legal Costs as at 30 September 2007**

No	Date Lodged	Appeal #	Appellant	Property Address	Solicitor for Appellant	DA No	Decision Appealed Against	Solicitor	Hearing Date	Decision Date	Result	Staff Rec	Council Decision	2006/2007 Costs \$
<b>Alterations &amp; Additions</b>														
1	June 17, 2005	40607/2005	David McGovern & Roslyn McGovern	49 Telegraph Road Pymble	N/A	DA1417/04	Class 4 Challenge to validity of consent. (M Allan is second Respondent)	Deacons	4, 5 and 6 September 2006	February 20, 2007	Application dismissed	N/A		1,687
2	April 27, 2007	10360/2007	Antella & Lloyd Pty	5 Links Avenue Ro	McKees	N/A	refusal to issue building certificate	Deacons			Certificate issued after further works			437
3	November 30, 2006	11160/2006	Roseville Bridge Marina Pty Limited	15 Normac Street Roseville Chase	Herbert Geer & Rundle		Refusal of Refurbishment and additions to marina	Wilshire Webb	June 1, 2007	June 1, 2007	Upheld with amendments	Refused	Not to Council	8,769
4	December 21, 2006	11263/2006	Chris Comina & Caroline Comino	25 Awatea Rd St Ives	Hones Lawyers		Refusal of Bounary Fence	Abbott Tout	March 13 & 16, 2007	March 16 2007	Allowed subject to reduction in height	Refused	Not to Council	9,750
5	June 1, 2007	10517 of 2007	Paul O'Keefe	10 Nulla Nulla Street Turramurra	N/A	DA1203/05	Refusal of demolish existing structures and construct new carport	Wilshire Webb	August 2, 2007	August 2, 2007	Upheld	Refused	Not to Council	2,201
<b>Total Alterations &amp; Additions</b>														<b>17,568</b>
<b>Dual Occupancy</b>														
1	February 16, 2007	10122/2007	Harry Charalambous	7 Shelby Rd St Ives	Hones Lawyers as agent for Glendinning Minto & Associates Pty Ltd	DA1146/06	Refusal of demolition of existing dwelling and construction of a detached dual occupancy	DLA Phillips Fox	May 29, 2007	May 29 2007	consent orders in relation to amended proposal.	refused	Not to Council	366
<b>Total Dual Occupancy</b>														<b>366</b>
<b>Seniors Living</b>														
1	April 2, 2007	10277/2007	Carrington Wahroo	8-12 Ada Avenue &	Hunt & Hunt	DA1046/04	Refusal of section 96 application seeking to amend condition requiring contribution pursuant to s94	DLA Phillips Fox	6 & 7 August 2007		discontinued. [\$6,500 costs recovered from applicant following discontinuance]			9,792
2	December 11, 2006	11193/2006	Murlan Consulting Pty Ltd	35 Water Street & 64 Billyard Avenue Wahroonga	Mallesons Stephen Jaques		Deemed refusal of adaptive reuse of heritage building and seniors living resort	Deacons	30 April & 1-2 May 2007; 28 May 2007	June 26, 2007	Dismissed *****SUBJECT TO 56A Appeal - Hearing on 18 October 2007 before Pain J - Appeal Dismissed on 29 October 2007	Refusal	Refused	16,441
3	June 15, 007	10555 of 2007	Ground Crew at Turramurra Pty Ltd	440 Bobbin Head Road North Turramurra	Gadens	DA1426/06	Refusal of seniors living development of 58 self contained dwellings	Wilshire Webb	[Section 34 conference on 20 September, 30 October 2007 (Senior Commissioner Roseth)]					20,375
4	April 5, 2007	10290/2007	Winter Group Architects Pty Ltd	106-108 Junction Rd Wahroonga	McKees	DA0624/06	Deemed refusal of SEPP Seniors living development comprising nine houses with basement parking	Deacons	August 20, 2007		Amended proposal approved	refused	Not to Council	6,037
<b>Total Other -</b>														<b>7,689</b>
<b>Section 96</b>														
1	March 30 2006	33-3-2006	Mirvac Projects Pty	9-25 Tryon Road Lindfield	146-6-2006		Seeking approval to ammend S 94	Phillips Fox		May 29 2006	Appeal Dismissed	Refusal	Not to Council	1,857
2	November 27, 2006	11146/2006	Mirvac Projects Pty	10 Marian Street Killara	Lindsay Taylor Lawyers		Refusal of s96 application to modify approval for LEP194 apartment building development	Phillips Fox			Discontinued	Refused	Not to Council	2,752
3	February 19, 2007	10131/2007	Harry Charalambous	49 Westbrook Avenue Wahroonga	Maddocks	DA0837/06	Refusal of section 96 application to delete condition requiring landscape establishment bond	DLA Phillips Fox	9 July 2007 (preliminary point of law);	September 6, 2007	preliminary point of law decided in favour of applicant. Conditions deleted by consent.	refused	Not to Council	7,688

**Legal Costs as at 30 September 2007**

No	Date Lodged	Appeal #	Appellant	Property Address	Solicitor for Appellant	DA No	Decision Appealed Against	Solicitor	Hearing Date	Decision Date	Result	Staff Rec	Council Decision	2006/2007 Costs \$
4	March 26, 2007	10255/07	Harry Charalambous	47 Westbrook Ave Wahroonga	Maddocks	DA0836/06 A	Refusal of section 96 application to delete conditions requiring tree & landscape establishment bond	DLA Phillips Fox	9 July 2007 (preliminary point of law);	September 6, 2007	preliminary point of law decided in favour of applicant. Condition deleted by consent.	refused	Not to Council	- 4,300
5	May 4, 2007	10392/2007	Tetbury Pty Limited	29-33 Dumaresq Street Gordon	N/A	DA0581/05	Deemed refusal of Section 96 application to reduce section 94 contributions	DLA Phillips Fox	5, 6, 10 & 11 September 2007		Decision Reserved	Refused	Not to Council	- 11,852
<b>Subdivision</b>														<b>Total Section 96 - 22,945</b>
1	December 14, 2004	11572/2004	Ashley Webb	6 Eastern Arterial Road St Ives	Hones Lawyers	DA0243/04	Appeal in relation to Conditions	Deacons	February 17, 2005	February 17, 2005	One condition only pressed by Council. Council's position supported by Council & condition upheld.	N/A	N/A	- 459
2	December 7, 2006	11178/2006	Patrick Griffin & Katherine Mulcahy	19 & 21 Duff Street Turramurra	N/A		Refusal of subdivision	Wilshire Webb	May 15, 2007	May 16, 2007	Upheld (after significant amendment)	Refused	Not to Council	105
3	May 1, 2007	10376/2007	Lee Maree Taylor &	12 King Street Turramurra	N/A	DA0275/05	Refusal of subdivision of one lot to create two additional lots	Wilshire Webb	29 June 2007 (for binding)	June 29 2007	Dismissed	Refused	Not to Council	5,647
<b>Residential Apartments</b>														<b>Total Subdivisions 5,293</b>
1	October 5, 2005	11165/2005	Mirvac Projects Pty Limited	10, 10a, 12, 14 & 16 Marian Street Killara	Lindsay Taylor Lawyers	DA1388/04 (s96)	Deemed refusal of Section 96 application to modify contribution under section 94	Phillips Fox	February 8, 2006	February 8, 2006	Consent Orders			1,081
2	March 14, 2006	10611/05	Arkibuilt Pty Ltd	2-8 Milray Street & 10 Havilah Lane Lindfield	N/A	DA0282/05	Application to Court to modify development (staging) pursuant to section 96	Deacons	April 10, 2006	April 10, 2006	Approval modified - applicants proposal for modification varied.	N/A	N/A	- 79
3	August 7, 2006	30688/2006	Tenacity Investments	2-4 Evertion Street & 2 Pymble Avenue Pymble	Tony Sattler	N/A	Class 3 (Application for order that Easement be Imposed)	Phillips Fox	June 13, 2007		Deemed Refusal	N/A	N/A	5,971
4	January 22, 2007	10052/2007	Ross Williams	10 Shinfield Avenue St Ives	Maddocks		Refusal of residential flat building comprising 5 units and basement car parking	Abbott Tout	June 6, 2007	June 6, 2007	Upheld, subject to increased setback from street	refused	not to council	11,518
5	Feb 23, 2007	10149/2007	Woniara Estate Pty Ltd [***under external administration]	15-21 Woniara Ave Wahroonga	Henry Davis York Lawyers	DA1179/06	Deemed refusal of demolition of existing structures & construction of a residential flat building consisting of 45 units, basement car parking, landscaping and strata subdivision	Deacons	40 & 41 July 2007 - [vacated on 8 June 2007]; 13-14 November 2007					3,672
6	June 28, 2007	10600/2007	Kaligem Pty Ltd	1-9 Buckingham Road Killara	Pike Pike & Fenwick	DA1012/06	Refusal of demolition of 4 existing dwelling houses and construction and strata subdivision of residential flat building of 33 units and associated car parking.	Deacons	November 12, 2007					3,582
7	August 21, 2006	10732/2006	Coles & Merc Pty Ltd	3-13 Bundarra Avenue & 10 Woonona Avenue Wahroonga	Maddocks	DA0478/06	Deemed refusal of demolition of 7 existing dwellings, amalgamation of lots and construction of 3 residential flat buildings	Phillips Fox	23-25 January 2007 - (vacated on 19 Jan 2007); 16, 17 & 18 April 2007; 4 May 2007	May 4, 2007	Interim Judgment (20 April 2007) has directed amendments to be made. Final Orders approved amended scheme.	Refusal	Refused	- 353
<b>Total Residential Apartments</b>														<b>25,392</b>
<b>Grand Total</b>														<b>17,985</b>
<b>Less General Legal Expenses Accrued 2006-2007</b>														<b>- 10,155</b>
<b>Total Legal Costs</b>														<b>7,830</b>
NOTE: Negative figures represent amounts accrued last year.														



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## UNIVERSITY OF TECHNOLOGY LINDFIELD - SUBMISSION TO PART 3A APPLICATION

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:** To provide a response to the Concept Plan proposal, the State Site Significant Study and Environmental Assessment for the redevelopment of the University of Technology, (UTS) Ku-ring-gai Campus.

**BACKGROUND:** The Minister of Planning declared the proposal to be a Major Project Part 3A of the Environmental Planning and Assessment Act 1979 on 14 June 2007 and authorised the submission of a concept plan for the proposed redevelopment. The requirements for a State significant site study were issued by the Department of Planning and Director-General's Environmental Assessment Requirements for the Concept Plan have been issues. These guide the preparation of an Environmental Assessment for public exhibition and assessment purposes. The proposal is on exhibition from 31 October to 30 November 2007.

UTS has submitted a State Significant Site Study and Environmental Assessment (EA) to support the Concept Plan to the Department of Planning for assessment and determination by the Minister for Planning.

**COMMENTS:** The proposal seeks rezoning to provide for additional land uses, including commercial uses and a range of residential uses under the Standard LEP template. It is proposed to retain the main campus building for adaptive re-use, and provide for 440 dwellings on the site.

**RECOMMENDATION:** That Council make a submission to the Department of Planning as outlined in this report.

## PURPOSE OF REPORT

To provide a response to the Concept Plan proposal, the State Site Significant Study and Environmental Assessment for the redevelopment of the University of Technology, (UTS) Ku-ring-gai Campus.

## BACKGROUND

The UTS applied for rezoning of the site for a variety of uses in mid 2004. At its meeting of 28 June 2005, Council resolved not to seek formal exhibition, but to work with UTS to develop a more feasible proposal.

On 12 December 2005 the Minister for Planning agreed to consider the proposal for the redevelopment of UTS as a potential Major Project. On June 14, the Minister declared the proposal to be a Major Project (and therefore a project to which Part 3A of the Environmental Planning and Assessment Act 1979 applies (EP&Act)).

At this time he also authorised the submission of a concept plan for the proposed redevelopment.

The requirements for a State Significant Site Study were issued by the Department of Planning to UTS on 1 February 2006, and Director-General's Environmental Assessment Requirements (EAR) for the Concept Plan were issued on 12 July 2007. The EAR are included in **Attachment 1**. These guide the preparation of an Environmental Assessment for public exhibition and assessment purposes.

The UTS has submitted a State Significant Site study and Environmental Assessment (EA) to support the Concept Plan to the Department of Planning for assessment and determination by the Minister for Planning.

The proposed zoning is to be determined through the future listing of the site in Schedule 3 of the State Environmental Planning Policy (Major Projects) 2005 (Major Projects SEPP).

This report is structured as follows:

- A. Legislative background
- B. The site
- C. History
- D. The proposal
- E. Review of study to support state significant site listing.
- F. Consideration of Key Assessment Requirements and Issues.

## COMMENTS

### A. LEGISLATIVE FRAMEWORK

#### Part 3A of the Environmental Planning and Assessment Act and State Environmental Planning Policy (Major Projects).

The proposal is to be determined by the Minister of Planning, under the amendments to the Environmental Planning and Assessment Act, and State Environmental Planning Policy (Major Projects) 2005.

Part 3A of the EP&A Act provides that:

*75D Minister's approval required for projects*

- (1) A person is not to carry out development that is a project to which this Part applies unless the Minister has approved of the carrying out of the project under this Part.*
- (2) The person is to comply with any conditions to which such an approval is subject.*

and

*75B Projects to which Part applies*

- (1) General*

*This Part applies to the carrying out of development that is declared under this section to be a project to which this Part applies:*

- (a) by a State environmental planning policy, or*
- (b) by order of the Minister published in the Gazette (including by an order that amends such a policy).*

*The carrying out of particular or a class of development, or development for a program or plan of works or activities, may be so declared.*

The Minister has classified the project as a Major Project and is the approval authority. The Minister has authorised the submission of a concept plan proposal for the site, permitted under Section 75F of the Act.

Part 8 of SEPP Major Projects 2005 provides that:

- (1A) The Minister may publish a notice in the Gazette advising of a proposal that Schedule 3 be amended to add a site that the Minister considers to be a State significant site.*
- (1) For the purposes of considering a proposed amendment to Schedule 3, the Minister may initiate an investigation into the proposal by requiring the Director-General to*

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*undertake a study or to make arrangements for a study to be undertaken for the purpose of determining:*

- (a) whether any development on the site should be declared to be a project to which Part 3A of the Act applies, and*
- (b) the appropriate development controls for the site.*

*(2) Any such study is to assess:*

- (a) the State or regional planning significance of the site, and*
- (b) the suitability of the site for any proposed land use taking into consideration environmental, social and economic factors, the principles of ecologically sustainable development and any State or regional planning strategy, and*
- (c) the implications of any proposed land use for local and regional land use, infrastructure, service delivery and natural resource planning, and*
- (d) any other matters required by the Director-General.*

The proponent has submitted a state significant site study in accordance with the Minister's requirement, in conjunction with a concept plan and Environmental Assessment for concurrent consideration. The Part 3A process is outlined in **Attachment 2**. The Director General has issued the Environmental Assessment Requirements after consultation with Councils and State Agencies. The Director General's assessment requirements (**Attachment 1**) include the submission of a State Significant Site Study, a Concept Plan, and an Environmental Assessment. The heads of consideration for the assessment are as follows:

- Suitability of the site
- Likely environmental, social and economic impacts;
- Justification for undertaking the project;
- Consideration of alternatives; and
- Public interest.

Details of relevant environmental planning instruments and guidelines and key issues to be addressed are also outlined.

The proponent has submitted the concept plan proposal, EA and State significant site study to the Department, and the process is now at the exhibition stage. Submissions will be considered, and the proponent provides a response. The response may involve an amendment to the project, called a Preferred Project Report.

For this site a Community Reference Panel has also been appointed to provide input at 3 stages of the process.

This report provides an assessment of the proponent's concept plan, site significant study and Environmental Assessment, as the recommended basis for a submission to the Department of Planning.

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The University of Technology, Sydney (UTS), Ku-ring-gai campus is located at the south western end of Eton Road, west of the Pacific Highway in Lindfield at 100 Eton Road, 1.8 kilometres to the west of Lindfield Station. Sole access is via Eton Road. Car parking is provided across the site, and a loop is provided at the entry for bus turning. Shorelink provides a bus service to Lindfield, Roseville and Chatswood train stations. The university also provides an inter-campus bus service, linking to the UTS campus at Broadway.

The university is fully operational and provides a range of facilities and equipment to cater to the student population, with a number of these facilities open to the general public.

The campus comprises two properties – the north western car park (Lot 5 DP 32292) and the remainder of the campus (Lot 1 DP 523448) – and has a total site area of 208,010m<sup>2</sup> (20.8 hectares).

The site is located on a sandstone ridge that slopes steeply away to the east, south and west, where it is bounded by the Lane Cove National Park. The northern end of the site is adjacent to Film Australia and low density residential properties. The site forms part of the catchments of Sugarbag, Blue Gum and College Creeks, all of which are tributaries of the Lane Cove River. College Creek travels across the south west of the site. **Attachment 3** contains a concept plan detail superimposed over an aerial photo and Council's slope mapping.

At present, approximately 44.1% of the site (91,792 m<sup>2</sup>) is bushland. The developed area of the site includes building footprints (6.7%), sports field (7.5%) and roads, parking and other hard surface (41.7%). The buildings were purpose designed for educational uses, and are of acknowledged excellence in this regard.

The site contains areas of both disturbed and undisturbed bushland vegetation, which at the east, west and southern boundaries are contiguous with that of the Lane Cove National Park. The campus buildings and facilities are well integrated with the bushland. The bushland areas of the site range from moderate to good condition, providing habitat for a range of species. The bushland visually dominates the campus and screens views to and from it.

The site is presently zoned Special Uses "A" with permissible land uses being "teachers college", demolition, special events, subdivision (subject to cl. 58(A) of KPSO) and utility installations.

UTS Ku-ring-gai Campus offers subjects in nursing, midwifery and health, teacher education, law and business, sport leisure and tourism at the campus. Ancillary services and facilities at the site including outdoor recreation facilities (sports field and tennis courts), indoor recreation facilities (gymnasium, dance studio, basketball court and squash courts), auditorium, library and a child care centre. These facilities are provided primarily for use by UTS students and staff but are also used by the wider community including residents, clubs and other organisations.

**C. HISTORY**

The UTS Ku-ring-gai campus was acquired by the Commonwealth in 1915 and reserved for use as a teachers college. It was purchased in 1961 by the NSW Minister of Education and in 1967 the government officially announced that the William Balmain Teachers College would move to the site.

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The new college was one of a number of bushland campuses established in the late 1960s and 1970s. The campus building was designed in five stages by David Don Turner, an architect with the then Public Works Department, in consultation with teaching staff, planners and other architects. The site layout, architecture and landscaping were intended to be reminiscent of an Italian Hill village that had been lowered into the natural landscape, providing a unique experience for visitors who entered from the surrounding suburban area.

The design of the campus building was heavily influenced by the Neo-Brutalist Movement. It is considered to be one of the finest examples of the Sydney School architectural style (in which the Brutalist architectural approach is tempered with a design that demonstrates an appreciation of the natural landscape and social-consciousness). The university is considered to be the first in Australia to successfully provide opportunities for effective interaction between staff and students.

The native landscape surrounding the building was kept largely intact, with minimalistic landscape and garden design by the landscape architect Bruce Mackenzie that blended with the natural features in a distinctly Australian approach.

Council resolved to list the property as a heritage item of local significance under the *Ku-ring-gai Planning Scheme Ordinance*. It has also been nominated for listing on the State Heritage Register as an item of State significance.

The UTS Ku-ring-gai Campus has been the recipient of several awards including the Sulman Award (1978) from the NSW Chapter of the Royal Australian Institute of Architects (RAIA), the RAIA Merit Award (1973) and the Horticulture Award of Merit (1978). The building was recently selected as one of the two 1970s "Building of the Decade" and is on the RAIA Register of 20<sup>th</sup> Century Buildings of Significance. Most recently, on Friday, 17 June 2005, the RAIA awarded the campus the NSW 25 Year Award.

The campus was originally designed to cater for 900 students. By 1980, the campus was operating as the Ku-ring-gai College of Advanced Education (CAE) and was attended by more than 3000 students. The increased student population began to have an adverse impact on surrounding residents owing to increased traffic and parking. A new access road was proposed to alleviate such problems, but protests were raised against this on environmental grounds.

In 1990, the CAE merged with the UTS and the architect's involvement in the design and maintenance of the building ceased after a period of some twenty-five years (an unusually long period of continuity). Alterations to the building since that time have been undertaken without consultation with the original architect. Following the merge, the student population rose to between 4000 and 5000 and the UTS began to lobby Ku-ring-gai Council for the access road.

The preferred route for the access road was through campus bushland at the south-west of the campus to Lady Game Drive. In 1995, consent was granted for the access road to be constructed, however, works did not proceed as proposed. A report prepared in 1998 for the UTS advised that, with student numbers falling and the high environmental cost of constructing the access road, there was little justification for proceeding.

To cater for the large student population, it was originally intended that the Epping – Chatswood rail link would include a station at the UTS Ku-ring-gai campus. The rail line, now under construction, will include a station at Macquarie University, however, the line will now effectively bypass the UTS.

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As a result, UTS sought a rezoning for the campus as part of its exploration of options for achieving viability across all its campuses.

However, when Council sought further discussion prior to any formal exhibition of the rezoning proposal, UTS applied to the Minister for consideration under Part 3A of the Act.

#### D. THE PROPOSAL

The UTS have requested rezoning of the Ku-ring-gai campus to allow for flexibility in the redevelopment of the site. The zones in the standard LEP template are to be used. A concept plan is provided showing building locations and typologies, floor space ratios and heights. The following is proposed under the NSW Standard LEP template zones:

Within a new R1 (General residential) across the existing developed portion of the site and 2 bushland areas:

- The retention of the main campus building for adaptive re-use;
- Potential for commercial, educational, community (eg. library, auditorium, child care centre) and some residential;
- 390 dwellings in residential flat buildings in 10 blocks;
- Height increasing to centre of the site, from 3 storeys to the west of Film Australia, through 4 storeys at approximately the level of the oval, to 5 storeys (20 metres to upper ceiling level) in the present tennis court area, at a similar level to the existing main building;
- 195 x 2 bed units and 195 x 3 bed units;
- Includes apartment development of an area of bushland to the south of the existing car park;
- Conversion of part of the oval to a "village green";
- Demolition of child care centre, sports oval, tennis courts and gymnasium;
- Use of existing road network where possible, with some new roadwork in this area;
- New pedestrian linkages;
- 40 integrated small lots (<350 – 400m<sup>2</sup>) in the existing north-western car park area and in the existing bushland at the north eastern corner of the site.

Within a new R2 (Low density residential) in an L-shape section at the north western boundaries:

- 10 single dwelling lots (<650 – 750m<sup>2</sup>), adjacent to existing residential development, to 2 storeys;
- New roads to service this area.

These areas are expected to accommodate approximately 831 people (assuming 3.12 persons/house and 1.86 persons / unit).

Within E3 (Environmental Management):

- An asset protection zone (APZ) 50 metres wide, incorporating a fire trail, 4 metres wide, with one metre clearance either side.

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- Within RE2 (Private Recreation):
- The remaining bushland on the site, both to the east and the south-west of the site, adjacent to reserved areas, such as Lane Cove National Park,
  - incorporating the main portion of College Creek; and
  - incorporating a section of the fire trail.

It is proposed to provide 587 car parking spaces and 97.5 visitor spaces. These spaces are predominantly basement parking connected to the residential development.

The proposal concentrates new development in previously developed areas, and areas of bushland adjacent to existing residential areas. The amount of clearing required to support the development is not shown consistently throughout the proposal. ERM states that 2.8 hectares of bushland would need to be cleared to support the development JBA states that only 1.3 hectares would be cleared.

Council's preliminary estimate is that 2.8 hectares, just over 30% of the existing bushland on the site, would be cleared for the development, while a further 1.3 hectares is to be modified as part of the APZ.

The existing and proposed gross floor area is shown at table 1 below:

Table 1

Existing use	Area (m <sup>2</sup> )	Cover as a percentage of whole site
Undeveloped area (bushland)	91,792	44%
Developed area	116,218	56%
- Roads, parking, hard surface	86,765	32%
- Sports oval	15,535	7%
- Building footprint	13,918	7%
<b>Site Area</b>	<b>208,010</b>	<b>100%</b>

Land uses - proposed	Gross floor area (m <sup>2</sup> )	Percentage of total gross floor area
Residential	68,304	71.5%
Non Residential (adaptive re-use of main campus building)	27,167	28.5%
<b>Total GFA</b>	<b>95,471</b>	<b>100%</b>

From DEM and ERM, 2007



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The existing and proposed publicly accessible open space is shown below at table 2.

Table 2.

Land uses – Existing publicly accessible open space	Area (m2)	Percentage of total site area
Sports oval	15,535	7.5%
Tennis court area	4,090	2%
Bushland	91,792	44%
<b>Total</b>	<b>111,417</b>	<b>53%</b>

Land uses – Proposed publicly accessible open space	Area (m2)	Percentage of total site area
“Village Green” Park	6,970	3.4%
Bushland*	63,792	30.66%
<b>Total</b>	<b>70,662</b>	<b>34.06%</b>

\*Based on figures from ERM, 2007 (and includes the APZ as part of the bushland)

## E. REVIEW OF STUDY TO SUPPORT STATE SIGNIFICANT SITE LISTING

The Minister, in determining whether a site is of State significance, will consider whether the site meets one or more of the criteria described in the Draft Guideline for State Significant Sites (24 July 2005):

- (a) *The site is in an identified strategic location (in a State or regional strategy), is important to a particular industry sector, or employment, infrastructure, service delivery or of redevelopment significance in achieving government policy objectives; or*
- (b) *The site is important for environmental conservation or natural resources; or*
- (c) *The site is important in terms of amenity, cultural, heritage, or historical significance in achieving State or regional objectives; or*
- (d) *The site needs alternative planning or consent arrangements where added transparency is required because of potential conflicting interests or more than one local council is likely to be affected.*

Should the Minister determine that the land constitutes a “State significant site” then the Major Projects SEPP can be amended by the inclusion of the identified land in Schedule 3 of the SEPP along with any new zoning and/or other planning controls for the site. The Minister required particular consideration of a) to c) of the Guidelines.

The proponent has provided a justification and rationale for the site to be listed as state significant, based on the following:

## 1. STATE OR REGIONAL PLANNING SIGNIFICANCE

### Proponent assessment against the guidelines

- a) *Strategic location /key employment and service delivery:*
- *The state government is seeking a shift in focus towards secondary education, especially maths and science, while specialist facilities to support this are generally located at the Broadway campus*
  - *Improved feasibility through the consolidation of the nursing and education programs in the City, given the new development at Broadway*
  - *Duplication of services within UTS reduces the viability of the whole program*
  - *Retention of UTS at Lindfield could therefore lead to a compromise of education policy objectives.*
- b) *The principles of SEPP 8 relating to the orderly and economic use of land no longer required for a public purpose are valid and should be recognised in the consideration of this proposal.*

### Council response

The proponent's assessment fails to consider the following:

- The campus is fully operational and equipped with regional facilities and is strategically important in its location on the North Shore and proximity to the Central Coast as the availability of land for the establishment of a new university or other tertiary educational facility in this region is low.
- Under the Metropolitan Strategy there will be a significant increase in residential density within the catchment area, with Hornsby and Ku-ring-gai to provide a minimum of 21,000 additional dwellings by 2031. This will increase the need for tertiary facilities within the region. It is noted that currently over 1,000 students travel from the north of the campus. Forcing students to travel the additional distance to Broadway is not a sustainable answer.
- Nursing is not offered at Macquarie University, so this is not a substitute for students wishing to meet the current critical need for nursing staff.
- The potential to improve links with hospitals in the region, both private and public through partnerships and the provision of direct transport links for students/researchers.
- The fact that the university is considered by current and past students and staff to have tremendous value as an educational facility in its own right, particularly because of its purpose-designed teaching spaces, the standard of teaching and the overall campus design.
- Any medium to long term planning by the Federal Government for the provision of tertiary facilities for this growing region.
- The Draft North Subregional Strategy, which includes the UTS campus on its strategic mapping of knowledge assets and key industries and lists the campus as one of seven large education and health institutions in the region.
- The "Vision for the north" in the Draft North Subregional Strategy, which states that by 2031 the subregion will have "access to quality infrastructure and services, including education and health".
- A tertiary facility and a number of recreational and community facilities provided on the campus are still required for a public purpose in this sub-region.

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These are serious flaws in the proponent's assessment of state and regional planning significance.

### Proponent assessment against the guidelines

- c) *Consistency with the Sydney Metropolitan Strategy:*
- *The site is located within the economic corridor linking North Sydney to Macquarie Park*
  - *Introduction of residential, commercial and community uses, as well as potential for continued educational uses will provide UTS sufficient flexibility to manage its land and building assets more effectively and achieve the most viable outcome across its campuses;*
  - *Potential relocation of educational facilities to the City campus would strengthen that campus as a 'knowledge precinct', consistent with the NSW Metropolitan Strategy;*
  - *Students that might otherwise attend from the UTS Ku-ring-gai campus could choose Macquarie University identified as part of the Macquarie Park 'knowledge precinct' and would thus also serve the outcomes of the Metropolitan Strategy.*

### Council response

- The Draft North Subregional Strategy does not show this site or any area of Ku-ring-gai to be within the economic corridor
- There is a lack of any detail on any existing strategic framework for the tertiary education within the region, at a state or federal level. This is of particular concern given that schools in the area are at or above capacity, as acknowledged by the proponent and therefore likely to feed into the tertiary education system in the near future. Further, under the Metropolitan Strategy and the Draft North Subregional Strategy there will be significant population growth in the region to 2031. It is unclear how the education needs of the increased regional population will be addressed. The proponent would force regional students, and students from as far north as the Central Coast to travel further to Broadway, or alternatively Macquarie University. However, it is unclear whether Macquarie University will have the capacity to take the additional students from the increasing regional population, and in any case, does not include a nursing degree among its courses.
- The proposal is inconsistent with the Draft North Subregional Strategy, which will become the pre-eminent planning document for the region. The vision for 2031 states the region will provide access to quality infrastructure and services including education and health. Further, the plan lists UTS Lindfield as one of the 7 largest employers in education and health in the subregion. Indeed, the UTS campus Lindfield is shown on the Economy and Employment Map, among others
- The Draft North Subregional Strategy refers to the number of people involved in education in the region and the resultant opportunities for integrated delivery of TAFE and university courses and for opportunities for innovation. The proponent's description of alternatives

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considered does not demonstrate any consideration of innovative approaches to continuing tertiary education on the site.

### Proponent assessment against the guidelines

- *The Concept Plan and SEPP amendment only marginally increase densities as permitted under the current Ku-ring-gai Planning Scheme Ordinance and DCP controls. This meets the objective for increasing density in centres while improving liveability.*

### Council response

This is incorrect. The Concept Plan significantly increases the density significantly over what would be permitted under the Ku-ring-gai Planning Scheme Ordinance and DCP 38, were it an existing residential site. Table 3 shows 2 scenarios for calculating Floor Space Ratio (FSR), the first based on the whole site, the second, removing the bushland areas the proponent considers should not be developed. The second scenario is therefore still conservative as it includes bushland areas that contribute through connectivity to the Lane Cove National Park.

Both include the main campus building in the floor space area. It will be noted that in the first scenario the FSR is increased by over 50%, while in the second, the more practical for this unique bushland site, it is proposed to be increased by an additional 120%.

Table 3.

Site area (m <sup>2</sup> )	DCP 38 Max FSR	Proposed FSR
208,010 (Total site area)	0.3:1 (Gross floor area of 62,403 m <sup>2</sup> )	0.46:1 (Gross floor area of 95,471 m <sup>2</sup> )
14,4,218 (Area of site minus bushland proponent considers should be protected)	0.3:1 (Gross floor area of 43,265 m <sup>2</sup> )	0.66:1 (Gross floor area of 95,471 m <sup>2</sup> )

The proposal does not increase density in the centres, as the closest centre is located at a distance of 1.65 km (Roseville) or 1.8 km (Lindfield – a slightly larger centre). The grade to the station from the campus is quite steep, discouraging many people from walking the 25 minutes. The proposed increased density and mixed use provisions are inconsistent with the Metropolitan Strategy of providing for such uses and densities within centres or adjacent to good public transport. The proposal has the potential to compromise the achievement of maximum densities close to rail stations.

### Proponent assessment against the guidelines

- *The proposed development is located on a bus route which connects with Roseville and Lindfield railway stations. In addition the site is within 25 minutes walking distance from the Lindfield or Roseville railway stations. The proposed development will therefore introduce additional residential population at a rate considered appropriate for this location and level of public transport services and result in a greater level of support of existing public transport infrastructure.*

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- *The proposal will contribute to the supply of land for housing within the Metropolitan Area and allow for approximately 440 new dwellings, helping to contain the Sydney footprint and reducing pressure on less well suited land*
- *The SEPP amendment controls, the Concept Plan and Statement of Commitments will together deliver a high quality urban environment, with the impacts well contained within the site.*
- *New streets and pedestrian accessways will provide for increased connection to encourage sustainable travel*

Council response

- Issues with the bus route are discussed in detail under Transport, Access and Parking in this report, and demonstrate that the access to quality and frequent transport at the times required by the proposed residential uses and access to neighbourhood centre services, is poor. As stated in the proponent's own documentation:

*"from a university standpoint, UTS Ku-ring-gai therefore remains relatively remote in terms of access to public transport and services"*

The proposal is likely to result in higher vehicle traffic generation rates than comparable development located in a town centre precinct.

- The traffic flow resulting from the proposal would be inconsistent with the draft North Subregional Strategy, which indicates a counter flow requirement for traffic between the Pacific Highway and the campus, relieving pressure at key traffic junctions at peak times. The proposed residential development would result instead in increased pressure on traffic congestion at peak times.
- The new streets provide only adequate access to the different parts of the development, and do not provide for any increased connection with the surrounding development. Despite Council having sought a new road connection to the north of the site at the previous rezoning, the Concept plan does not include this.
- The Concept Plan provides only very broad design principles, and lacks detailed controls, while the Statement of Commitments is too general to provide any certainty. These documents are not an effective guide to achieve Ecologically Sustainable Development (ESD).

Proponent assessment against the guidelines

- *The proposal will provide increased access to open space, including a new park;*
- *The Concept Plan will demonstrate local skills and excellence in urban design, planning, architecture and environmental sustainability through the location and orientation of the proposed dwellings enabling the maximisation of solar access and other ESD principles contained in SEPP 65. In addition the ESD strategy includes protection of the natural biodiversity, protecting water quality, conserving and recycling water as well as the adaptive re-use of a substantive existing building.*

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## Council response

While it is accepted that the open space on the site is currently owned by the University, after purchasing the land and its buildings for \$1 from the state government, the open space is used by the public as well as the students and therefore provides considerable public benefit, as envisaged at the original transfer of the land. As shown in the tables 1 and 2, the open space on the site will be reduced from 11.14 hectares to 7.06 hectares, a *reduction* of 36.5%. Significantly, it will reduce the area of bushland for passive recreation, and demolish a much needed senior sized sports oval in the region.

It is noted that the only commitment in the statement of commitments to ESD, is compliance with the requirements of BASIX. Even this is despite comments within the documentation of meeting water conservation targets of 46% instead of 40% as required by BASIX. The water management regime has the potential to be very good, however, again, there are no commitments to water quantity or quality in the statement of commitments.

It is accepted that the retention of the main building will make use of the embodied energy within this building, and that location and orientation of the proposed buildings, and the commitment to accessible buildings can provide for quality ESD outcomes, however this is not in any way that is necessarily any more sustainable than under local planning for medium density development. Given the proposed loss of 30% of the bushland on the site, the required bushfire management regime and the uncertainty over the responsibilities and long term management regimes for the site, the protection of biodiversity is questioned. This is addressed in more detail under Ecology Section in this report.

For the proposal to be considered as a demonstration site for excellence in design and ESD, a proposal which, the proponent's documentation (JBA p. 51) states;

*"pushes the boundaries on ecological sustainable development"* it would need to go well beyond existing requirements under current planning legislation. Council would support a plan that demonstrated truly sustainable outcomes, by providing affordable universal housing and community facilities needed in the region as a method of continuing to provide tertiary education on the site, and demonstrating the maximum re-use of existing infrastructure and protection of heritage, a truly integrated total water cycle/bushland/fire/management system, sympathetic architecture and urban design and the retention and enhancement of all bushland areas on the site, with a land use mix and scale that does not compromise town centre planning, supports the use of more sustainable forms of transport and does not compromise local or regional amenity and views.

## Proponent assessment against the guidelines

d) *Provision of housing choice (SEPP 53, SEPP 32):*

- *The proposal will provide a mix of housing to increase the housing choice in the LGA to cater the varying needs of the community in the greater metropolitan area and the changing demographics of the Ku-ring-gai LGA, as advocated by the Sydney Metropolitan Strategy:*

i *Primary homebuyers in the LGA are in their mid-thirties to mid-forties with secondary school age children.*

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- ii *Second to this group are ageing 'empty nesters' seeking to down size their home, while remaining in the same locality. Population trends indicate that this group of homebuyers will increase in number.*
- iii *Young professional couples seeking to be closer to work, retail and recreation facilities are another emerging homebuyer market in the area. This group is seeking multi-unit housing and is likely to have previously grown up in the area.*
- *LGA has a predominance of single dwelling housing in the LGA and a lack of land zoned for medium density. The proposal provides for an increase in medium density development.*

**Council response**

The proposal favours residential flat building, which will be adequately catered for in more appropriate locations including within Ku-ring-gai's town centres. Council has approved over 3,000 new apartment dwellings, constituting \$1.7 billion of new residential development. The LGA will be well supplied with apartments through these approvals and land zoned under LEP 194 and 200 and Town Centre plans. Further the Draft North Subregional Strategy, in line with the Metropolitan strategy, includes a key direction that centres are to be the focus for increased housing choice. The proposal is inconsistent with this direction.

The proposal also fails to include smaller units and does not cater at all to the increasing need for affordable housing, failing to provide for adequate social diversity. This issue is further discussed Housing Mix and Affordability later in the report.

**2. STATE OR REGIONAL ENVIRONMENTAL SIGNIFICANCE****Proponent assessment of guidelines**

- a) *The guidelines for development adjoining Department of Environment and Climate Change (DECC) land has been considered and no adverse impacts to DECC land from the proposal are expected. Comprehensive management plans and WSUD measures will be developed to ensure that the proposed development will not have adverse impacts on DECC land or DECC management practices. No activities will be undertaken within DECC land.*
- b) *The majority of the fauna are well represented in the area and in Lane Cove National Park.*
- c) *Measures to mitigate the impacts on threatened fauna and flora on site, or on potential habitat for threatened species on the site are included in the ecology report by ERM.*

**Council response**

There are potential impacts on Lane Cove National Park from the loss of part of the bushland corridor, and the habitat on the site. In addition, it is proposed to run sewer works through the National Park. Impacts on threatened species are considered under Ecology in this report. Impacts to the National Park may also result from changed bushfire regimes, clearing and erosion

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and sedimentation, altered hydrology and water quality impacts. While some of these are said to be addressed through management plans, the uncertainty about ownership and long term management, and the lack of up-front detail provides no guarantees for effectively managing the adverse impacts.

### 3. STATE OR REGIONAL CULTURAL OR HERITAGE SIGNIFICANCE

#### Proponent assessment

##### *a) Listing and awards*

- *The NSW Heritage Office has received two nominations for the site to be included on the State Register. The nominations were from the Royal Australian Institute of Architects (RAIA) and Ku-ring-gai Council;*
- *Draft (Heritage Conservation) LEP 30 was exhibited in 2004 and is with the Minister for gazettal;*
- *Discussions have been held with the NSW Heritage Office regarding the potential listing of the site. The Heritage Office has indicated a preference to progress the listing process with a Heritage Agreement in place with the landowner;*
- *The site is listed on the Royal Australian Institute of Architects (RAIA) Register of 20th Century Buildings of Significance;*
- *The college building was awarded an architectural Merit Award in 1972, and in 1978, after completion of Stage 2, was awarded the Sulman Award.*

##### *b) Value*

- *Outstanding architectural merit of the campus buildings and its landscape setting providing a distinctive built form within a bushland setting.*

#### Council response

It is agreed that the site has state and regional heritage significance. However, few sites of state heritage significance are considered under Part 3A of the Act, and therefore this on its own is not sufficient for the proposal to be subject to the Minister's consent, as these matters can be effectively dealt with at the local government level.

### 4. ALTERNATIVE PLANNING OR CONSENT ARRANGEMENTS

#### Proponent assessment

- *UTS prefers that the approval role for the site be retained with the Minister.*
  - *This view has been formed having regard to the process to date;*
  - *Having the Minister as the consent authority would assist in the consistency and efficiency of decision making.*



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*The proposed amendment to the SEPP provides for development under \$5 million to be dealt with under Part 4 of the Act, but with the Minister as consent authority. This would enable the Minister to delegate this category of development for assessment and determination to Ku-ring-gai Council in the future if appropriate.*

**Council response**

Should the Minister approve the concept plan application, it is recommended that Council become the consent authority for development under the Plan. There are no conflicts of interest that would require greater transparency and the site does not cross the boundary of more than one Council area. It is noted that the Minister did not require consideration of this point.

Council has always been willing to discuss any realistic proposal for the site and acknowledges the significant amount of additional work undertaken by the proponent for this application. Much of this is work requested by Council at the rezoning application stage.

Should the Minister approve the concept plan in some form, then the issues relating to strategic planning at the state and regional scale will have been addressed. Council is in the ideal position to consider future development applications (DAs) for the site, with a good grasp of both the local issues and how they fit into the regional picture. It would also ensure that the development process is seen by the local community as transparent and equitable, as it will be required, within the framework of the concept plan, to be consistent with local plans, as are other developments in the LGA.

There is concern about how the zones under the Standard Template will apply to the site, and their relationship to the existing Ku-ring-gai Planning Scheme Ordinance and associated DCPs. There is not yet an LGA wide principal LEP, though work on this has commenced through the Council's town centre planning.

**5. ECONOMIC SIGNIFICANCE****Proponent assessment**

- a) The redevelopment involves a direct investment (for construction only) of approximately \$216 million. The investment plus the multiplier effect of 1.81 (i.e. every construction dollar of construction output requires another 81 cents of output from other parts of the economy), the total value of the development including flow on effects will be in the order of \$390 million. This has significant beneficial effect on the economic growth and prosperity of the State.*

**Council response**

The multiplier effects from construction are noted, but are short term only. This assessment fails to take into account the existing and long term economic value of the retention of a tertiary education facility on this site. This is difficult to understand given the significant media attention in recent times to skills shortages and to their relationship to the economy.

The assessment fails to discuss what impact (if any) the proposal would have on Film Australia and the employment on that site. It also fails to take into account the impacts from the loss of

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employment to the region, of the 300 full time university employees in addition to any part time employment on the campus, and the other associated economic benefits generated by the students.

## 6. PROPONENT'S JUSTIFICATION OF PROJECT AND ALTERNATIVES CONSIDERED

The rail line, now under construction, will include a station at Macquarie University, however, the line will now bypass the UTS. Consultants to the UTS (JBA Urban Planning) state that:

*From a university standpoint, UTS Ku-ring-gai therefore remains relatively remote in terms of access to public transport and services, particularly in relation to other campuses...*

*Demand for places in the Nursing program at the UTS Kuring-gai campus has been steadily declining relative to the UTS City campus. UTS has also reduced its entry requirements (UAI), however this has not resolved the student numbers issue. As a consequence the future strength of the UTS program is at risk.*

*In Teacher Education which is only provided at the UTS Kuring-gai campus, the State Government has been encouraging UTS to shift its load away from exclusively primary teacher training towards secondary teacher training, especially in Maths and Science which have major staff shortages. Maths and Science, including Science laboratories are only located at the City campus.*

*In both the cases of Nursing and Teacher Education, the UTS is at serious risk of not being able to meet the State Government's needs in the medium term without investing in these two educational areas at the City campus. The State Minister for Education supports the process that UTS is currently undertaking.*

The proponent believes that the need for flexibility in considering its options as a result of these issues, together with the considerations summarised in 1-5 justifies the project.

Alternative options considered were:

- *Demolition of the existing buildings and developing residential dwellings on land that had been already disturbed or developed in some form.*

*This option was set aside primarily in response to the heritage assessment undertaken by UTS consultants that identified the building of significance, due to its importance, and because of the embodied energy in the building.*

### Council response

Council supports the setting aside of this option, which is essentially the original rezoning proposal.

- *The current proposal, which includes the retention of the main campus building*

*This option would:*

- *Allow for the consolidation of the Broadway campus which would resolve the educational issues with declining numbers and subsequent shortage of secondary maths and science teachers as discussed in section 2.3.3 of the report;*

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- *Support and promote the "knowledge precinct" at the Broadway campus;*
- *Ensure that the transport hub at the Broadway campus would be utilised; and*
- *Ensure that 440 dwellings are located where adequate infrastructure and services are available and contribute to urban consolidation objectives of the State Government*

**Council response**

This option is discussed in this report.

- *The do nothing option*

*This was considered unsatisfactory for the educational issues raised above, because a further 440 dwellings would need to be provided elsewhere in Sydney in inappropriate locations and because this option would continue to promote students driving to university.*

**Council response**

Council is committed to providing 10,000 dwellings in more appropriate locations elsewhere in the LGA.

It is noted that UTS has also dropped its UAI to try to increase student numbers. No analysis of any change in the number of students, by course, in response to this change has been provided. A comment is also included that student accommodation was found to be revenue neutral.

The university has not apparently tested any other options. Council is concerned that innovative approaches to retaining tertiary education on the site, through potential research and practice links with hospitals or TAFEs in the regions, a mix of student housing and a scaled back provision of housing for sale or rent, alternative methods of encouraging students not to drive, the consideration of improving bicycle links, shuttle buses to the station or hospitals or other workplaces, or the future strategic bus corridor as proposed under the Draft North Subregional strategy, have not been considered in the development of options. Neither has there been any discussion of the increasing demand for tertiary education with local schools at or over capacity, and increasing regional residential densities. Further there is no discussion of the state or federal planning for tertiary education in the region. The analysis of options is inadequate.

**7. PUBLIC BENEFITS**

Table 4 below lists the benefits the proponent lists in the column to the left. Comment on the accuracy and extent of the benefit is provided in the middle column. The column on the right is a list of the potential negative impacts from the proposal. It is obvious that the negative impacts far outweigh any public benefits of the proposal.

Table 4.

Public benefits (proponent assessment)	Council comment	Potential negative impacts-lost opportunities
Growth of knowledge precinct in Sydney	The Broadway campus is being expanded in any event. With increasing population in Sydney generally, it is expected that this will grow in	Potential loss of tertiary facilities from the sub-region and the Willoughby area, especially courses that address recognised skill shortages. Given that over 1000

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Public benefits (proponent assessment)	Council comment	Potential negative impacts-lost opportunities
	any case.	students currently come from north of the campus, right up to the Central Coast, and that significant increases in population is to be catered for in this catchment, this will be a significant loss.
Creation of 68,304 m <sup>2</sup> of residential GFA in a high quality neighbourhood		<p>The scale and density of the proposal, together with the potential mix of uses is likely to create evacuation difficulties, given that there is only one entry/exit from the site. The scale and density of the development on a site that is steep on 3 sides and surrounded by bushland may also put residents, especially those in units, at risk under more intense bushfire events with climate change.</p> <p>Scale and density results in unacceptable impacts on traffic and the provision of insufficient parking.</p>
Significant contribution to housing choice in Ku-ring-gai	Mainly addresses lack of apartment development, which will be catered for under the Town Centre plans, in more appropriate locations.	Potential to compromise Ku-ring-gai's town centre planning. Loss of opportunity to provide more affordable housing, for students or local workers, to increase the number of young workers living in the LGA.
'seamless integration' with neighbouring communities	With only 1 vehicular and pedestrian entry and poor vehicular connectivity through the site, it can hardly be considered as 'seamless integration' with the neighbouring community.	A second access/egress would provide a more connected community, and improve safety in the case of evacuation.
Improved environmental management plans, asset protection from bushfire, water quality, erosion control and weed management plans will result in improved environmental outcomes.	These are only plans that have not yet been written and have few commitments in the Statement of Commitments. The future ownership and responsibility (uncertain at this stage) may limit the effectiveness of even the best plans.	While it is desirable that management plans be put in place for the management of the site, it is hard to see how the loss of 30% of the bushland on the site and a further modification of 20% of the remaining bushland would result in improved environmental outcomes. Further the significant adverse

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Public benefits (proponent assessment)	Council comment	Potential negative impacts-lost opportunities
		impact on <i>Darwinia biflora</i> , may result in the eventual loss of this population from the site.
Provision of new publicly accessible park of 6,940m <sup>2</sup>	Described as for active recreation, but not configured for such.	Loss of 40,755 m <sup>2</sup> including 15,535 m <sup>2</sup> of sports oval and 28,000 m <sup>2</sup> of bushland for passive recreation.
Ability to retain child care, auditorium and library on site	Zoning to allow these uses does not guarantee their provision.	Potential loss of these facilities, plus the gymnasium. Uncertainty about whether the main campus building can be sensitively adapted for their use, or the cost/feasibility of doing so.
Conservation of significant item of heritage.	Agreed, though limited to main campus building.	Potential loss of features of heritage value and its setting including its educational role.
Accessible buildings, parks and facilities	This is positive, but would be required under any DA in any event.	
Further opportunities for public consultation at DA stages.	Such consultation would take place in any event.	

**Summary**

The study to support state significant listing is seriously flawed. It fails to take into account the medium to long term educational needs of the region or the strategic value of the site. It seeks increased residential density distant from centres and services, compromising the objectives of Metropolitan strategy. Further the proposal would result in significant loss of bushland that links to a National Park, and the loss of much needed regional sporting facilities.

These issues demonstrate that the proposal is unsuitable for the site, from a state and regional planning perspective. This is further supported by the consideration of the Environmental Assessment. The proponent has not provided adequate justification for the proposal, and the social, economic and environmental impacts far outweigh any public benefits. The proposal therefore fails to meet the objectives of the Act should not be approved in its current form.

However, should the Minister determine that the proposal is nevertheless worthy of approval in some form, the following provides comment on the Concept Plan, proposed SEPP Amendment and the Environmental Assessment submitted by the proponent.

**F. CONSIDERATION OF KEY ASSESSMENT REQUIREMENTS AND ISSUES****1. Adequacy of information**

The project proposal fails to include sufficient information to enable the accurate assessment of the proposal. Areas of particular concern follow:

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- a) The lack of any detail on any existing strategic framework for the tertiary education within the region, at a state or federal level. This is of particular concern given that schools in the area are at or above capacity, as acknowledged by the proponent and therefore likely to feed into the tertiary education system in the near future. Further, under the Metropolitan Strategy, neighbouring areas of Willoughby and the Draft North Subregional Strategy there will be significant population growth in the region to 2031. It is unclear how the education needs of the increased regional population will be addressed.
- b) The lack of any detail on the future management regime and subdivision type for the site. The proposal sets out a number of management plans that are required, such as Threatened Species, Weed, Feral Animal, Stormwater and Bushfire Management Plans, however, in the absence of an understanding of the long term ownership regime for the site, an assessment of the likelihood of the success of such management plans over the longer term is not possible.
- c) The lack of information about the location and type of water management system proposed for the fire trail.
- d) The location and size of the bio-retention and swale areas, given that the wrong plan has been used.
- e) The Concept Plan has been produced using Photoshop, rather than a CAD/GIS-compatible package, therefore the accuracy of the layout in regard to site slopes, threatened species locations and even site boundaries is uncertain.
- f) The Concept Plan (volume 3 of the information provided) fails to provide controls at a DCP level, as is usual for Part 3A applications. The concept plan provides more general objectives and principles, rather than controls that would apply to the site. While it is acknowledged, in principle, that any future DAs on the site would therefore be subject to Council's DCP controls, the site is unique and the zoning proposed for the site reflects this. In terms of residential development, and apart from the issue specific DCPs, such as water management and car parking, Council's DCPs are designed for low density residential under DCP 38 and medium density residential under DCP 55. These DCPs are designed for standard lots within a standard subdivision layout, and application to this unique site would be problematic both for the developer and for the achievement of good community and environmental outcomes.
- g) The Environmental Assessment fails to consider either the impact of the proposal on climate change, including the loss of vegetation, or the potential impacts of climate change (eg changes in weather patterns or bushfire potential) on the site, its flora and fauna species or the future occupants of the site.
- h) The Concept Plan (volume 3 of the information provided) fails to provide controls at a DCP level, as is usual for Part 3A applications. The concept plan provides more general objectives and principles, rather than controls that would apply to the site. While it is acknowledged, in principle, that any future development applications (DAs) on the site would therefore be subject to Council's DCP controls, the site is unique and the zoning proposed for the site reflects this. In terms of residential development, and apart from the issue specific DCPs, such as water management and car parking,

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Council's DCPs are designed for low density residential under DCP 38 and medium density residential under DCP 55. These DCPs are designed for standard lots within a standard subdivision layout, and application to this unique site would be problematic both for the developer and for the achievement of good community and environmental outcomes.

- i) The Environmental Assessment fails to consider either the impact of the loss of vegetation on climate change, or the potential impacts of climate change (eg changes in weather patterns or bushfire potential) on the site, its flora and fauna species or the future occupants of the site.
- j) Lack of adequate information in regard to site contamination to assess whether the site can be made suitable for residential development.
- k) The lack of details of the scope or detail of any Planning Agreement, which prevents an accurate assessment of the overall public benefit.

## 2. Ecology

*Comments by Council's Biodiversity officer on the original application and comments from Council's Landscape Development Officer and a general assessment of the report by ERM contained in the proponent's Environmental Assessment. Council has employed an independent consultant Australian Museum Building services to review the ERM report which will be provided as a late report.*

Environmental Resources Management Australia (ERM), the environmental consultants to the UTS, prepared their report based on previously prepared reports, databases, on-line information and plans of management, together with site inspections and discussions with the Department of Environment and Conservation.

The bushland on site contains some of the most intact remnants of Sandstone Ridgetop Woodland and Sandstone Gully Forest in the Ku-ring-gai area, with relatively little weed. A very small section of the College Creek area, as it leaves the site is a tall forest community containing Blue Gums.

The majority of the future development is proposed on existing used space (such as buildings, car parks, sports field, tennis courts), and weed infested fringe areas on the lower vegetation community. However, the addition of the proposed Asset Protection Zone (APZ) will result in disturbance of most of the site, with bushland only retained at the site's steep south-western slope and eastern slope. Clearance of the shrub and litter layers for the APZ on the sandy slopes will also result in further potential for erosion and indirect weed invasion (from wind- and animal-borne seed).

None of the vegetation communities on the site are listed as an endangered community, however the campus contains, or is used by, a relatively high diversity of flora and fauna, including several threatened species.

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Darwinia biflora

This shrub species has been recorded in Ku-ring-gai, Hornsby, Baulkham Hills and Ryde local government areas. It occurs primarily on ridge-tops and favours the edges of shale-capped ridges that intergrade with Hawkesbury Sandstone.

In late 2004, 105 populations of the species were identified across 241 sites in Sydney. (A single population may occupy several sites as individuals separated by a distance of less than 50m are considered to be part of the same population.) A large area of habitat is known to have been lost in the Mt Colah area during the construction of the F3 freeway. The species is also believed to have occurred extensively in Turramurra and St Ives before they were cleared. Only 90 of the sites on which *D. biflora* is known to occur are within conservation areas.

The number of *D. biflora* species at a site cannot be used as the sole criterion for determining the relative importance of the site. This is because the number of individuals at any one site may vary significantly over only a few years, with populations being largest soon after disturbance by fire.

*Darwinia biflora* is listed on Schedule 2 of the Threatened Species Conservation Act 1995 (TSC Act) as a vulnerable species. The species is listed as nationally threatened under the Environmental Protection and Biodiversity Conservation Act (Cwth) 1999 and therefore if any actions proposed are likely to have a significant impact on the species, the action must be referred to the Commonwealth Minister for consideration. The consultant's report will consider whether this is required.

The TSC Act lists three key threatening processes relevant to *Darwinia biflora*, as follows:

1. Bushrock removal.
2. Clearing of native vegetation: past clearing of vegetation is a primary reason for the present need to list *D. biflora* as a vulnerable species.
3. High frequency fire: Fire promotes *D. biflora* seed numbers and is needed at least once every 20-30 years. However, where two or more fires occur at intervals of less than five years, post-fire *D. biflora* seedlings have insufficient time to reach maturity and replenish the seedbank. Ideally, the interval between fires should be greater than ten years, but lesser intervals (between five and ten years) may occasionally be acceptable. A sequence of three fires at less than five year intervals could lead to extinction of the species at a site.

In addition to the above key threatening processes, other factors that may affect the viability of the species include:

- fire intensity: the effect of heating on seed dormancy is variable between localities, however, a temperature of greater than 120°C (likely to occur during a bushfire where fuel consumption is high) are known to kill *D. biflora* seeds. At the same time, where the fire intensity is not high enough, soil temperatures will not break seed dormancy, which could lead to population decline.



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- fire seasonality: it is understood that late summer and autumn fires are the most advantageous for *D. biflora* survival, while mid-summer fires are likely to be too intense.
- lack of knowledge about the species.

In October 2004, the Department of Environment and Conservation (DEC) published a recovery plan for *Darwinia biflora* in order to promote recovery of the species and ensure its ongoing viability. The primary target for the Plan is to maintain the current “vulnerable” status to prevent it from becoming endangered. (It is not possible to recover the species to its former distribution.) In order to maintain its current status, it is necessary to reduce the incidence of species loss and retain representative populations across the species’ range.

The Recovery Plan requires that the consent authority, in its assessment of rezoning applications, consider the recovery plan and any further advice from the DECC regarding the distribution and biology of the species.

For the original rezoning application DEC advised that:

- the UTS Ku-ring-gai campus is “significant for *Darwinia biflora* as the site is at the south-easterly limit of the species distribution”; and
- the *D. biflora* site to the west of the oval which is proposed to be located within an APZ would not be adequately protected.

The letter to Council contained the following statement:

*“...the DEC recommends that Council ensure APZs are located away from the two sites where individuals and habitat are proposed to be retained. Further these two sites should be managed for the principal purpose of biodiversity conservation and in a manner that is consistent with the recovery plan for this species. The DEC considered that the current Concept Plan will result in the eventual extinction of this species across the site, as the greatest threat to the individuals and habitat that are proposed to be conserved on site will be habitat modification for bushfire hazard removal and landscaping.”*

The current proposal will not change the number of groups of plants to be destroyed, however, it does provide increased detail on the proposed management of the two populations within the APZ.

7 of the 11 plant groups, or 40 of the 78 identified plants, of the threatened species - *Darwinia biflora* - located across the northern end of the site and within the existing developed area, are proposed to be removed in relation to the proposed redevelopment.

In an endeavour to increase the species' populations to ensure its conservation at the site, the 40 plants to be removed should be translocated or propagated by cutting/meristem tissue culture, instead of just translocating the soil to the 4 sites to be retained/protected. The Ecology report does not give any certainty that the proposed soil translocation will contain viable *Darwinia biflora* seed-stock for future regeneration.

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Preliminary comment from Council's consultant indicates that:

- The most significant group of plants, and the highest priority for protection, is located at the south-eastern junction with Film Australia, at the bend in the road from the entry to oval. It appears from Figure 6.1 of ERM's report that the road is to be widened. This would significantly reduce the viability of this group of plants and therefore the population on the site.
- The Darwinia groups to the south of the North-west car park that are proposed to be retained is supported, however, there has been no consideration of the potential impacts of shading from the 4 storey residential flat building to their north.
- By ERM's calculation, based on 1999 and 2003 data, the proposal would result in the loss of over 50% of the individual plants. From the site inspection in November 2007, AMBS estimates that this is more likely to be 30%. Nevertheless this is a significant loss. The protection of only 2 patches of D. biflora on the site significantly increases the risk of extinction of the population, even from a single disaster.
- There is insufficient detail on the mitigation and management measures which ERM claims will lead to improved environmental outcomes on the site. AMBS has also expressed concern that it is difficult to assess the impacts, given that the information from ERM is based on 1999 and 2003 data. Given this uncertainty, the loss of bushland on the site, and the retention of only 2 pockets of Darwinia biflora the claim that habitat viability will be improved by the proposal cannot be justified. The public exhibition information should clearly state that the proposal will impact on Darwinia biflora.
- Further detail will be provided in the consultant's report (Attachment 6).

Red Crowned Toadlet

According to the Scientific Committee's Determination, the Red-crowned Toadlet shows considerable ecological specialisation. Suitable habitat follows the interface of Hawkesbury Sandstone and shale e.g. the Wianamatta and Narrabeen Shales, with individuals found below sandstone ridges, generally where shale lenses are weathering at the base of cliff lines. The species deposits eggs in terrestrial nests beneath rocks and logs or in leaf litter. The Toadlet relies on rainfall to wash the partially developed tadpoles into ephemeral creeks for completion of the reproductive cycle.

Although surveys have not always indicated the presence of the toadlet, the campus certainly contains potential breeding sites and habitat and it is likely that individuals are present. The management of an APZ and the construction and maintenance of the perimeter fire trail have the potential to result in significant adverse impacts on the habitat of the toadlet. Threats to the Red crowned toadlet include urbanisation, due to:

- Changed bushfire regimes
- Clearing, (including removal of litter)
- Removal of bushrock
- Fragmentation of habitat
- Disruption of catchment hydrology

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- Alteration of soil pH and plant species composition

The proposal has been modified (from the original rezoning application) to limit the area of APZ required to be managed that is within the likely habitat for the red-crowned toadlet. The perimeter fire trail has been 'micro-sited' by the bushfire consultant and the ecologist jointly walking the site, to avoid habitat considered significant. There is a commitment to provide timber bridging across the riparian area and protect the riparian areas. The proposal includes a commitment to the development of a Threatened Species Management Plan to address the continued management of the species on the site. A stormwater management plan and an erosion and sediment control plan are also committed to, to minimise impacts on the species. ERM states that there will be no requirement for tree clearing in the APZ except for the perimeter trail, as they are well spaced. However, there will be understorey clearing and litter removal.

There are a number of outstanding concerns however:

- ERM shows only the breeding site for the toadlet and has failed to map the potential habitat. Given the extent of sandstone ridges on the site, this is a significant omission.
- There does not appear to be any consideration of the impact of the proposed water management system, which appears to include bio-retention swales on the downhill side of the perimeter trail.
- Given the lack of information about the future management/ownership regime of the site, the long-term success of the threatened species management and water management plans, even if appropriate, cannot be guaranteed.
- The statement of commitments fails to include any parameters for water quality or quantity to be met by the management plan.
- Given that the plans appear to be drawn in systems not consistent with GIS, the accuracy of the mapping for the threatened species in relation to the various aspects of the proposed development are in question.
- The management details regarding fire, stormwater and underscrubbing are left to a future management plan. This results in considerable uncertainty relating to the likely success of such plans in retaining the habitat of this frog.

Council's consultant advised that they did not find Red-crowned Toadlet at their site assessment, however it must be recognised that, although the weather was suitable the time constraints provided limited time for a thorough assessment. There is some potential habitat on the site for the species. Further details will be provided in the consultant's report (**Attachment 6**).

#### Other threatened species

Other threatened species that are likely to visit the site include the Powerful Owl, Grey-headed Flying Fox, Gang Gang Cockatoo, Glossy Black Cockatoo, Swift Parrot, Regent Honeyeater and Bentwing Bat and the migratory species, Rufous Fantail. The site contains potential foraging habitat for these and other species. The ERM report provides justification that the proposal will not result in significant adverse impacts to these species. Of these, the Powerful Owl may be of

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concern, given its requirement for a very large range. Preliminary advice from council's consultant is that there is unlikely to be a significant impact on the Powerful Owl.

Site Management and landscaping

The proposed planting of only locally occurring native plant material is very positive for the site due to its proximity to the Lane Cove River National Park, which has enormous pressures from weed invasion and pollutants due to its long perimeter to area ratio. Some measure, such as a Covenant to manage the whole site as a single entity and restricting planting material at the site to that grown from existing site vegetation and in accordance with the existing vegetation associations will be required to ensure the local ecology of the site is retained, and that it is not compromised by the predictable creep of exotics into the bushland.

Coupled with the above initiative, is the requirement for:

- the stormwater management plan to be fully integrated, and
- a permanent weed control management plan to be implemented to prevent the transference of vegetative propagules into the bushland.

All treated stormwater discharging into bushland should imitate the existing natural drainage regime to maintain the site's existing ecology. Bio-filters should be linked to native vegetated swales located around the perimeter of the developed area, permitting absorption directly into bushland. Bio-filters will require frequent maintenance to ensure that exotic plants are removed before storm water is released into the adjoining bushland.

The term 'indirect impacts' concerning downslope erosion and weed invasion should be amended to 'direct long-term impacts' as both impacts are intrinsically linked to residential development upslope of adjoining bushland and are not just accidental to it, unless the weed invasion is caused by wind and animal transference, as previously mentioned.

All weeding, especially of the weed infestation located within the Red-crowned toadlet habitat, is to be carried out by hand, without using herbicides, during conditions when the Red-crowned toadlet is least or non-active.

What forms will resident information regarding the site's sensitivity take and to what extent will it be ongoing?

The proposed 50 metre wide Asset Protection Zone is adequate as advised by Council's Natural Environment Officer. However the water management measures proposed for the fire trail are unclear. The impacts of the water management system –its width or construction) beside the fire trail, do not appear to have been taken into account.

It is agreed that trees for removal should be graded from dead, dying and poor trees to trees of healthy condition, except those having habitat value and that are not unsound or unstable.

Connectivity

ERM assert that the Lane Cove National Park corridor is large enough to provide habitat for the many threatened species that may presently use the campus site and suggest that the addition of a portion of the campus to the National Park would increase the size of the section of corridor that is

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permanently reserved for conservation. There is, however, no commitment to dedicate part of the land in the statement of commitments.

While it is agreed that the addition of a portion to the National Park would increase the permanent reservation of part of this corridor, this does not negate the value of protecting the full width of this relatively wide habitat corridor. This is especially important given the relatively good quality of the bushland in comparison to many areas of the Lane Cove bushland corridor, and the narrowness of many parts of the Lane Cove corridor.

In addition the deletion of the western-most RFB west of the sports field and south of the car park would result in the inclusion of the 2 proposed roads, to the east and north of the western-most RFB into the APZ for the adjoining development by performing the function of a sealed perimeter road and the 2 populations of *Darwinia* would be at the outer edge of the APZ. The area of unaffected bushland would increase and align with the rear boundaries of properties at the end of Lyle Avenue.

ERM suggest that any redevelopment of the site could be expected to result in improved management and mitigation of sedimentation and erosion, weeds, feral and domestic animals, and inappropriate fire regimes, ensuring the ongoing viability of the habitat on the site. It is, however, difficult to understand how permanent removal of over 30% of the bushland on the site, and a further modification of a further 20% of the remaining bushland for bushfire management, would ensure ongoing viability of habitat on the site.

Ecology Recommendations:

- Existing bushland on the site should be retained. At a minimum, the development to the south of the North-west car park and west of the existing child care centre should be deleted from the plans, and the bushland in this area retained.
- The *Darwinia* plants to be removed should be translocated or propagated by cutting/meristem tissue culture, instead of just translocating the soil to the 4 sites to be retained/protected.
- The statement of commitments in regard to flora and fauna should include a commitment to planting of *D. biflora* and feed trees for the Glossy Black-cockatoo and Gang-gang Cockatoo, as recommended in the ERM report.
- Provision of a measure such as a Covenant to ensure that:
  - The whole site is managed as a single entity
  - Planting material at the site is restricted to that grown from existing site vegetation and in accordance with the existing vegetation associations (where possible).
- The stormwater management plan is to be fully integrated, and imitate the natural drainage regime, and provide for bio-filters linked to native vegetated swales around the perimeter of the developed area. Further detail on the proposed water management system in the vicinity of the perimeter road is required to allow for accurate assessment of the impacts, especially on the Red –Crowned Toadlet.

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- A permanent weed control management plan to be implemented to prevent the transference of vegetative propagules into the bushland.
- All weeding, especially of the weed infestation located within the Red-crowned toadlet habitat, is to be carried out by hand, without using herbicides, during conditions when the Red-crowned toadlet is least or non-active.

### 3. Bushfire

*Council's Technical officer – Fire has highlighted the following in relation to the proposal:*

The work between the ecologist and the bushfire consultant has produced a proposal that will reduce the impacts on the ecology of the site, in comparison to the original rezoning proposal. The 50m APZ is adequate for general residential development on this site under Planning for Bushfire Protection 2006. However, there are a number of outstanding concerns relating to bushfire risk and management.

- The proposed land use table would permit a variety of Special Fire Protection Purpose development types on the site, such as seniors living, residential aged care, new development for educational purposes or child care. If such developments were to be located nearer the bushfire hazard then proposed APZ's would have to be increased under Planning for Bushfire Protection 2006. This would have unacceptable ecological consequences. It is recommended that provisions be included to ensure that any new development on the site be located to ensure that the proposed APZ in the concept plan will not require extension.
- The perimeter trail connects back into the internal road network and does not provide two-way access ie, an entrance and exit point at two separate locations. Potentially there could be Seniors Living, Child Care and Educational facilities which could mean large numbers of people exiting one access point at the same time as ambulances, buses and fire trucks are trying to enter. A second access point, preferably to Lyle or Winchester Streets should be provided. This needs to be addressed prior to any rezoning, as it will affect the layout and design of the development, especially at the north western end.
- It is also unclear whether this perimeter trail is sealed or unsealed. If it is unsealed then this too will require a Plan of Management for its maintenance. This plan should also nominate who will inspect the trail and ensure maintenance is done. Recognition of water run-off from the road and its resulting impact on adjoining bushland should also be a consideration during construction and maintenance programmes.
- The Bushfire Hazard Assessment mentions that a plan of management will be prepared for the management of the APZ. It is unclear who is to take responsibility and ensure regular routine maintenance is carried out.
- The proposal relies on town water. The Director General required consideration of static water supply, however no provision is made for a static water supply. This is particularly important as the site is on a ridgetop where town water supplies have been known to fail.
- The Director General requires consideration of evacuation measures. However, the proposal bases the retention of only one access point on managed evacuation. Given the

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lack of or any details whatsoever on how this could be achieved on a site with disparate groups of people and land uses the risk from bushfire is unacceptably high. While it may be expected that residents of individual dwelling houses may stay to protect their houses, there is no evidence presented that this would be the case for residents of apartments. Further, potential or existing facilities such as child care, education, and residential aged care exacerbate the evacuation problem.

- The statement of commitment does not include a number of recommendations of the bushfire report. These should be included as per the recommendations below.

Bushfire Recommendations

- A new vehicular access/egress to the site should be provided from the perimeter road, through the area of the existing North-west car park either to Lyle or Winchester streets. This should be adequate to provide for emergency vehicles.
- The statement of commitments should include the following:
  - any new development on the site will be located to ensure that the proposed APZ in the concept plan will not require extension.
  - Electricity transmission lines and gas lines should be installed underground (where this does not result in adverse ecological or landscape outcomes). Where these utilities surface they should do so on the opposite side of the building to the hazard
  - All fire trails/emergency access ways right of carriageway proposed within the development should be designed in accordance with the criteria set out in section 3.6.2 of UTS Ku-ring-gai Site Bushfire Hazard Assessment.
- The Design Principles (in the concept plan or a future DCP) should state that any new development on the site is to be located to ensure that the proposed 50 metre APZ is adequate for the development.
- The maintenance regime and responsibility must be designed and agreed prior to any site rezoning.

**4. Water Management**

*Council's Development Engineer has provided the following comments in relation to the proposal:*

The water management commitments are not quantified and do not reference the Patterson Britton report.

The Patterson Britton report dated July 2006 contains a detailed model of the proposed development and the methodology and findings of the report are accepted. However the model is out of date or needs clarification in the following regards:

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- The number of dwellings is given as 530 whereas the Concept Plan gives the number as 440;
- DCP 47 was amended in May 2005 to require only 1,000 litres of rainwater retention and re-use per unit, but this is now overridden by the mains reduction provisions of BASIX;
- The report does not acknowledge that BASIX commitments for the dwellings will override the retention and re-use requirements of DCP 47;
- The catchment boundaries do not recognise that at present half the Film Australia land is discharging via an existing pipe to P13, not to P4 as shown;
- Figure 1 shows a bio-retention swale along the fire trail (unlikely to be feasible due to trees, slope and unsealed surface);
- The current building layout in the concept plan does not appear to provide sufficient areas for the bio-retention basins as modelled without compromising public open space, especially the proposed village green, (or the sports oval if retained);
- The detention storages are large and the concept plan does not indicate that there is sufficient space for them at the proposed locations. At P3 for example it is not clear where the 420 cubic metre tank would be located;
- What is to happen at the discharge points? Level spread? Direct to watercourse?
- The 4 metre wide swale and 700 -1000mm wide landscaping allowance on the typical street section will limit the size of street tree planting;

The model would have to be adjusted and re-run to confirm that the current proposal would meet the criteria adopted. If it is necessary to maintain the 50 year ARI outflows from the development at about existing, as recommended by Council's Technical Officer – Water, then the proposed detention storages and outflows could be set to achieve this. However there would be little point in doing such detailed modelling if the retention, re-use and detention requirements were not included in the commitments as the bushfire requirements are.

*Council's Technical officer – Water has provided the following comments in relation to the proposal:*

The adoption of a Water Sensitive Urban Design (WSUD) approach to the stormwater management, and in particular the moves towards integrated water management on the site, demonstrate a positive approach to the plan. However the degree of integration fails to meet the full potential of the site. For instance the roof gardens planned as part of the developments could also be used to treat runoff.

The incorporation of the at-source controls (rainwater tanks and bio-retention swales) are beneficial, however reference to these in the statement of commitments is not specific. For example the rainwater tanks are not addressed and Ecological Sustainable Development commitments are limited to meeting BASIX requirements (which will not necessarily require rainwater tanks). Here there is scope to commit rainwater tanks as well as and as part of BASIX requirements.



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Commitment to a comprehensive stormwater management plan is a good feature, however issues surrounding ongoing management are not addressed (eg. who will maintain the gross pollutant traps and detention basins?). Rather than giving specific commitments the proponent's documentation provides vague statements surrounding water flow, water quality, water catchments, water conservation, water retention, water treatment and re-use. The commitments do state that above ground swales are to be constructed but it does not commit to a minimum amount or treatment area and/or road length.

Pollutant reduction requirements referred to in the stormwater management plan are soon to be replaced (as determined by the Sydney CMA and DECC). The development should be designed to meet these new requirements when they are formalised. The following figures are from the consultation draft (October 2007) "Managing Urban Stormwater: environmental targets"

- 90% reduction in average annual gross pollutant load
- 85% reduction in average annual total suspended solids
- 65% reduction in average annual total phosphorus load
- 45% reduction in average annual total nitrogen load
- The post development duration of flows greater than the 'stream forming flow' being no greater than 3-5 times the natural duration of this flow.

The concept plan and water management plan contains reference to minimising the amount of impermeable surfaces/impervious surface area, however it is not outlined how this will be accomplished and there is no reference to such in the statement of commitments. Neither do the design principles specify a maximum site coverage.

There seems to be little consideration on the impacts of detention outlets with emphasis placed on erosion issues (to be mitigated through armouring) rather than this combined with possible nutrient considerations.

There are also issues surrounding the sufficiency of information in relation to the bio-retention swale on the fire trail, as shown in figure 1 appendix E (which uses the wrong site plan).

The swale is shown on the uphill side of the trail and it is mapped as a bio-retention swale. I could not find any reference to whether this is accounted for in the trail impact assessment. Thus, there is not enough detail to determine how runoff from the trail is managed and how potential bio-retention treatment of this runoff will impact the site (ie, treatment area footprint). **Figure 1** shows outlets on the downhill side of the trail with no GPT, there should be sediment basins at least (the map is unclear whether they exist).

Reference is made to the OSR compensation values being similar to those identified by the Upper Parramatta River Catchment Trust (UPRCT). A recent report by Ecological Engineering found that although OSR compensation figures will be similar to those identified in the UPRCT any compensation will need to take into consideration the differences between the Upper Parramatta River and Ku-ring-gai Catchments. These include:

- Ku-ring-gai is made up of a number of small catchments rather than one large one;
- Nature of the development;
- rainfall intensities higher in Ku-ring-gai;

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- Geology and soil differences.  
Informally, it is understood that the compensation figure is more likely to be in the order of 10%.

The proponent's report stated that Council's requirements currently only target the 2 year event, was this considered this in this planning?

Further, reference is made to reducing the flow below natural conditions, which would disadvantage natural ecosystems and result in adverse impacts due to inadequate flow being available.

Finally as the wrong plan is used in **Appendix E, Figure 1** this possibly casts some doubt over the validity of, in particular the performance, situation and size of the bio-retention and swale areas.

Water Management Recommendations

- The statement of commitments should include the description of a total water cycle system for the site with the Stormwater measures proposed in the Patterson Britton report as the start of an integrated system, and which considers the issues raised above. The system should address water conservation, quantity and quality and include consideration of the fire trail.
  - This should include a requirement to meet the guidelines in draft (October 2007) "Managing Urban Stormwater: environmental targets", or the final targets when adopted.
- The design principles in the Concept Plan, or a future DCP for the site, should specify a maximum site coverage based on the nominal or actual lot size immediately surrounding each building. 50% would correspond to Council's local plans.

## 5. Contamination

*Council's sustainability officer has provided the following comments in relation to the proposal:*

A preliminary site assessment has been carried out which has identified the following potential sources of contamination:

- a) An underground fuel tank;
- b) Storage of 5 x 200 litre drums, approximately 20 x 25 litre chemical containers of unknown contents at the rear of the site. There was a Hazchem code (2WE) and oxidising agents, toxic and corrosive substances signage in the holding area. There was evidence of surface staining, drums and containers were poorly labelled and inappropriately stored and unbunded;
- c) Chemical usage and disposal by the nursing department;
- d) Contamination arising from science laboratories and associated chemical use, storage and disposal;
- e) Chemicals and materials used and disposed by the art, ceramic and photographic department;

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- f) Storage of pesticide, herbicide, oils and fuels and the hazardous materials store associated with building maintenance services;
- g) Contamination arising from cafeteria grease traps;
- h) Presence of an above ground diesel tank formerly used to power a boiler;
- i) Spraying of pesticides or herbicides across the oval and other sporting fields.

No NSW EPA Site Audit Statement (undertaken by an independent, accredited auditor) has been provided by the proponent.

In accordance with SEPP 55 - Remediation of Contaminated Land (s3.3) the submitted Stage 1 – Preliminary Investigation of the site, with no accompanying EPA Site Audit Statement, is insufficient to determine the appropriateness of both the current and future uses of the site in regards to existing land contamination.

Contamination Recommendation

It is recommended that the proponent submit a Stage 2 - Detailed Investigation, an EPA Site Audit Statement, and a Stage 3 - Remedial Action Plan (if recommended at the completion of Stage 2), prior to any rezoning of the site.

## 6. Open Space and Recreation

Council's Sport and Recreation Planner has provided the following comments in relation to the proposal:

Loss of publicly accessible open space

The size of the existing oval is proposed to be reduced by 57% to 6,970 m<sup>2</sup> and is not proposed to be used as a sports oval any longer.

The oval would be lost to sport permanently and the village green does not permit organised sport. Additionally, if organised sport was ever permitted on the village green, an oval the size (6,970 m<sup>2</sup>) and more importantly shape (half circle) of the village green would be unsuitable for anything other than early age junior cricket and soccer.

In addition to the loss of over 8,500 m<sup>2</sup> of sports oval, the concept plan proposes the loss of a further 4,000m<sup>2</sup> of tennis court space and over 28,000 m<sup>2</sup> of bushland, therefore the overall loss of publicly accessible open space is 40,755 m<sup>2</sup> or 36% of the existing publicly accessible open space. While it acknowledged that this is university land, the land was dedicated to the university for a public use, and the proposed loss of public benefit is significant.

Sports oval

The *Study and Environmental Assessment Report* Section 2 by JBA Urban Planning Consultants states on p.108 under Community Aspirations that:

*"A key aspiration is the retention of community facilities, and in particular the sports oval. The Concept Plan proposes to retain half the area of the existing sports oval as 'Village Green'. The retention of the sports oval and the proposed residential development are incompatible uses."*

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The *Study and Environmental Assessment Report* Section 2 by JBA also states on p.58 under Community and on p.62 under Open Space that:

*"the Concept Plan provides for a formally defined 'village green' equivalent to an area of 6,970 sqm to provide a focus for the existing adjoining and incoming local community and to provide for an area of active recreation."*

The above statements are inconsistent. Active recreation on the 'village green' is no different to active recreation on a sports oval, so it is unfounded for the consulting planners to state that the retention of the sports oval and the proposed residential development are incompatible uses. There is no evidence provided in the document to back up this statement, and it is unlikely that any such evidence exists.

Sports ovals and residential developments are typically adjoining and compatible throughout Ku-ring-gai and Australia. The UTS oval and the residential development are no different. Furthermore, the oval is pre-existing, which would ensure that people moving in to adjacent dwellings would know what to expect when they purchase their property.

If noise from early morning sport on weekends is an issue for prospective purchasers (and developers) of properties next to the oval then conditions could be placed on the hours of use of the oval regulating the hiring hours, as is already the case at other sports grounds in Ku-ring-gai. For instance, bookings are not permitted on any sports ovals in Ku-ring-gai before 8.00am on Saturdays and 9.00am on Sundays.

Evidence of demand for sports fields

The *Study and Environmental Assessment Report* Section 2 by JBA states that:

*"Council's sports grounds are understood to be well used and generally at or over capacity. It is noted, however, that this is off-set by the easing demand for these facilities, through population changes occurring in the LGA."*

The statement above is made with no evidence to back it up. Council has decades of experience in planning for open space and a substantial amount of evidence to counteract this claim, as discussed below.

The consultants study makes reference to demand at local primary and high schools increasing rapidly. For instance on p.47 under primary and secondary schools, it states that public primary schools in the Lindfield area are running at or over capacity. It goes on to say that Killara High School has a capacity of 1,160 and has some spare capacity to accommodate additional student. This is incorrect. Killara High School is currently operating over capacity, with 1,450 students enrolled in 2007 and the principal has stated publicly this year that he is expecting enrolments to increase to around 1,500 next year, more than 300 over its capacity. Furthermore, the school principal has written to Council this year to urgently request increased use of Koola Park, particularly at recess and lunch periods, because the school has run out of room in the playgrounds with so many students, as well as any other available ovals for school sport.

Lindfield East Public school has also experienced rapid growth in recent years and in 2007 had over 740 students, 60 more than the capacity of 681 stated in the study.

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These school statistics are at odds with the statement quoted above about easing demand through population changes.

The local soccer club, Lindfield Soccer Club, which according to the club, is the largest soccer club in Australia, had 1915 playing members in 2006 and well over 2,000 players in 2007, with over half its members in the Under 6-9 age groups, therefore demand for sports fields will remain for many years as these young people move through the age groups.

Ku-ring-gai District Soccer Association (KDSA), of which two clubs local to the UTS site, Lindfield Soccer Club and UTS Soccer Club, are both affiliated member clubs, had 14,846 playing members in 2006 and well over 15,000 players in 2007.

Growth has been experienced in girls soccer, ladies soccer, boys soccer and over 35's soccer, and part of this growth is due to the growing population in the LGA as more medium density residential development is completed as part of Council's Residential Development Strategy, which seems to be leading to an inflow of 'high participating' younger, well-educated adults and children.

KDSA has identified a need in the community to run an over 45's men's soccer competition in 2008 but they don't have the ovals available to do it, therefore a cohort of willing participants that is more likely than younger age groups to experience health issues through lack of physical exercise will be denied a physical recreational opportunity due to a shortage of sports ovals in the Ku-ring-gai and surrounding North Shore councils.

KDSA has written two detailed submissions to Council this year demonstrating how the number of sports fields available to them, which is the vast majority of ovals in Ku-ring-gai, is no longer enough to meet the demand from local clubs. By next season (2008) KDSA's team numbers will exceed the number of ovals available, therefore KDSA is currently considering the options available to it, such as introducing more small-sided games on smaller fields. KDSA is also contemplating placing restrictions on the number of teams that clubs are permitted to enter in competitions, effectively capping numbers. Yet the UTS Oval, which has been used for KDSA competition matches for many years (including 2007) is to be closed and used for residential development under the claim that there is "easing demand" for sports oval in the LGA.

Junior cricket is another sport that is experiencing a shortage of facilities. This summer season (2007/08) the number of junior teams in the local North Shore Junior Cricket Association (NSJCA) has risen to 140 from 124 last season. Most ovals in Ku-ring-gai cater for cricket, yet this season NSJCA has been forced to take the unprecedented step of actually cancelling a whole age group each weekend because there are not enough ovals to meet the demand.

Not only has NSJCA been forced to cancel whole age groups due to the lack of ovals, but they have also had to schedule some teams to travel to other parts of Sydney, such as Manly, Hornsby and the Hills District, to find some available grounds.

Other sports, such as netball and softball, are also currently experiencing high demand for courts and fields but have to restrict their numbers because of a shortage of facilities.

The *Sport in Ku-ring-gai Strategy* (adopted 2006) contains the following forecasts, which are all pointers towards increased demand on sports fields:

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- Growing population of children and young people (0-15) years;
- A significant proportion of older people who are moving from larger family homes to medium density housing;
- An influx of new families taking the place of older peoples family homes and replacing these dwellings with new family homes;
- The possibility in the reversal in the decline of young people aged 18-24 years and 25-29 years with the development of multi-unit housing around railway stations.

The *Sport in Ku-ring-gai Strategy* also demonstrates a steady growth in demand for sports fields in Ku-ring-gai. Survey results indicate that many local sports clubs are expiring and projecting steady rises in membership whilst some clubs and codes have already reached capacity.

The *Sport in Ku-ring-gai Strategy* identifies five key issues facing sport in Ku-ring-gai and the first of these issues is the number of field/facilities available. The key recommended strategies for addressing this issue are:

- investigate options for new sports facilities in line with expected population growth and in accordance with demonstrated needs;
- identify opportunities for alternative open space areas to be developed for active recreation (organised sport and recreation) opportunities;
- Examine opportunities for the development of any other sites as they arise for sporting facilities;
- Work with school principals to maximise the mutual benefits of community use of school facilities and school use of Council facilities . (Unfortunately there are very few school ovals that are not already being used by the local community); and
- Continue the planning for the development of North Turramurra Recreation Area.

With regards to the *North Turramurra Recreation Area Masterplan*, this development will cost Council a large sum of money to construct, however the demand for more sports fields in Ku-ring-gai is such that it would be negligent and irresponsible of Council not to pursue this opportunity.

Council is also actively investigating and promoting the use of tennis courts for other sports such as soccer and netball because of the demonstrated shortage of facilities available to these sports.

Council's *Open Space Strategy – People, Parks and Bushland* (adopted 2005) states that the current provision of sportsgrounds (at 0.86 ha/thousand people) is low compared to the traditional standard (of 1.21 ha/thousand people), sports club demands and current levels of use (with most grounds at full capacity for at least some of the year) indicate that there are insufficient ovals to meet present and anticipated future needs.

Council's *Open Space Strategy* (2005) also states that previous community consultations have identified a strong demand for:

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- Additional sports fields and courts;
- Integration of play and informal sports facilities with formal sports facilities;
- Sports ground upgrades (due to overuse of existing facilities in the LGA);
- More facilities and sports choices for women's sport (eg hockey, netball, softball); and
- Indoor leisure centre and swimming facilities.

While Council is planning the redevelopment of West Pymble Pool, including more pool space, an indoor sport and leisure centre is currently not a possibility due to a shortage of available space in the LGA.

The strategy goes on to conclude that many ovals in Ku-ring-gai are being fully utilised beyond what can be reasonably considered a sustainable level.

The *Study and Environmental Assessment Report* Section 2 by JBA states that:

*"It is not proposed to retain the oval. Our research shows that sports teams prefer ovals with flood lighting for night training and change room/toilet facilities. The UTS oval does not provide these. Sports teams use the oval primarily during summer months. The Concept Plan proposes a formal active space that allows for ball games and activities".*

These seem to be very poor reasons not to retain the oval. The majority of Council's ovals do not have floodlights for training. This should not be the issue. The oval is needed first and foremost for weekend competition, but would also be used for some mid-week afternoon training. With regards to change rooms and toilet facilities at the oval Council would plan for the construction of these facilities if it was to acquire or manage the oval. And to claim that sports teams use the oval primarily during Summer months is also misleading, as KDSA scheduled more than 40 soccer competition matches at the oval in the 2007 winter season.

NSW Parliamentary Inquiry into Sportsgrounds 2006

In the *NSW Parliamentary Inquiry into Sportsground Management in NSW* November 2006 – report No 53/08 released in November 2006, Recommendation 11: Land Acquisition Policies states that:

*"The Committee recommends that the Department of Planning examine the feasibility of purchasing and allocating land for redevelopment for the exclusive use of community sportsgrounds, in areas where there is a documented shortage of such grounds. Such land should provide sufficient space for two playing fields and should take precedence over the development of smaller parcels of land adding to the currently fragmented supply of pocket parks in local neighbourhood areas."*

In June 2007 the *NSW Government Response to the Parliamentary Inquiry into Sportsground Management in NSW* was published with the following response to this recommendation:

*"The Department of Planning, the Department of Local Government and local Councils will work together to investigate funding options to improve existing open space. Funding sources for community sportsgrounds could include Section 94 development contributions, Council General Revenue, contributions from sporting codes, Australian Sports Foundation and NSW Sport and Recreation Grants."*

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*The government will continue to investigate innovative and efficient joint use of Government property, including the potential for joint use of open space and recreation facilities in schools, hospitals, universities and community centres."*

This is a prime opportunity for the retention of a sports facility in strong demand that would be extremely difficult to replace.

Cost to Council to maintain oval

The retention of the sports oval will cost Council approximately \$20,000 annually to maintain at a basic level, and while Council is obviously not keen to take on the financial burden of maintaining more ovals, the urgent need in the community for more sports ovals far outweighs the cost to Council to maintain them.

The following comments on the gym and tennis courts are taken from the assessment for the previous rezoning application, but the community usage is expected to be similar, or greater, today.

Gymnasium

The gymnasium, which was developed as part of the main campus building complex, presently houses an indoor gym, gymnasium area, dance studio and squash courts. The gymnasium is used by both the community and the university staff and students for approximately 76 hours each week. The indoor gym is hired for approximately 48 hours weekly and by the university population for approximately 25 hours. The dance studio is hired for a total of 26 hours and the squash courts for a total of 23 hours.

The gymnasium facilities are considered to be an important indoor recreation asset for the Ku-ring-gai and university populations. The proposal to remove these facilities in place of residential development is not considered to be appropriate, particularly given that an increased residential population would be expected to generate greater need for local recreation opportunities. In addition, as discussed earlier, the building itself has heritage significance its present uses are intrinsic to this.

Tennis / basketball courts

Tennis courts are generally considered to be oversupplied in Ku-ring-gai. The combined tennis / basketball courts at the university campus are not presently in great demand, being hired for some ten hours per week by the community and some eight hours a week by university students and staff.

In principle, in terms of local community facilities, the proposal to redevelop the area containing the tennis / basketball courts is generally acceptable however, an increased residential community could increase the demand for such facilities.

Open Space Recommendation

There is currently well documented unmet demand for playing fields across the Ku-ring-gai LGA and this situation is predicted to be exacerbated as the population increases, as more younger families move in to the area and back to the area, and as sports participation increases. Council would prefer to see the retention of the existing 15,535 m<sup>2</sup> sports oval for a combination of 1 senior



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and 2 junior soccer or football fields in the winter and 1 senior or 2 junior cricket fields in the summer or for a wide range of other sporting uses which are currently experiencing oval shortages.

However, if this can not be achieved, as an absolute minimum Council recommends the retention of 9,600 m<sup>2</sup> of oval space, with the dimensions of the space being a least 120 metres long and 80 metres wide (including safety surrounds around the sidelines) for one senior sports oval plus 400 m<sup>2</sup> for an amenities block with change-rooms and toilets, as well as surrounding spectator viewing areas and parking for 30 vehicles.

## 7. Transport, parking and access

Council's Traffic Engineer has provided the following comments in relation to the proposal:

Arup Transport Consultants has been engaged by UTS to prepare a revised transport assessment of the proposal to rezone the UTS Ku-ring-gai site for the adaptive re-use of the main campus building, plus a mix of residential dwellings. This assessment reviews the content of the Arup report with respect to land use and transport integration, traffic generation, parking and site access.

### Land Use and Transport Integration

It is considered that the access to quality and frequent transport at the times required by the proposed residential uses, and access to neighbourhood centre services, is poor. Residents need to be within easy reach of transport, shops and services – so that modes such as walking or cycling are encouraged. Commercial and educational users would have similar needs.

It is not likely that a development of this nature, located relatively distant to good frequent transport and core neighbourhood services, would reduce car dependence. As a result, the proposed scale of medium density residential development is considered inappropriate to the surrounding area, and is likely to result in higher vehicle traffic generation rates than comparable development located in a town centre precinct such as the Lindfield town centre.

### Traffic Generation

Surveys were undertaken by Council staff in May 2005 and found that the morning commuter peak hour (8am-9am) traffic generation was 334 vehicles per hour. However, the morning peak hour for the site occurs between 8.20am and 9.20am, with flows of 414 vehicles per hour. The evening peak hour flows of the site was recorded as 428 vehicles per hour, and occurred between 4.30pm and 5.30pm.

The reduced scale of residential development (compared to previous proposal) has reduced the potential traffic generation, and the traffic generation rates for medium density dwellings adopted by Arup for the residential component are generally more appropriate than previously utilised rates, which were for high density residential development.

However, it is considered that, owing to relatively poor integration of land use and transport, traffic generation would be at the upper end of the RTA's rates for medium density dwellings. This would result in a total traffic generation from the site of up to approximately 492 vehicles per hour during

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the am peak and 548 vehicles per hour during the pm peak, based on the main building being 100% used for educational purposes. This compares to 445 vehicles per hour (am peak) and 501 vehicles per hour (pm peak) estimated by Arup. In fact, the pm peak traffic generation would be approaching the historical traffic generation of the site, which was approximately 600 vehicles per hour. A possible future mix of 30% educational use and 70% commercial use in the adapted main building would result in effectively the same morning peak traffic generation rate, but a slightly lower evening peak traffic generation of 507 vehicles per hour. Therefore, the ultimate mix of educational/commercial use in the main building would not significantly alter future traffic generation. However, there would be impacts to parking demand and provision.

Surveys conducted on Grosvenor Road (west of Austral Avenue) in March 2007 recorded average weekday volumes of 9925 vehicles per day (two-way) with 860 vehicles per hour in the am peak and 942 vehicles per hour in the pm peak. Therefore, existing traffic volumes on this section of Grosvenor Road have effectively reached the desirable maximum daily two-way traffic flow. Additional traffic from this site would cause traffic volumes on Grosvenor Road to regularly exceed 10,000 vehicles per day, and is likely to exceed 1000 vehicles per hour during the peak hours. It is therefore considered that the additional traffic would have a detrimental impact to amenity for the residents along Grosvenor Road.

Furthermore, during the am peak this additional traffic would be generally directed towards the signalised intersection of Pacific Highway and Grosvenor Road and the roundabout-controlled intersection of Lady Game Drive and Grosvenor Road, and the reverse would apply during the pm peak. This is effectively the reverse of the current situation, where traffic is directed into the site during the am peak and away from the site during the pm peak. While the intersection of Pacific Highway and Grosvenor Road was assessed as currently performing at Level of Service C (satisfactory, with spare capacity), the transport assessment by Arup acknowledges queue lengths on the Grosvenor Road approach would increase, and the Level of Service of that approach would deteriorate. Factoring in the revised traffic generation assessment above, it is considered that delays are likely to increase further on the Grosvenor Road approach than those assessed by Arup.

Parking

As with the previous proposal, it was identified that 417 parking spaces would be required to satisfy demand from the adapted main building, based on 90% commercial and 10% educational use of the main. This figure was derived from Council's DCP 43 (Car Parking) controls for commercial development. Using RTA rates, it is calculated that only 347 spaces would be required. It is estimated, however, that only approximately 300 spaces would be available in remaining car parking spaces and around the main building. The represents a shortfall of 117 spaces based on Council's DCP 43 rate and a shortfall of 47 spaces based on the RTA rate. It is therefore expected that under the above mix of uses, parking requirements for the adaptively used main building would either help to maintain an existing problem or to exacerbate the issue. A reduction of the commercial component (and a corresponding increase in educational component) within the adapted main building could effectively reduce the impacts due to the above shortfall. However, this would be subject to the type of educational facility (primary, secondary or tertiary), as tertiary facilities are likely to require more parking than primary or secondary facilities.

Site Access

Under normal conditions, the existing site access on Eton Road is considered satisfactory. However, under emergency conditions, it is considered that the single access point may result in

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conflicts and delays to emergency equipment. Further information is provided under separate cover by Council's Technical Officer – Fire.

For waste collection from individual dwellings, the road geometry may need to be adequate to accommodate Council's large vehicles. This may affect the road reserve widths.

Public Transport

The closest railway stations are located along the Pacific Highway at Lindfield and Roseville. The entrance to the UTS site is some 1650m walking distance from Roseville railway station and some 1800m walking distance from Lindfield railway station. A typical walking trip from the stations to UTS would take up to 25 minutes, however, the return journey up to the station would take longer due to uphill gradients. This would not be an incentive for residents or employees of the site to choose walking as a mode of travel.

There is no formal commuter car parking around the Lindfield railway station area, and currently commuters rely on unrestricted on-street car parking. At Roseville railway station, there are 31 commuter car parking spaces on Railcorp land which are utilised 100% of the time during the morning commuter peak. Furthermore, surveys recently conducted for Council show that only 7% of boarding passengers at Lindfield railway station arrived at the station by bus. The proposal is therefore likely to place additional pressure on on-street parking around Lindfield and Roseville railway stations resulting from residents of the site accessing the railway station.

Currently, Shorelink Bus Company operates a bus service between Chatswood railway station and Macquarie via Lindfield railway station and UTS, however under its current timetable it does not provide a frequent and therefore attractive service. For example, between 7am and 9am, there are 2 services per hour from UTS to Lindfield railway station, and in the opposite direction, there are from 3 to 4 services per hour. Evening peak frequencies are generally no better than 2 or 3 services per hour. Also, while the route between Lindfield railway station and UTS is relatively short and direct, the route from UTS to Macquarie is circuitous, and travel times are affected by congestion on Lady Game Drive and Ryde Road.

Understandably, the current bus service timetables are geared partly towards the UTS attracting passengers in the morning and vice-versa in the evenings, as well as attendance times. However the current high level of car use to the site may be an indication of the quality and frequency of the current bus services, and of the poor accessibility of the site in general.

The proposed Strategic Bus Corridor route 14 (Macquarie-City, via Chatswood) will indicatively travel along Pacific Highway, Grosvenor Road and Lady Game Drive on its journey (subject to contract region and network planning currently underway). It is anticipated that buses along the corridor could operate at up to 10 minute frequencies during the peak hour, and that bus priority measures would improve travel times. This would be generally positive for a proposal such as this.

However, assuming a bus stop would be located near the intersection of Grosvenor Road and Austral Avenue, this would be located approximately 330m from the entrance to the site (direct line), or over 560m walking distance from the closest medium density residential building proposed on the site. Therefore, it is considered that accessibility even to the Strategic Bus Corridor service is not that attractive. Network planning underway for this region should therefore take into account needs of future residents in order for the service to be attractive and viable.

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It is noted that the proponent's documentation states that the current university bus to and from the city would be continued. This is supported by Council, but is not, however, included in the Statement of Commitments. Further discussion is required to ensure that the method of provision of direct public transport benefit is appropriate to the final mix of land uses on the site.

Traffic and Transport Conclusions and Recommendations

From the above assessment, the following conclusions are drawn:

- It is considered that the access to quality and frequent transport at the times required by the proposed residential, uses and access to neighbourhood centre services, is poor. The proposal is likely to result in higher vehicle traffic generation rates than comparable development located in a town centre precinct.
- The reduced scale of residential development (compared to previous proposal) would reduce the potential traffic generation, but this is offset by the use of more appropriate traffic generation rates.
- It is estimated that the pm peak traffic generation of the proposal would be approaching the historical traffic generation of the site.
- Existing traffic volumes on this section of Grosvenor Road have effectively reached the desirable maximum daily two-way traffic flow, and additional traffic from the site would only have a detrimental impact to amenity for the residents along Grosvenor Road.
- The transport assessment acknowledges queue lengths on the Grosvenor Road approach would increase, and the Level of Service of that approach would deteriorate, therefore it is considered that delays are likely to increase further on the Grosvenor Road approach than those assessed.
- It is estimated that only approximately 300 spaces would be available in remaining car parking spaces and around the main building for the adaptive commercial/educational uses. The represents a shortfall of 117 spaces based on Council's DCP 43 rate and a shortfall of 47 spaces based on the RTA rate, and would exacerbate existing parking problems. Retention of a higher component of educational use would reduce impacts of a parking shortfall.
- The distance of the site to the nearest railway stations would not be an incentive for residents or employees of the site to choose walking as a mode of travel to/from the station.
- The proposal is likely to place additional pressure on on-street commuter parking around Lindfield and Roseville railway stations.
- Currently, Shorelink Bus Company operates a bus service between Chatswood railway station and Macquarie via Lindfield railway station and UTS, however under its current timetable it does not provide a frequent and therefore attractive service.

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- The current high level of car use to the site may be an indication of the quality and frequency of the current bus services, and of the poor accessibility of the site in general.
- The proposed Strategic Bus Corridor route 14 would be generally positive, however accessibility to the service would not be attractive from this site, and network planning underway for this region should take into account needs of possible future residents of this site.

It is therefore considered that the scale of development proposed is inappropriate in the proposed location.

## 8. Heritage

### a) Aboriginal archaeological

The conclusions of the report prepared by Jo McDonald concerning the Indigenous heritage issues of the UTS site that there are no known heritage sites within the UTS site concurs with Council's GIS layer of Indigenous heritage sites. Additionally the authors appear to have adequately communicated with the Metropolitan LALC in the preparation of the report and conducted the archaeological survey of the site with one of their members. The general conclusion of the report that areas of the site that will not be built upon are unlikely to support potential archaeological deposits also seems reasonable as these areas are steep and offer little in the way of shelter. Areas of the site that are currently developed or nearby showed no signs of potential heritage sites. The following conclusions are accepted:

1. There are no Indigenous heritage constraints to the proposed redevelopment of the UTS lands;
2. Assessing the social significance of the study area is the responsibility of the MLALC. Preliminary discussions with MLALC representatives indicate that these are unlikely to be an issue within the current development area.

### b) European

Council's heritage officer has provided the following comments in relation to the proposal:

#### Background

The college was one of a number of bushland campuses established in the late 1960s and 1970s. The campus building was designed in five stages by David Don Turner, an architect with the then Public Works Department in consultation with teaching staff, planners and other architects. The site layout, architecture and landscaping were intended to be reminiscent of an Italian hill village that had been lowered into the natural landscape, providing a unique experience for visitors who entered from the surrounding suburban area.

The design of the campus building was heavily influenced by the Neo-Brutalist Movement. It is considered to be one of the finest examples of the Sydney School architectural style (in which the Brutalist architectural approach is tempered with a design that demonstrates an appreciation of

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the natural landscape and social consciousness]. The university is considered to be the first in Australia to successfully provide opportunities for effective interaction between staff and students.

The native landscape surrounding the building was kept largely intact, with minimalistic landscape and garden design by the landscape architect Bruce Mackenzie that blended with the natural features in a distinctly Australian approach.

Heritage Significance of the site

There is no dispute that the site is significant both at the Local and State level. Council and UTS have both prepared detailed assessments.

The report for Council states

- the UTS Ku-ring-gai Campus is of State heritage significance, primarily owing to the role it played in the development of architecture and landscape architecture in Australia and its demonstrated appreciation for natural bush settings
- the campus design is significant because of its association with prominent Australian designers
- the campus is significant because of its influence on the design of later educational buildings, particularly its emphasis on spatial planning to create a social environment
- the college is historically significant for its place in teacher education in NSW and its role in education on the North Shore, and because it is illustrative of government investment in education
- the manner in which the building and landscape were integrated is particularly significant.

The report for UTS states:

*"It may be considered important at a State level for its strong Post War Brutalist architectural expression, its close and confident relationship between architecture and its bushland setting, its adoption of the internal street and compact organisational planning and the level of design continuity that came from the involvement of the original design architect in all major stages of development. The college was conceived as an "Italian Hill Town", set confidently on a prominent wooded ridgeline, designed to be viewed from a distance, while retaining the majority of the original bushland setting to the east, south and west, by the use of a compact building footprint."*

Curtilage

The key difference between the heritage assessment prepared for Council and UTS is that the report for Council states that the curtilage is the whole site, while the UTS report states that the important curtilage does not include the recreational spaces, including the oval, tennis courts, roads and car parks.

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The heritage assessment prepared for Council states that most of the site is significant and the main campus buildings, oval and associated landscaping contributes to the overall significance of the site. The oval and its setting, including rock seating, rock cutting, link bridge and the gymnasium were classified by Council's heritage consultant as of high heritage significance, while the main campus building, the entry to the university and the rock batter are among the items of exceptional significance. It states that there does not appear to be opportunities for additional development to the north, east and south sides of the main complex.

The report for UTS states:

*"In discussion with David Turner and Bruce Mackenzie in March 2004, it became clear that the most important curtilage for the buildings was the direct interface with the bushland. This occurs on the north, south and west of the building, against Stages One, Two and Five. The curtilage to the north west and east, relative to the recreation areas, was not regarded by either as being of the same significance."*

The following cannot be supported due to adverse heritage impact:

- demolition of the gymnasium, tennis courts, basketball courts and link building
- partial loss of the oval.

#### Reuse of Existing Campus Buildings

The design and configuration of spaces within the existing buildings is significant and would make it difficult to adapt to other uses. While, in principle, it could be done, the potential new uses are extremely limited if the architectural integrity of the building and internal spaces are to be retained.

#### Asset Protection Zones

The heritage significance of the place is strongly tied into the site and its landscaping. With additional development on the site, asset protection zones would apply which have the effect of thinning the bushland and altering the existing relationship of the buildings to the site and hence the heritage values of the place.

#### New Development

Additional new development on the site may be feasible in the area around the child care facility site, the north western car park area, the north eastern boundary and parts of the existing car parking areas because these areas are not of high significance, though they may be of significance for other ecological reasons. Development in those areas would need to be limited in height and architectural expression so that they do not compete with the height of the existing site buildings. New development would also need to relate to existing nearby development. Grading of height with transition zones would be appropriate. Some of the guidelines for future development in the UTS heritage assessment are appropriate but any future development needs to be carefully considered and managed to reduce adverse impacts on the heritage significance of the site.

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Conclusions

In terms of heritage significance, the Concept Plan for the site is inappropriate because:

- it proposes removal or partial loss of a number of elements that have high heritage significance, all of which fulfil the criteria for local or State heritage listing, in particular the oval, gymnasium, tennis and basketball courts and link bridge
- it would compromise the heritage significance of the site and existing campus buildings
- future use of the existing buildings would be difficult to achieve without compromising the assessed State and Local heritage significance of the place. The interior spaces and internal circulation are highly significant elements of the building. Adaptive reuse that could be accommodated within the existing spaces and does not require modification of the building fabric is appropriate.
- proposes significant and adverse alteration to the majority of the main building's setting which is considered to be a primary element in the significance of the campus. The introduction of asset protection zones required with new development would have a dramatic and critical effect on its bushland setting and heritage significance.
- removal of the educational use of the place or rendering it an insignificant element of the site's operation is an undesirable heritage outcome as the present use of the campus is critical to its heritage significance.

**Planner's comment**

Whilst the protection of the entire site would be desirable, the current proposal to include listing of the site as of state significance demonstrates that the proponent has acknowledged and responded to concerns raised at the original rezoning proposal stage by Council and the community. This is a significant step in the protection of the heritage of the site.

However, in addition to the comments outlined by Council's heritage officer, outstanding concerns include the following:

- There has been no assessment done of the likely heritage impacts (or feasibility) of the relocation of facilities such as the gym and child care centre to the main building. Further it is noted that the proponent's own documentation acknowledges that the original architect also recommends retention of the gym.
- From a reading of pages 20 and 24 of the Heritage impact assessment submitted as part of the project documentation, there does not appear to be any recognition on the part of the author, that unit development is proposed on the area of bushland to the south of the north-west car park. The author states that the remaining bushland on the site is "outstanding" and "should not be disturbed" (apart from APZ requirements). Given the significance of the relationship between the bushland on the site and its buildings and the fact that this is the highest area of bushland on the site, and therefore visually significant within the heritage context, the bushland in this area should be retained.



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Nevertheless, it is considered that the retention of the main entry and the oval boulder retaining wall as proposed, the oval itself and its seating, as strongly recommended elsewhere in this report and the retention of the gym, would contribute to adequately protect the heritage value of the broader site. While it is desirable that the link bridge be incorporated into future development, if practicable, the loss of the outdoor tennis/basketball courts is acceptable. It is also recognised that any development on the site, even for educational purposes, would still result in the need for Asset Protection Zones and the likely thinning of the bushscape around the buildings.

The following are therefore recommended in relation to Heritage:

- That the development to the west of the existing child care centre and south of the north-west car park be deleted, and the bushland in this area retained;
- That the SEPP Amendment, include the listing of the site for its heritage value under the Kuring-gai Planning Scheme Ordinance, in addition to state listing;
- That the definition of “heritage item” in Clause 18 include the features listed as of exceptional and high heritage in the CityPlan Heritage Report, namely:

Exceptional

- the main entry to the campus for its ‘unprepossessing’ integration with the bushland setting, which was protected during construction
- the rock-filled batter to the Oval for its landscape treatment of an ‘initially stark slope’
- Stage 1 (south) and Stage 2 (north) of the campus building for their design, particularly the ‘fusion between Brutalist and Sydney School ethos, the merging of the building within the natural landscape, attention to detail, and planning to facilitate social interaction within the college’
- the roof garden of Building 12 for its formal landscape treatment that provides a contrast to the remnant bushland areas, although it is acknowledged that the heritage significance has been reduced somewhat owing to poor maintenance
- the view south from the buildings because of the opportunities provided for views of the surrounding Lane Cove National Park
- the bush courtyard between the Assembly Hall and the Union / Administration areas because it is an excellent example of the integration of the building with the bushland setting where trees and rock outcrops were carefully maintained
- the fountain / water feature within the Union / Administration area for its aesthetic contrast from the busy public spaces

High

- the bus bay for its sensitive incorporation of a necessary traffic management device into the landscape
- the caretaker’s residence for its demonstration of the integrated design philosophy employed for all campus buildings
- the oval for the constructed concrete seating, retention of natural rock outcrops and vegetation, integrated landscaping and its function within and integration into the campus
- the gymnasium, an integral component of the early building stages
- the link bridge between Stage 2 and the gymnasium, which is integral to the buildings

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- the rock infill cuttings along the main road south east of the gymnasium for their high aesthetic value and juxtaposition of materials
- the road cutting east of the gymnasium and beneath the link bridge for their interesting artificial creation of space and landscaping
- the lawn area to the south east of the building for its contribution as a meeting space;
- that the concept plan and statement of commitments include the retention of the above features;
- that the strategies for the conservation and adaptive re-use of the buildings, as per Section 5.4 of the, Graham Brooks and Associates (reissued 2007) Heritage assessment and conservation strategy: UTS Campus Ku-ring-gai should be incorporated within the Statement of commitments, or included in any future DCP for the site;
- that the design principles in the concept plan (p35) should be amended to include the following recommendation from the proponent's heritage assessment:
  - the strongly defined bushland character of the site should be retained and the close integration of major buildings with the bushland, primarily by way of sharply defined edges and interfaces, be regarded as a core principle for future development;
- that the site maintain educational use as a major element.

## 9. Urban Design

Council's Urban Designer has provided the following comments in relation to the proposal:

### Vision and Design Principles

The Concept Plan for the redevelopment of the UTS Ku-ring-gai Campus site builds upon the 'hilltop town' vision of the original designers of the Campus design. The design approach was to harmoniously blend the built structures and the natural environment. The building footprints were limited and minimised to ensure that untouched existing bushland was clearly separated from the developed areas.

Key design principles outlined in the Concept Plan Application document are as follows:

- *Ensure that the character of the development fits contextually into both its regional North Shore residential and local bushland landscapes.*
- *Retain the architecturally important elements of the existing built form and landscape interfaces.*
- *Use the bushland setting and existing significant buildings as a special focus.*
- *Arrange the built form in a compact manner to provide for higher quality open spaces.*
- *Site buildings generally within developed areas to minimise impact on the existing bushland setting.*
- *Build upon the original landscape concepts of containment by providing a defined contrast between the bushland and the urban intervention.*
- *Predominantly site new buildings on areas, which have previously been developed.*
- *Provide a compact footprint allowing for good quality open spaces.*
- *Build upon the original architectural concept of the internal street by achieving connectivity through a safe and legible street and pedestrian circulation network.*
- *Emphasise connectivity through the street and pedestrian circulation, the overall massing and configuration of the buildings and the public open space.*
- *Minimise new streets and hard landscaped areas.*

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- *Maintain and enhance the bushland environment throughout the streets, parks and gardens using endemic species.*
- *Further enhance the original vision of the hilltop town and provide a more visually appropriate roof space. Roof gardens should be maintained on the existing buildings and encouraged as a feature of new buildings, where appropriate.*

Council is supportive of the proposed vision for the redevelopment to continue to create a harmonious co-existence between the built environment and the natural environment and, in particular, the principle of a compact arrangement of buildings that maintains and respects the existing bushland. However it is noted that, in contrary to the proposed vision and principles outlined above, new buildings are proposed within the existing bushland area in two locations including areas to the south of the existing north-west car park and on the north-east of the site. The proposal to locate a 5 storey apartment building to the south of the north-west car park cannot be supported due to the encroachment of the building on the bushland area and its potential visual impact within the significant bushland setting.

Whilst Council generally supports the design principles as outlined above, there are some fundamental issues with the Concept Plan as follows:

- The vehicle and pedestrian network within the development site are considered appropriate but there is lack of connectivity to the surrounding areas.
- Lack of detail on the proposal of the existing significant campus building which is the main focus of the site and will affect the overall site planning.
- The design controls in the Concept Plan Application document are fairly general and inadequate. More detailed controls should be prepared to guide the future development.

#### Built Form: Height and Setback

The Concept Plan presents the following built form proposal:

- *The height and scale of the built form is consistent with, and no greater than the existing buildings.*
- *Small integrated housing lots and individual lots are located on the northern boundary of the site adjacent to existing individual block homes of West Lindfield.*
- *Increased height and density are located towards the centre of the site.*
- *Buildings are stepped and staggered to reduce the visual bulk.*
- *Height is controlled by the number of storeys as depicted in the Building Heights plan. Each storey is assumed to be 4.0m from floor to ceiling. Accordingly, a 5-storey building (the highest proposed) will be 20m high when measured from ground level to the ceiling of the uppermost floor excluding plant rooms and lift over-runs.*
- *Buildings are arranged to provide a strong built edge between the residential community and the existing bushland consistent with the original architectural and landscape philosophies.*

Council supports the design concept of the compact built form and the proposed height distribution that responds to the existing buildings on site and its surrounding (ranging from 2 to 5 storeys). Particularly the proposal to limit the height of the new buildings to the height of the existing buildings (up to 5 storeys) is well supported to minimise the visual impact. However the proposed height should be presented in metres with the inclusion of the height of the plants rooms and lift over-runs so that it is consistent with the standard LEP template. In addition, the proposed storey height of 4m is considered excessive.

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Council also supports the subdivision pattern on the north-west and north-east corners of the Concept Plan to complement that of the surrounding residential areas. However the building setback to the site boundaries for the small integrated housing lots on the north-east corner is considered inadequate and should be more consistent with the setback controls in Council's DCP 38.

Recommendations:

- Remove the proposed apartment building immediately south of the existing north-west car park to avoid any encroachments on existing significant bushland area.
- Provide new street connections to Winchester Avenue and/or Abingdon Road to improve the permeability of the area.
- Provide larger building setback from the site boundary for the integrated housing lots on the north-east corner.
- The height of new developments must not exceed the height of the existing buildings which is up to 5 storeys (height in metres unknown). Note that all heights must be shown in metres and must include the height of the plants rooms and lift over-runs.
- In the absence of the detailed design controls for future development, the controls of DCP 55 and DCP 38 should apply to the relevant types of residential development on the site.
- The statement of commitments should include the following:
  - A commitment to the above recommendations;
  - A commitment that any DA for development over 2 storeys on the site will include a view analysis.

## 10. Community facilities

The Manager Community Development has provided the following comments in relation to the proposal:

Provision and Management of Community Facilities

The project documentation does not provide any formal assessment of the impact of the proposal on the provision of community facilities and services. There is lack of detail in the Concept Plan regarding the future provision and management of community facilities and services on the site. It is very difficult, therefore to conduct an impact assessment without some certainty in relation to the retention or provision of community facilities and services also there is little evidence provided to support the public benefits as stated on page 22.

The community services and facilities comments and assessments within the Concept Plan are spread throughout the document making it very difficult to evaluate and gain a sense of the overall proposal in this area.

Child care

While the report makes reference to Council's Section 94 Plan 2004-2009 in relation to a new multi-purpose child care facility to be provided by Council, there is no assessment or analysis of how development will impact on the provision of such a facility. In some instances contradictory information is presented. For example on page 47 of the Plan it states "*It is understood that*

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*approximately 30% of existing use is by children of UTS staff and students. The remaining 70% are children from the local community or Film Australia employees.” On page 76 it states “It is understood that approximately 50% of existing use is by children of UTS staff and students. The remaining 50% are children from the local community or Film Australia employees.” This information is important in order to assess the likely impact of this service closing down on the existing users, new population and supply and demand for new child care places.*

In the Site Analysis section of the Plan Part C - page 47, it identifies an undersupply of child care places currently experienced in Ku-ring-gai but does not address the likely impact of the new population on the demand for new child care places. Similarly it identifies that public primary schools in the area are running at full or over capacity and again there is no attempt to address the impact on local schools by the new population.

Library

Council has commissioned a Library Needs Analysis Study which refers to criteria for the siting of public libraries. This study, which is endorsed by the State Library of NSW, identifies the following criteria:

- siting criteria
- local businesses
- older people

The publication People Places: A Guide for Public Library Buildings in New South Wales contains criteria which are useful when assessing sites. These criteria are set out and annotated below.

Criterion	Comments
Proximity to shops	Main street or shopping area location; a highly visible location particularly from the shopping area
Street frontage	On a street frontage and not hidden from the road by trees or another building
Transport	Within walking distance of public transport
Site area and expansion	Site able to accommodate future expansion of the library if required
Parking	Access to adequate and secure parking particularly for people with a disability, staff and night-time users
Vehicle access	Accessible for deliveries, mobile libraries and other vehicles
Accessibility	Site which will enable easy ground floor access. Safe and attractive pedestrian access, particularly for older residents, children and parents with prams

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Local criteria                      Other locational criteria which are important to your specific community, e.g. not on flood prone land, within the City's cultural precinct etc.

Given these criteria, our opinion is that UTS would not be a suitable site for a Council operated public library. Additionally, the local businesses in Lindfield have expressed a need to have a public library co-located within the local shopping areas. Any future Council decisions regarding of the location of such facilities will need to take into account the above criteria and how they are best met by any potential sites.

Other Community Facilities

In relation to the provision of other community facilities there is mention of existing Council facilities with location, operating hours and capacity details. There is no analysis of current usage patterns, utilisation levels and the likely impact on demand for existing community facilities.

Community Facility Recommendation:

That a formal social impact assessment be conducted regarding the provision of community facilities and services on the UTS Ku-ring-gai Campus Lindfield site. The social impact assessment to consider:

- Level of utilisation of existing UTS services and facilities by the local community.
- Demand for services by the new population inclusive of library, child care, meeting spaces, leisure and recreation services. Including the expectation of new residents for the quality and level of services to be provided.
- The utilisation levels and capacity of existing community services and facilities to meet the demands of the new population.
- Establishment of location and accessibility criteria for the community facilities

## 11. Development Contributions and a Planning Agreement

Council's Contributions Planner has provided the following comments in relation to the proposal:

The proponent states in s.5.3 that:

*"It is proposed that the residential component of the proposed development would comply with the relevant provisions of Ku-ring-gai Council's Section 94 Contributions Plan.*

*In relation to the development and/or adaptive re-use of buildings not dealt with in these provisions a Voluntary Planning Agreement (VPA) will be negotiated with Ku-ring-gai Council and the Department of Planning. It is expected that this VPA would, as far as practicable reflect or comply with Council's Section 94 Contributions Plan."*

Should the future development of the site be considered under Part 3A, Council requests that the Minister apply *Section 94 Contributions Plan 2004-2009 Amendment 1* (which came into force from

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Friday 19 October 2007) to the proposed residential development. This will provide monetary contributions for additional open space, embellishment of existing open space, recreation facilities, traffic and road safety programmes and community facilities. This plan only applies to residential development.

It is noted that the UTS offers to enter into discussions concerning a voluntary planning agreement for the site particularly in respect of the non-residential aspects of the proposal. Council will need to give further consideration to the heads of discussion for such an agreement. It is also noted however, that the Director General's Requirements requested an indication of contributions. This has not been provided.

While it is anticipated that the discussions would reflect Council's Contributions Plans, it is noted that the Planning Agreement Legislation is generally much less restrictive and enables other matters to be considered. A voluntary planning agreement could also incorporate the Section 94 Contributions for the residential component of the development and facilitate the provision of works, especially open space or community facilities, in kind.

Possible options for consideration include:

- the transfer of the care, control and management and/or ownership of the existing oval (or a minimum of 10,000 sq m of the oval) and associated facilities and amenities;
- the management and ownership of various recreation facilities;
- mitigation of any traffic impacts;
- interface with existing cycleways;
- the provision of affordable housing; and
- other planning purposes.

There are two key periods in the redevelopment process for negotiating and entering into a Planning Agreement. These are a change to an Environmental Planning Instrument (EPI) such as a Local Environmental Plan and the lodgement of a Development Application. These key times permit the advertising of the draft Planning Agreement concurrent with the draft EPI or development application.

In the case of the UTS site at Lindfield, there will be both a change to the Local Environmental Plan (LEP) and a development phase. At this stage it is unclear whether the development phase will be one application or a series of applications possibly lodged by different developers. As such it would be most appropriate for the negotiation of a planning agreement to commence as soon as possible and for the draft to be advertised concurrently with the proposed LEP amendments. It would be quite possible for the draft planning agreement to outline how it would relate to either one or several future developers of the site as the case may be. Reaching agreement on this point at the Draft LEP stage would remove uncertainty concerning contributions from any future developers of the site and assist the UTS in its negotiations.

Reference (page 77) to the proposed provision and distribution of open space on the site as being in excess of the per capita rate of provision targeted by the Contributions Plan implies – though falls

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short of stating – that the UTS may be seeking to reduce monetary contributions through the provision of benefits in kind. Since development contributions are for the provision of public amenities and services, a core criterion for such a consideration would be the degree of public benefit. In this case Council should seek to retain a space capable of being used as a sporting oval as well as a community space in the form of a village green in order to provide a flexible community benefit beyond the residents of the site (who will also benefit from other open space and facilities provided in Ku-ring-gai in the past). Further, full dedication rather than care, control and management, would be essential.

Recommendations

- That any future residential development on the site be subject to Ku-ring-gai Section 94 Contributions Plan 2004-2009 (Amendment No 1)
- Should a planning agreement be appropriate for the site, then a draft planning agreement should be finalised prior to the formal consideration of the rezoning process.

## 12. Housing mix and affordability

The project documentation considers the likely future home buyers in the area as consisting of mostly of families with secondary school children, “empty nesters” and some younger professionals. An assessment is also included that identifies the predominant housing type in Ku-ring-gai as low density dwellings. This is used to justify the building of predominantly residential flat buildings on the site.

However, the proponent fails to adequately consider the provisions under Council’s draft Town Centres LEP and the Metropolitan Strategy to provide for 10,000 additional dwellings in the centres, most of which will be accommodated in residential flat buildings. It is agreed that small lot integrated housing would add to the mix of housing within Ku-ring-gai. However, the need most commonly identified in community submissions to Council’s town centre planning was for town house and villa style developments, which are under-represented in Ku-ring-gai.

Further the mix of unit types proposed is exclusively 2 and 3 bedroom, with no studio or 1 bedroom apartments. Neither is there any proposal for the provision of any dwellings for affordable housing. In fact it appears that the development will provide only for quite expensive housing, which is inconsistent with C4.1 of the North Subregional strategy, which seeks to provide affordable housing for rental or purchase, and to ensure that Sydney remains an accessible place for young people and families to live.

Given the current levels of housing stress in Sydney, it is recommended that a commitment be made to provide for some affordable housing as a public benefit. This could for instance be dedicated for use of students, if education is to be retained on site, or staff on low-moderate incomes working on the site or in the nearby area.

While it is understandable that UTS wishes to make the development as marketable as possible, the proposal fails to consider opportunities for public benefit in the provision of housing on the site.



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It is recommended that:

- Discussions be held with the Department of Planning, Council, local employers and community housing providers in the area to consider the level of affordable housing to be provided.
- A greater mix of housing types and sizes be provided on the site.

### 13. Sustainability and risk management

Council's Sustainability and Program Manager has highlighted the following concerns:

Issues in relation to the sustainability of the development are discussed in most sections of this report.

However, climate change implications have not been addressed. There is no assessment of the impacts on climate change from the loss of bushland, or the potentially costly relocation of existing facilities and buildings to within the main campus building. Neither is there any consideration of how climate change may impact on the site in the future.

The most probable key impact of climate change on the UTS site is likely to be bushfire. Increasing extreme temperature days, decreasing rainfall and intensifying wind speeds will on the basis of a probability and consequence analysis produce more extreme fire days. Not only will the number of extreme fire events increase, they will also likely be far more intense. It is understood that Planning for Bushfire Protection has been prepared on the basis of past experience, rather than under any climate change scenario.

As a result, many of the standards in place to today will be insufficient in the future. For example, a 50 metre wide Asset Protection Zone is unlikely to provide adequate protection for the residents and occupants of the site under changing climate conditions. The site is surrounded by bushland on steep slopes on three sides. It is apparent that the increased risk under climate change should be considered for the safety of the residents in the future. The scale of the development/density increase is too large given this risk.

Further, the proposed development of existing bushland areas, which will intensify impacts on the habitat of threatened species on the site, and the viability of the bio-linkages through the site, combined with climate change impacts has the potential to have significant impact on the viability of flora and fauna species that are dependent on habitat on this site.

#### Sustainability and Risk Management Recommendations

- That the density on the site be reduced significantly
- That the existing areas of bushland be retained

### 14. Zoning and land use controls

A mix of zones, in line with the standard LEP template, is supported for the site. The proposed mix of zones however is inappropriate for the environmental values of the site, or the desirable land

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uses within the site. Further, it is queried how these zones under the standard template can be made when no principal LEP has yet been made.

The proponent states that it is proposed to dedicate part of the land to National Parks and Wildlife. It is assumed that this is the area currently proposed as RE2 Private Recreation, which is proposed to allow a number of uses, including indoor recreation facilities, which are obviously not suitable on land valued primarily for its environmental values. It is recommended that the area to be dedicated to National Parks be zoned E1 National Parks and Nature Reserves. If areas of bushland not within the APZ are not to be dedicated to National Parks, a more appropriate zoning would be E2 Environmental Conservation.

The area of APZ is proposed to be E3 Environmental Management. Under the standard template this would allow dwelling houses, although UTS does not propose dwelling houses as a permitted use. For consistency with the standard template, and in recognition of the value of the ecological habitat and the threatened species in this area, a more appropriate zone would be E2 Environmental Conservation.

A small L-shaped area adjacent to existing dwelling houses at the north-west of the site is proposed as R2. This is supported, however, it is recommended that the zone be applied all of the area shown as having a maximum height of 2 storeys. This is consistent with the principle of providing a transition between the surrounding low density development and the more intense development in the middle of the site. The intensity of the development within the R2 zone should be controlled through a subdivision/lot size map. This would allow for both low density dwellings and small lot integrated housing.

The major portion of the site is proposed as R1 General Residential. It is acknowledged that due to the uniqueness of the site, R1 would be an appropriate zone to provide the flexibility required by the proponent and the sustainability, environmental, heritage and public benefit outcomes desirable for the site. However, to support these outcomes, additional objectives need to be incorporated into the land use table.

The following additional objectives are recommended:

- To provide development that is compatible with the existing environment and heritage qualities of the locality.
- To maximise sustainable outcomes
- To achieve high quality architectural and urban design outcomes
- To provide for affordable housing on the site

It is proposed to include "education" as a permitted use. The site is currently used for "educational establishment" and it is preferred that this use continue. The inclusion of this use is also consistent with Council's current instruments and the Draft Town Centre plans. Council supports the inclusion of "educational establishment" as a permitted use in the R1 and R2 zones on the site.

Council believes that the main focus of the site continue to be education. Accordingly, it is recommended that Clause 29 of the standard LEP template, relating to community use of educational establishments should also be included in the SEPP amendment.

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Commercial uses are proposed in the R1 zone, however, there is no consideration of whether such uses are suitable for this site. "Commercial" is not defined in the instrument, and neither is a definition included in the standard LEP instrument. Office uses in general are unsuitable for a site outside the town centres, and would have the potential to compromise the achievement of sustainable office development in the centres as sought in Council's Town Centre planning.

In any event, the conservation incentive clause, (cl 18 in the proposed SEPP amendment) would permit such uses for the main campus building, if it is required to ensure the conservation of the building. This approach would also prevent inappropriate uses from applying to the rest of the site. "Commercial" should be deleted from the R1 zone in the land use table.

While the concept plan shows an area to be designated as "village green" park, there is no proposed zoning to reflect this use. More significantly, however, Council seeks the retention of a senior sized oval. It is recommended that a public recreation zone (RE1) be included in this area and expanded to include a minimum area of 10,000m<sup>2</sup> to allow this area to be retained as a senior sized oval. This would be consistent with Council's offer to UTS to buy this land.

It is noted that the height map is based on the number of storeys, rather than the building height as defined in the standard LEP template. It is recommended that the map be amended to provide heights in accordance with the definition. The heights are based on 4m for each storey. This is excessive.

There is insufficient information to assess the zoning controls as they apply to the main campus building. The proponent states that planning controls for the community facilities such as the library, auditorium, gymnasium and child care centre will be included in the proposal. However, there are no such controls. These should be included prior to any approval under Part 3A. While the proponent states that these facilities will be retained in, or relocated to, the main campus building, the land uses in the zoning table for R1 do not appear to include these uses, unless:

- they continue as ancillary to the educational use of the site; or
- they are to be considered under "community facilities". This presumes that these facilities would be dedicated to Council. No discussion has been held with Council in this regard.

It is therefore unclear how these facilities are to be provided for, or managed. Further, despite the proponent's comments on the retention of these facilities on the site, there is no commitment to do so within the Statement of Commitments.

The constraints of the site and the locality as explained throughout the report, result in the need for changes to the building footprints and the scale of the development. Accordingly, the FSR map will need revision. If it is proposed to subdivide the site a subdivision/lot size map is also required as part of the SEPP Amendment. The FSRs should link to this map.

It is unclear whether it is proposed to allow subdivision at all, or whether the site is to be retained as a whole entity. In any event if subdivision is to be allowed, the only method that would allow for the long term management of the site, its bushland habitat, asset protection zones, roads and car parks, and stormwater systems would be community title. Under this scenario a single body corporate would then be responsible for these systems. The statement of commitments needs to outline which method of managing the site as a whole entity is to be used.

## CONSULTATION

The Department of Planning has notified the proposal, in accordance with Council's Notification Policy, and Part 3A of the Environmental Planning and Assessment Act. In addition, notification letters were sent to all those who were notified of the 2004 Rezoning application. The summary documents and a link to the more detailed information is provided on Council's website.

The Minister also required the formation of a Community Reference Group (CRG) to provide information and gain input to facilitate the planning assessment process for the UTS Ku-ring-gai proposal. The CRG has representations from Council including staff and Ward Councillors and have met independently in July 2007 for a briefing on the Council's position on the UTS rezoning.

The Department of Planning advises that the purpose of the CRG is to:

- a) provide information and a forum to enable diverse range of stakeholders to make a considered response to the proposal and prepare informed submissions to the assessment process; and*
- b) provide an opportunity for the Department of Planning to understand and consider stakeholder views, issues and comments as made by members of the CRG through the assessment process.*

Two meetings have been held, with the second, on 14 November 2007, during the exhibition. The next and final meeting will be around the time of the lodgement of the applicant's Preferred Project Report.

The exhibition is for 30 days, and finishes on 30 November 2007.

Council's nominated Community Reference Group have been notified by email of this report going to Council and will be provided copies to assist them in making a submission.

## FINANCIAL CONSIDERATIONS

The costs of the submission are covered under the operating budget of the relevant Council Departments. The cost of consultants are covered by the strategy department.  
Consultation With Other Council Departments

An integrated approach has been taken to the consideration of the proposal, with input from a number of staff in the Strategy, Community and Development and Regulation Directorates.

## SUMMARY

The Minister of Planning has declared the proposal to be a Major Project (and therefore a project to which Part 3A of the Environmental Planning and Assessment Act 1979 applies)

UTS has submitted a State Significant Site Study and Environmental Assessment (EA) to support the Concept Plan to the Department of Planning for assessment and determination by the Minister for Planning.

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The proposal seeks rezoning to provide for additional land uses, including commercial uses and a range of residential uses. It is proposed to retain the main campus building for adaptive re-use, and provide for 440 dwellings on the site, a mix of residential flat buildings, town houses, integrated housing and single dwellings.

**CONCLUSIONS:**

It is recommended that the proposal for this site not be listed as state significant, or included in the Major Projects SEPP, as this is not justified by the State Significant Site Study. The site is not suitable for the proposal because:

- It is inconsistent with the Metropolitan Strategy and the draft North Sub-regional Strategy due to:
  - its scale and density outside of centres;
  - its potential to compromise the achievement of increased residential density close to services and good public transport;
  - its impact on tertiary education facilities, both for the existing regional population and as far as the Central Coast, and in light of the projected growth of population in the region.
- It will have a significant impact on threatened species
- Loss of bushland that forms part of a wide bio-linkage with the National Park
- There is a potential adverse impact on Lane Cove National Park from the loss of habitat and sewer extension
- It will result in the loss of important sports facilities and potential loss of a variety of other community facilities
- It will result in the loss of publicly accessible open space
- Potential adverse economic impacts to the region from the loss of education facilities, skills development and employment
- Loss of opportunities to build strong relationships between skills providers and regional institutions
- Potential risk to residents from bushfire in an evacuation event or under a climate change scenario
- Its impact on traffic in the area
- Poor consideration of alternatives to the proposal
- Poor integration into the local area
- The lack of specific commitments to ESD
- Poor mix of housing types and loss of opportunity to provide housing for lower paid regional workers or students
- Impact on heritage significance of the site as a whole.

The adverse impacts of the proposal far outweigh any public benefits.

However, if the Minister determines to list the proposal and consider it under Part 3A of the Act, the following are recommended to improve strategic economic, social and environmental outcomes and the public benefits of the project:

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Scale and major use

1. Reduce the scale of the development to a density and land use mix that can be accommodated successfully within the constraints of the traffic and transport network and the ability to provide for adequate parking on the site.
2. Retain tertiary education as the major use on the site.

Information

3. That additional information be provided where it is inadequate as identified in this report.

Community and recreation facilities

4. Retain the existing 15,500 sqm sports oval for a combination of 1 senior and 2 junior soccer or football fields in the winter and 1 senior or 2 junior cricket fields in the summer or for a wide range of other sporting uses which are currently experiencing oval shortages. However if this can not be achieved, as an absolute minimum Council recommends the retention of 10,000 sqm of oval space for one senior sports oval plus surrounding viewing areas and parking for 30 vehicles.
5. A formal social impact assessment must be conducted regarding the provision of community facilities and services on the UTS Ku-ring-gai Campus Lindfield site. The social impact assessment to consider:
  - Level of utilisation of existing UTS services and facilities by the local community.
  - Demand for services by the new population inclusive of library, child care, meeting spaces, leisure and recreation services. Including the expectation of new residents for the quality and level of services to be provided.
  - The utilisation levels and capacity of existing community services and facilities to meet the demands of the new population.
  - Establishment of location and accessibility criteria for the community facilities

Flora and fauna

6. Retain the existing bushland on the site. At a minimum, the development to the south of the North-west car park and west of the existing child care centre should be deleted from the plans, and the bushland in this area retained.
7. The Darwinia plants to be removed should be translocated or propagated by cutting/meristem tissue culture, instead of just translocating the soil to the 4 sites to be retained/protected.
8. The statement of commitments in regard to flora and fauna should include a commitment to planting of D. biflora and feed trees for the Glossy Black-cockatoo and Gang-gang Cockatoo, as recommended in the ERM report.

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9. Provision of a measure such as a Covenant to ensure that:
  - The whole site is managed as a single entity;
  - Planting material at the site is restricted to that grown from existing site vegetation and in accordance with the existing vegetation associations (where possible).
10. The stormwater management plan is to be fully integrated, and imitate the natural drainage regime, and provide for bio-filters linked to native vegetated swales around the perimeter of the developed area. Further detail on the proposed water management system in the vicinity of the perimeter road is required to allow for accurate assessment of the impacts, especially on the Red -Crowned Toadlet.
11. A permanent weed control management plan to be implemented to prevent the transference of vegetative propagules into the bushland.
12. All weeding, especially of the weed infestation located within the Red-crowned toadlet habitat, is to be carried out by hand, without using herbicides, during conditions when the Red-crowned toadlet is least or non-active.

Water Management

13. The statement of commitments should include the description of a total water cycle system for the site with the Stormwater measures proposed in the Patterson Britton report as the start of an integrated system, and which considers the issues raised above. The system should address water conservation, quantity and quality.
14. This should include a requirement to meet the guidelines in draft (October 2007) "Managing Urban Stormwater: environmental targets", or the final targets when adopted.
15. The design principles in the Concept Plan, or a future DCP for the site, should specify a maximum site coverage based on the nominal or actual lot size immediately surrounding each building. 50% would correspond to Council's local plans.

Contamination

16. The proponent should submit a Stage 2 - Detailed Investigation, an EPA Site Audit Statement, and a Stage 3 - Remedial Action Plan (if recommended at the completion of Stage 2), prior to any rezoning of the site.

Bushfire

17. A new vehicular access/egress to the site should be provided from the perimeter road, through the area of the existing North-west car park either to Lyle or Winchester streets. This should be adequate to provide for emergency vehicles.
18. The statement of commitments should include the following:
  - any new development on the site will be located to ensure that the proposed APZ in the concept plan will not require extension.

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- Electricity transmission lines should be installed underground (where this does not result in adverse ecological or landscape outcomes)
  - All fire trails/emergency access ways right of carriageway proposed within the development should be designed in accordance with the criteria set out in section 3.6.2 of UTS Ku-ring-gai Site Bushfire Hazard Assessment.
19. The Design Principles (in the concept plan or a future DCP) should state that any new development on the site is to be located to ensure that the proposed 50 metre APZ is adequate for the development.
20. The maintenance regime and responsibility must be designed and agreed prior to any site rezoning.

Housing mix and affordability

21. It is recommended that:
- Discussions be held with the Department of Planning, Council, local employers and community housing providers in the area to consider the level of affordable housing to be provided.
  - A greater mix of housing types and sizes be provided on the site.

Urban Design

22. Remove the proposed apartment building immediately south of the existing north-west car park to avoid any encroachments building on the bushland area the potential visual impact with the significant bushland setting.
23. Provide new street connections to Winchester Avenue and/or Abingdon Road to improve the permeability of the area.
24. Provide larger building setback from the site boundary for the integrated housing lots on the north-east corner.
25. The height of new developments must not exceed the height of the existing buildings which is up to 5 storeys (height in metres unknown). Note that all heights must be shown in metres and must include the height of the plants rooms and lift over-runs.
26. In the absence of the detailed design controls for future development, the controls of DCP 55 and DCP 38 should apply to the relevant types of residential development on the site.
27. The statement of commitments should include the following:
- A commitment to the above recommendations;
  - A commitment that any DA for development over 2 storeys on the site will include a view analysis.



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Development Contributions and a Planning Agreement

28. A voluntary planning agreement should be discussed to incorporate the Section 94 Contributions for the residential component of the development and facilitate the provision of works, especially open space or community facilities, in kind. A draft planning agreement should be in place prior to the formal consideration of the rezoning of the site.

Heritage

29. The development to the west of the existing child care centre and south of the north-west car park be deleted, and the bushland in this area is to be retained.
30. The SEPP Amendment should include the listing of the site for its heritage value under the Ku-ring-gai Planning Scheme Ordinance, in addition to state listing.
31. The definition of "heritage item" in Clause 18 should include the features listed as of exceptional and high heritage in the CityPlan Heritage Report, namely:

Exceptional

- the main entry to the campus for its 'unprepossessing' integration with the bushland setting, which was protected during construction;
- the rock-filled batter to the Oval for its landscape treatment of an 'initially stark slope';
- Stage 1 (south) and Stage 2 (north) of the campus building for their design, particularly the 'fusion between Brutalist and Sydney School ethos, the merging of the building within the natural landscape, attention to detail, and planning to facilitate social interaction within the college';
- the roof garden of Building 12 for its formal landscape treatment that provides a contrast to the remnant bushland areas, although it is acknowledged that the heritage significance has been reduced somewhat owing to poor maintenance;
- the view south from the buildings because of the opportunities provided for views of the surrounding Lane Cove National Park;
- the bush courtyard between the Assembly Hall and the Union / Administration areas because it is an excellent example of the integration of the building with the bushland setting where trees and rock outcrops were carefully maintained;
- the fountain / water feature within the Union / Administration area for its aesthetic contrast from the busy public spaces.

High

- the bus bay for its sensitive incorporation of a necessary traffic management device into the landscape

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- the caretaker's residence for its demonstration of the integrated design philosophy employed for all campus buildings
  - the oval for the constructed concrete seating, retention of natural rock outcrops and vegetation, integrated landscaping and its function within and integration into the campus
  - the gymnasium, an integral component of the early building stages
  - the link bridge between Stage 2 and the gymnasium, which is integral to the buildings
  - the rock infill cuttings along the main road south east of the gymnasium for their high aesthetic value and juxtaposition of materials
  - the road cutting east of the gymnasium and beneath the link bridge for their interesting artificial creation of space and landscaping
  - the lawn area to the south east of the building for its contribution as a meeting space;
32. The concept plan and statement of commitments should include the retention of the above features.
33. The strategies for the conservation and adaptive re-use of the buildings, as per Section 5.4 of the, Graham Brooks and Associates (reissued 2007) Heritage assessment and conservation strategy: UTS Campus Ku-ring-gai should be incorporated within the Statement of commitments, or included in any future DCP for the site.
34. The design principles in the concept plan (p35) should be amended to include the following recommendation from the proponent's heritage assessment:
- the strongly defined bushland character of the site should be retained and the close integration of major buildings with the bushland, primarily by way of sharply defined edges and interfaces, be regarded as a core principle for future development;
35. The site should maintain educational use as a major element.

Zoning and land use controls

36. The area to be dedicated to National Parks should be zoned E1 National Parks and Nature Reserves. If areas of bushland not within the APZ are not to be dedicated to National Parks, the area should be zoned E2 Environmental Conservation.
- Roads for evacuation and fire management purposes should be permissible only with consent in this zone
  - Dedication to National Parks should be included in the statement of commitments.
37. The R2 zone should be applied all of the area shown as having a maximum height of 2 storeys. Exempt development under the Ku-ring-gai Planning Scheme Ordinance and DCP 46 should be permitted as exempt.
38. The existing sports oval area should be zoned as RE1 Public Recreation, as per standard template.
39. The area of the Asset Protection Zone should be zoned E2 Environmental Conservation, as above.

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40. The remaining areas could be zoned R1 (General residential) as per the standard LEP template. Educational establishment should be permissible with consent, however, commercial uses should not be permitted.
41. If it is intended to provide for subdivision:
  - The statement of commitments should include a provision to require the site to be managed as a whole entity, through community title;
  - A subdivision/lot size map should be included in the SEPP amendment.
42. Additional objectives need to be incorporated into the residential zones of the land use table:
  - To provide development that is compatible with the existing environment and heritage qualities of the locality.
  - To maximise sustainable outcomes
  - To achieve high quality architectural and urban design outcomes
  - To provide for affordable housing
43. Clause 29 of the standard LEP template, relating to community use of educational establishments should also be included in the SEPP amendment.
44. The height map should be amended to provide building heights in accordance the LEP template definition, and based on a floor to floor height of no more than 3.3m for new residential buildings.
45. The site should be managed as a whole entity, whatever management and ownership regime is proposed.

Risk management

46. The density on the site should be reduced significantly. A new road connection to Winchester Avenue or Lyle Street should be provided.
47. The existing areas of bushland should be retained.

Traffic and parking

48. Should the Minister decide to list the proposal and consider it under Part 3A of the Act, then, in order to maintain traffic generation at current levels and minimise on-site parking impacts or shortfalls, the following scale of development is considered more appropriate:
  - 30% educational uses within the main building (minimum) however, an increased educational component would be preferable;
  - 10 residential dwellings on traditional sized lots (as per proposal);
  - 40 integrated/townhouse lots (as per proposal);
  - 138 x 2 bedroom apartments and 137 x 3 bedroom apartments (as opposed to the proposed 195 x 2 bedroom apartments and 195 x 3 bedroom apartments).

## RECOMMENDATION

- A. That Council adopt the report as the basis for a submission to the Department of Planning.
- B. That the Ecological consultant's report assessing the ecology assessment and its conclusions be included with the submission.
- C. That the final submission be to the satisfaction of the General Manager and Mayor and submitted to the Department of Planning prior to 30 November 2007.
- D. That the submission be released on Council's website, to enable the public to use it as a basis for their own submissions.

Terri Southwell  
**Urban Planner**

Craige Wyse  
**Senior Urban Planner**

Antony Fabbro  
**Manager Urban Planning**

Steven Head  
**Director Strategy**

**Attachments:**

- Attachment 1 - Director General's Environmental Assessment Requirements - 853777**
- Attachment 2 Fact Sheet : Steps in the Major Project Assessment Process - 853779**
- Attachment 3a - Aerial photo of UTS site, with concept plan superimposed - circulated separately**
- Attachment 3b - Council's slope map with details from Concept plan superimposed - circulated separately**
- Attachment 4 - Excerpts from the Concept plan - 853780**
- Attachment 5 - Proposed SEPP Amendment - 853782**
- Attachment 6 - Australian Museum Business Services review of the ERM study - circulated separately**

**MAJOR PROJECT APPLICATION FOR UTS KURING-GAI CAMPUS**  
**ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE**  
**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

<b>Project</b>	<b>Concept Plan – UTS Kuring-gai Campus (MP06_0130)</b> A proposal to design and construct development for the purposes of the UTS Kuring-gai Campus at Eton Road, Lindfield, generally as described in a letter dated 1 March 2007 from CRI Australia Pty Limited (on behalf of UTS) to the Minister for Planning, and including supporting documentation <i>UTS Kuring-gai – Synopsis of Concept Plan, March 2007</i> .
<b>Site</b>	UTS Kuring-gai Campus, Eton Road Lindfield
<b>Proponent</b>	CRI Australia Pty Limited, on behalf of University of Technology Sydney
<b>Date of Issue</b>	12 July 2007
<b>Date of Expiration</b>	12 July 2009 (2 years from date of issue)
<b>Special Provision</b>	The Minister for Planning formed an opinion pursuant to clause 6 of <i>State Environmental Planning Policy (Major Projects) 2005</i> (MP SEPP) that the proposal is a Major Project under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> on 14 June 2007. On that date the Minister also authorised lodgement of a concept plan for the proposal.
<b>General Requirements</b>	The Environmental Assessment must include: <ul style="list-style-type: none"> <li>• an executive summary;</li> <li>• a description of the proposal comprising: <ul style="list-style-type: none"> <li>◦ textual and diagrammatic articulation of the proposal;</li> <li>◦ description of the site, including cadastre and title details;</li> <li>◦ design, construction, operation, maintenance, rehabilitation and staging as applicable;</li> <li>◦ project objectives and need;</li> </ul> </li> <li>• an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; and</li> <li>• a statement on the validity of the Environmental Assessment, the qualifications of person(s) preparing the assessment and that the information contained in the Environmental Assessment is neither false nor misleading.</li> </ul>
<b>Key Assessment Requirements</b>	<p><b>Part A – Heads of Consideration</b></p> <ul style="list-style-type: none"> <li>• Suitability of the site;</li> <li>• Likely environmental, social and economic impacts;</li> <li>• Justification for undertaking the project;</li> <li>• Consideration of alternatives; and</li> <li>• Public Interest.</li> </ul> <p><b>Part B – Relevant EPIs, Guidelines and other requirements to be addressed</b></p> <ul style="list-style-type: none"> <li>• Planning provisions applying to the site including permissibility and the provisions of all plans and policies (including the Ku-ring-gai PSO, Draft (Heritage Conservation) LEP 30, relevant DCPs, SEPP 11, SEPP 19, SEPP 32, SEPP 53, SEPP 55 and SEPP 65).</li> <li>• Nature and extent of non-compliance with relevant EPIs;</li> <li>• Commonwealth Environment Protection and Biodiversity Conservation Act 1999;</li> <li>• Planning for Bush Fire Protection 2006 (NSW Rural Fire Service);</li> <li>• Guidelines for Threatened Species Assessment (DEC);</li> <li>• Guidelines for Development Adjoining Department of Environment and Conservation Land (DEC);</li> <li>• NSW Government Metropolitan Strategy – “City of Cities”; and</li> <li>• Consideration of alternatives to the proposal (and with respect to Ecological Sustainable Development outcomes);</li> </ul> <p><b>Part C – Key Issues to be addressed</b></p> <ul style="list-style-type: none"> <li>• Requirements of the Department are as follows;</li> </ul>

**Urban Form and Design**

Key matters to be addressed include;

- Urban design, height, density, bulk and scale of the proposal in relation to the surrounding development, landscape and topography;
- impact on streetscape / landscape; and
- details of proposed areas of and nature of landscaping and open space.

**Land Use**

Key matters to be addressed include:

- land use distribution - considering the existing and surrounding land use patterns, density, character, amenity and the existing built and natural environs;
- connectivity with and capacity of services including schools, hospitals, public transport and town centres; and
- impact on existing education and recreational land uses on-site.

**Transport, Traffic & Access**

Key matters to be addressed include:

- existing traffic conditions, road network and road capacity on and in the vicinity of the site;
- proposed internal road and access arrangements;
- appropriate connection(s) to the network;
- any changes to traffic generation resulting from the project and any required road / intersection upgrades;
- measures to promote public transport usage and modal share including bus & train networks and connections;
- pedestrian and bicycle linkages;
- proposed car parking arrangements; and
- proposed emergency evacuation and public access.

**Heritage**

Key matters to be addressed include:

- impacts on the significance of the site as a cultural landscape, including buildings, landscape and potential European and Aboriginal archaeological impacts;
- Aboriginal cultural heritage values and any places listed on the National Heritage Register and protected under the EPBC Act; and
- The study should be prepared in accordance with the publication "Statement of Heritage Impact" published by the Heritage Office 2002.

**Bushfire Risk Assessment**

Key matters to be addressed include;

- bushfire risk assessment to determine the level of hazard posed upon the proposal;
- provision of setbacks, water supply, access, supply of services and fuel management on the site;
- identification of asset protection zones (to be identified on a site plan and demonstrated to be outside the boundary of the Lane Cove National Park) or building requirements to minimise the impact of any bushfire hazard and;
- identification of evacuation and relocation measures / strategies to be implemented in a bushfire event.

**Environmental Impacts**

The Environmental Assessment must include details as to how the environmental impacts of the proposal will be managed. Matters to be addressed include:

- a description of any contamination and its impacts on the environment, including mitigation and disposal measures as applicable;
- any likely geotechnical impacts for the development on the site;
- any likely flora and fauna impacts as a result of the development on the site, including impacts on threatened species, including those listed in the EPBC Act,

(particularly *Darwinia biflora* and the Red-Crowned Toadlet), threatened populations or endangered ecological communities, critical habitat (including riparian habitat) and native vegetation generally. The study should include a field survey in accordance with the gazetted draft Guideline for Threatened Species Assessment and describe proposed actions to be undertaken to avoid, mitigate or compensate for impacts on threatened species and their habitats. The study shall also specifically report on the considerations listed in each step of the guideline.

- impacts on the Lane Cove National Park including erosion and sediment control, stormwater runoff, management implications, pests, weeds, edge effects, boundary encroachments, ecological connectivity, fire and location of asset protection zones and their impact on threatened species and their habitats;
- details of any future management regimes for environmental protection areas;
- flooding, drainage and stormwater management issues, including: on-site detention of stormwater, WSUD, and drainage infrastructure;
- details of the development's proposed sustainability measures including, NatHERS ratings, BASIX water sensitive urban design measures, energy efficiency, recycling and waste disposal; recycling and waste disposal;
- any impacts as a result of adjoining development/land use;
- details of any proposed environmental offset; and
- details of any cut and fill and whether any fill is proposed to be imported or exported to/from the site.

#### **Services**

Key matters to be addressed include;

- capacity of water, sewer, stormwater, gas, power and telecommunications infrastructure which will serve the project; and
- any upgrading works to infrastructure necessary to service the development and contributions applicable under any adopted contributions plans.

#### **Planning Agreements and/or Developer Contributions**

- The environmental assessment should address and provide the likely scope of any contributions towards local / state infrastructure and the proposed legal delivery mechanism (eg. Planning Agreement/S.94 Contributions/Statement of Commitments).

#### **Part D – Draft Statement of Commitments**

- Proposed mitigation and management of residual impacts; and
- A Statement of Commitments detailing measures for environmental management and mitigation measures and monitoring for the project.

#### **Test of adequacy**

The Environmental Assessment must address all of the Environmental Assessment Requirements. If the Director-General considers that the Environmental Assessment does not adequately address the Environmental Assessment Requirements, the Director-General may require the proponent to submit a revised Environmental Assessment to address the matters notified to the proponent. The Director-General may also modify these Requirements by further notice to the proponent.

#### **General Environmental Risk Analysis (all project components)**

Notwithstanding the above key assessment requirements, the Environmental Assessment must include an environmental risk analysis to identify:

- potential environmental impacts associated with the project (construction and occupation);
- proposed mitigation or compensation measures; and
- potential residual environmental impacts after the application of proposed mitigation or compensation measures.

Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of the additional key environmental impacts must be included in the Environmental Assessment.

<b>Consultation Requirements</b>	You should outline any consultation with relevant agencies or the public during the preparation of the Environmental Assessment.
<b>Deemed refusal period</b>	60 days (see Clause 8E of the <i>Environmental Planning &amp; Assessment Regulation 2000</i> )
<b>Panels constituted under s75G</b>	No Panels are required at this stage.
<b>Application Fee Information</b>	The application fee is based on Capital Investment Value of the project as defined in the Major Projects SEPP and as set out in Clause 8H of the <i>Environmental Planning and Assessment Regulation 2000</i> . To verify the cost of works for this project you are requested to submit a <b>Quantity Surveyor's</b> report for the project.
<b>Landowners consent and Information</b>	<ul style="list-style-type: none"> <li>• Landowner's consent is to be provided in accordance with Clause 8F of the <i>Environmental Planning and Assessment Regulation 2000</i>.</li> <li>• For notification purposes, the Department will seek landowners' and occupiers' details from Council.</li> <li>• Please also find an application form at the following link: <a href="http://www.planning.nsw.gov.au/assessingdev/pdf/part3a_applicationform.pdf">http://www.planning.nsw.gov.au/assessingdev/pdf/part3a_applicationform.pdf</a></li> </ul>
<b>Documents to be submitted</b>	<ul style="list-style-type: none"> <li>• Fifteen (15) hard copies of the environmental assessment.</li> <li>• Five (5) copies of the environmental assessment and plans on CD-ROM (pdf format)</li> <li>• Fifteen (15) sets of plans to scale, including three (3) sets at A3 size.</li> </ul>





## Steps in the major project assessment process

### Major projects assessment system: fact sheet 3

#### 1. PROJECT DECLARED A MAJOR PROJECT

The Minister forms an opinion as to whether a proposal should be declared a project and assessed under Part 3A. For further information on what sort of developments are declared major projects, see the fact sheet *What is considered a major project*.

The Minister may also decide whether to authorise or require a project to be lodged as a concept plan, which provides a broad overview of the proposal. Further approvals may be required, before the project can proceed further, if a concept plan is approved.

#### 2. INITIAL APPLICATION

The proponent submits a project application and may also provide a preliminary environmental assessment with this application.

#### 3. ENVIRONMENTAL ASSESSMENT REQUIREMENTS

The Director-General of the Department of Planning establishes requirements which outline the key issues that a proponent must address in its environmental assessment of the project. These requirements, which are specifically tailored in response to the proposal, are sometimes referred to as Director General's requirements. The Director-General notifies the proponent of these requirements.

Relevant public authorities such as the Department of Environment and Climate Change and local council/s are consulted in developing these requirements. For some projects, a planning focus meeting may be held to help determine the scope of issues and level of assessment required.

The Director-General's requirements also outline any consultation requirements and may require the proponent to include, as part of its environmental assessment, a statement of commitments setting out the commitments the proponent is prepared to make for environmental management and mitigation measures on the site.

#### 4. PREPARATION OF THE ENVIRONMENTAL ASSESSMENT DOCUMENT

The proponent is encouraged to consult the community, relevant councils and agencies in the preparation of its environmental assessment document.

The proponent submits its draft environmental assessment and statement of commitments (if required) to the Director-General.

The Director-General determines whether the draft environmental assessment adequately addresses the Director-General's requirements. If it is not adequate, the proponent will be asked to revise the environmental assessment.

#### 5. PUBLIC EXHIBITION, CONSULTATION AND REVIEW

The Director-General exhibits the environmental assessment documentation for a minimum of 30 days and invites public comment. Advertisements are placed in appropriate newspapers, and relevant State agencies and local council/s are notified, as well as adjacent landowners if required.

The environmental assessment is made available for inspection during the exhibition period at the Department's head office and relevant regional offices, local council offices as well as being published on the Department's website.

During the exhibition period any person is able to make a written submission to the Director-General regarding the project.

## **6. CONSIDERING SUBMISSIONS AND FINALISING ASSESSMENT**

The Director-General provides copies of public submissions to the proponent and to relevant public authorities. The proponent can be required to prepare a response to the issues raised in submissions or to amend their project and statement of commitments to minimise impacts on the environment.

Where changes are proposed to the project, the proponent is generally required to prepare a preferred project report outlining the changes.

### **[OPTION] INDEPENDENT INQUIRY**

At any stage, the Minister may appoint an independent hearing and assessment panel (under section 75G of the EP&A Act) of experts, or of officers representing the Department and other relevant public authorities to provide advice on any aspect of the project.

## **7. ASSESSMENT REPORT**

The Director-General must provide an assessment report to the Minister that includes the matters set out in Section 75I(2) of the EPA&A Act. These matters include a copy of the proponent's environmental assessment and any preferred project report; a statement relating to compliance with environmental assessment requirements; a copy of any report of a panel constituted under Section 75G in respect of the project; any advice provided by public authorities on the project; any relevant environmental planning instrument; any environmental assessment undertaken by the Director-General or other matter the Director-General considers appropriate.

If the Director-General is recommending that the project be approved, draft conditions of approval are prepared by the Director-General.

## **8. DETERMINATION**

The Minister may approve or disapprove the carrying out of the project and determines the conditions that apply to the carrying out of the project. In making this decision the Minister considers the matters set out in Section 75J(2) of the Act.

The Department will notify the proponent of the Minister's decision and will publish the Minister's determination along with the Director-General's assessment report on the Department's website.

## **9. COMPLIANCE AND ENFORCEMENT**

The proponent is responsible for carrying out the project in compliance with the terms of the Minister's approval.

The Department will monitor the implementation of the conditions of approval, which may include preparation of monitoring and compliance reports and undertaking of independent environmental audits. The Department also conducts inspections and compliance audits for approved projects.

Non-compliance with conditions of approval could attract enforcement actions, which range from serving notices requiring rectification work, imposing fines or taking enforcement proceedings in the Land and Environment Court.

## **10. FURTHER PROJECT APPLICATIONS**

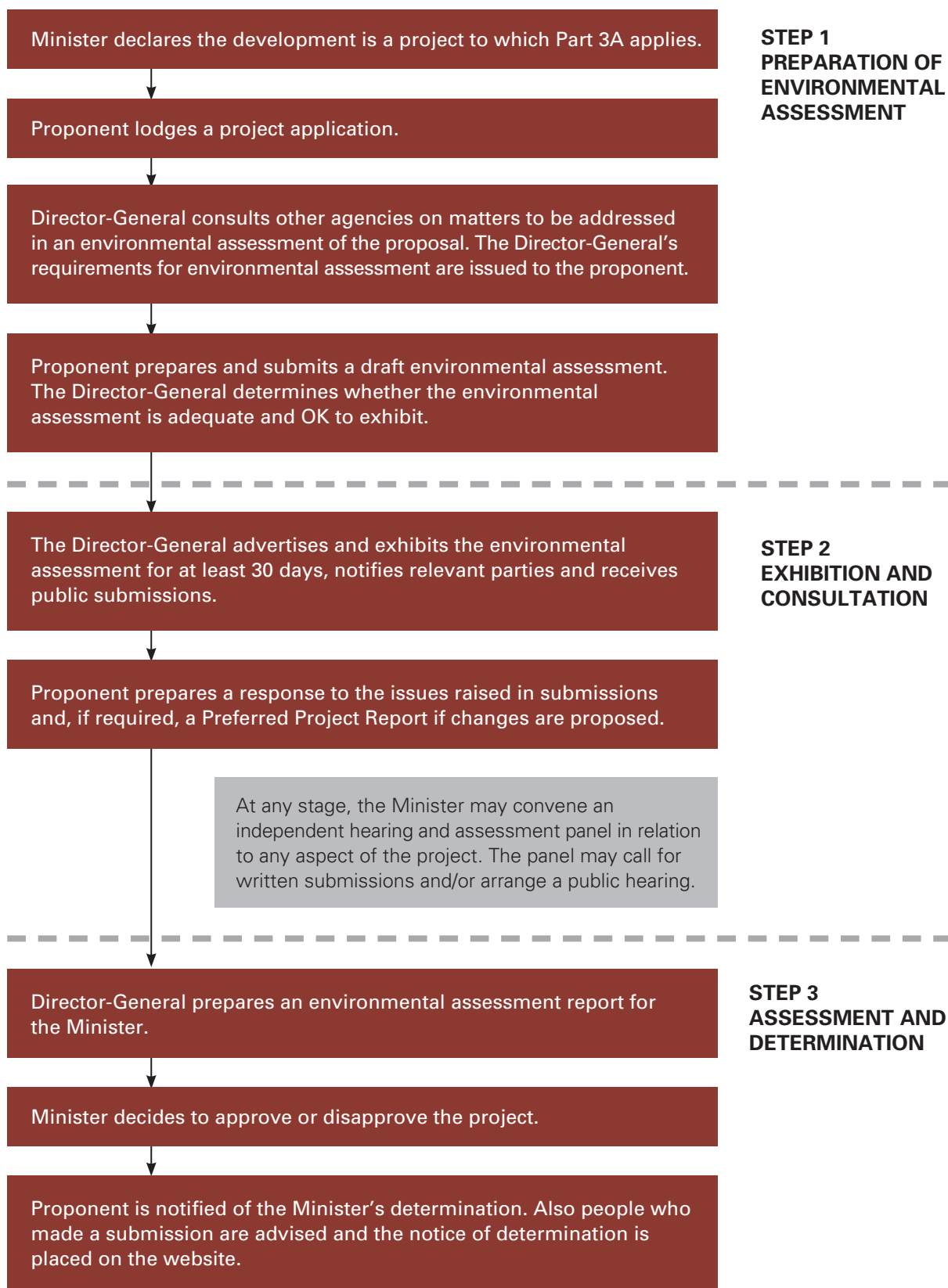
If a concept plan is approved for a project, further applications may be required.

### **FURTHER INFORMATION**

Department of Planning website:  
[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

## MAJOR PROJECT ASSESSMENT — TYPICAL STEPS

Under Part 3A of the *Environmental Planning and Assessment Act 1979*



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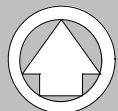
T 02 9228 6333 F 02 9228 6555 E [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au) W [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

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# LOCATION SKETCH



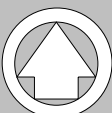
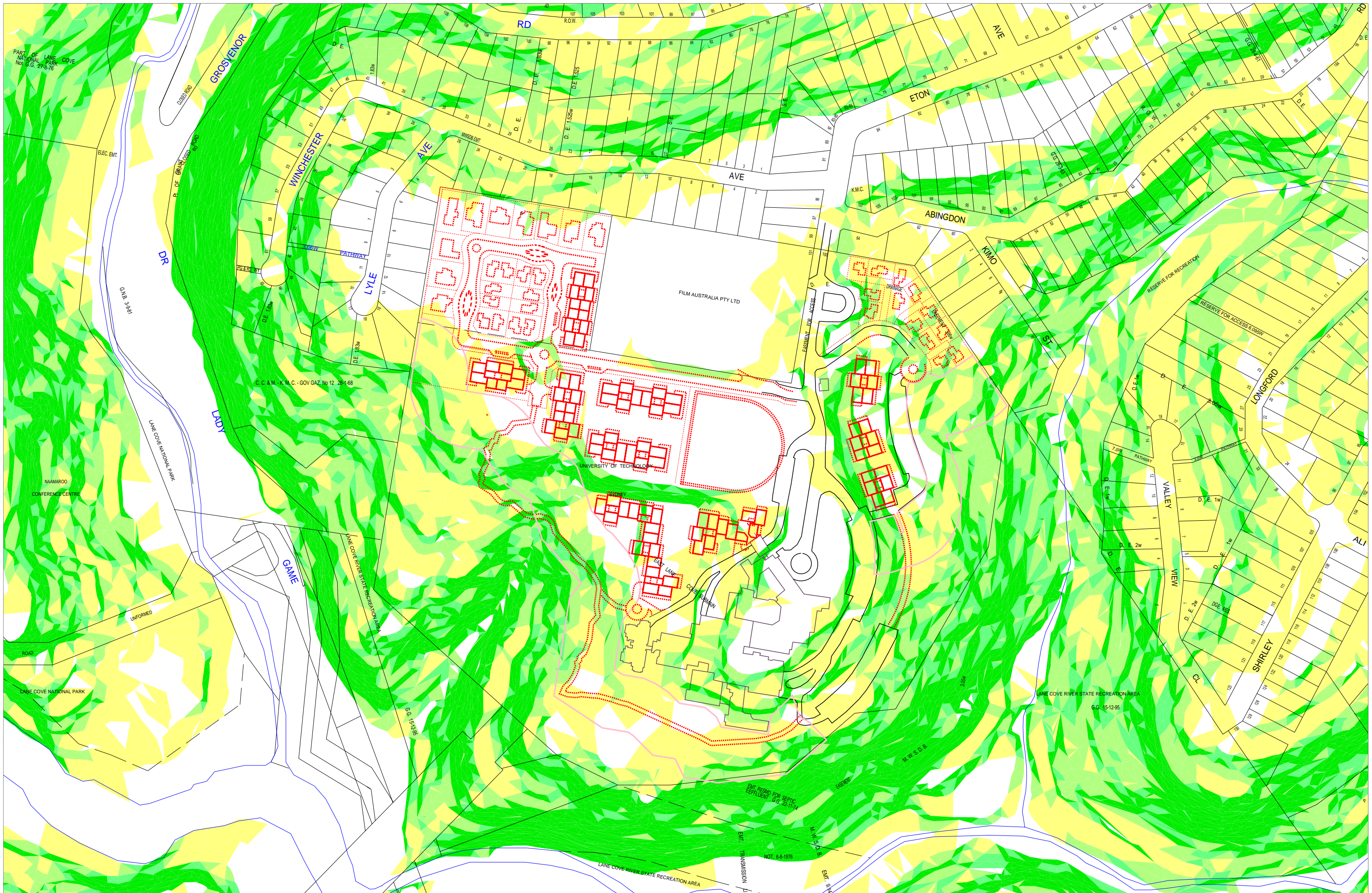
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UTS Ku-ring-gai Campus - Concept Plan and Asset Protection Zone







Scale : 1:3000

15-11-2007

### UTS Ku-ring-gai Campus - Showing Concept Plan, APZ and Slope

- Slope 0-5 deg
- Slope 5-10 deg

- Slope 10-15 deg
- Slope 15-18 deg

- Slope >18 deg
- Asset Protection Zone







### dwelling types

A variety of dwelling types is required to provide for lifestyle choices and changing demographic realities. These range from medium density apartment living to integrated small lot housing and larger single lot dwellings.

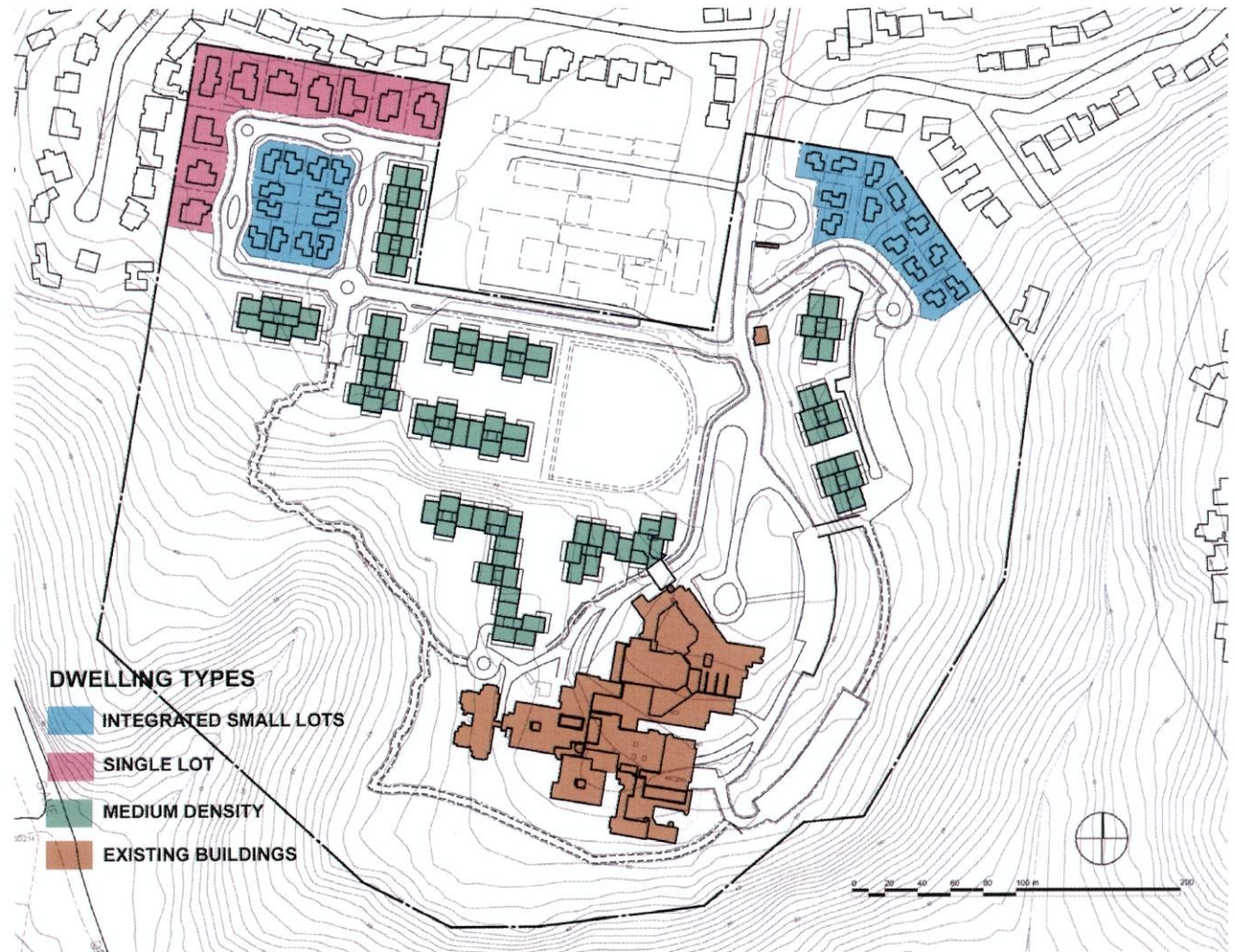
Total number of dwellings:

Single lots – 10 nos.

Integrated small lots – 40 nos.

Apartments – 390 nos.

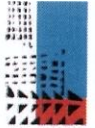
**Total – 440 dwellings.**



## University of Technology, Sydney, Kuring-gai Campus

State Significant Site Amendment / Concept Plan Application





## height

The height and scale of the built form is consistent with, and no greater than the existing buildings. The design philosophy of the compact built form is continued in the new structures.

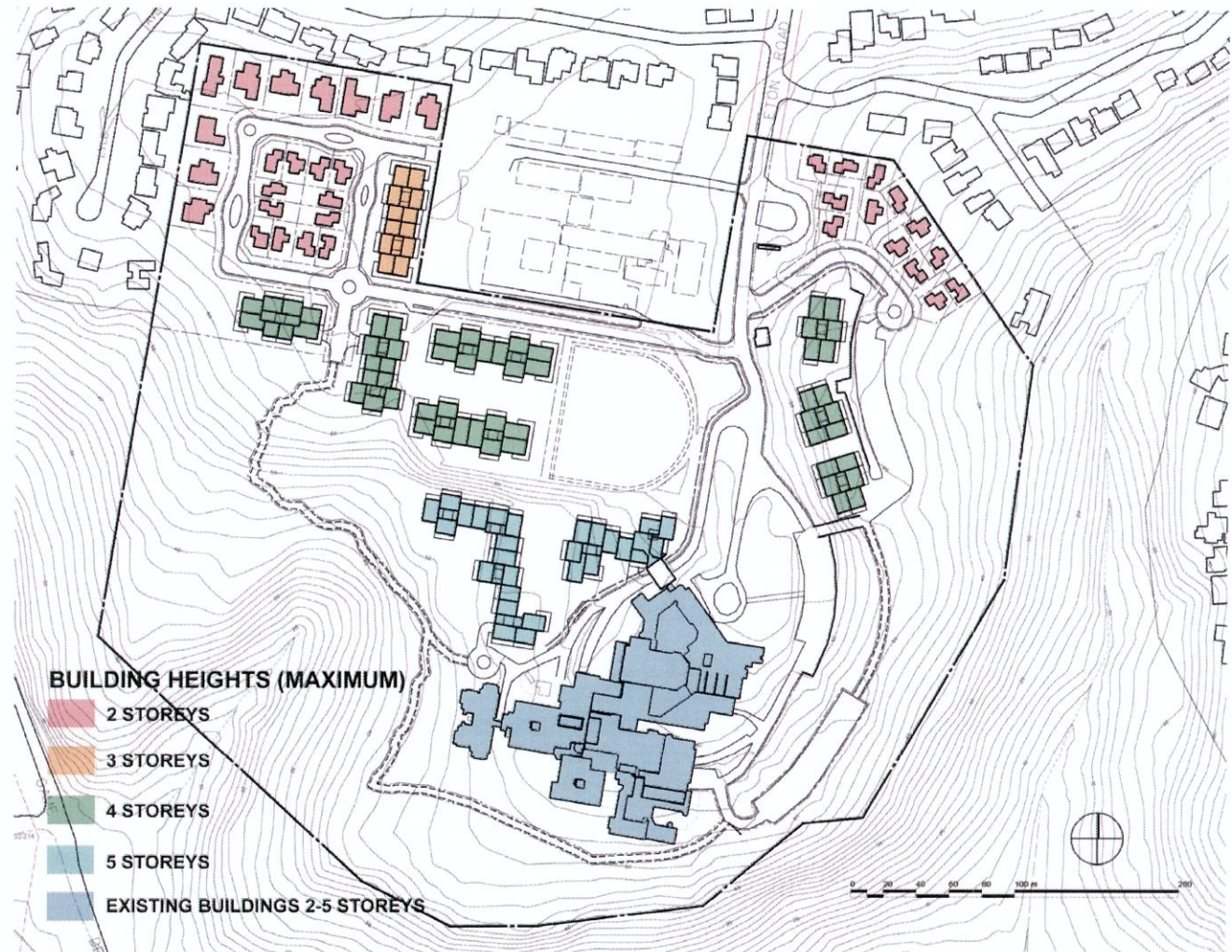
Small integrated housing lots and individual lots are located on the northern boundary of the site adjacent to existing individual block homes of West Lindfield.

Increased height and density are located towards the centre of the site.

Buildings are stepped and staggered to reduce their visual bulk.

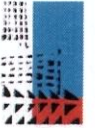
Height is controlled by the number of storeys as depicted in the Building Heights plan. For the purposes of this Concept Plan, each storey is assumed to be 4.0m from floor to ceiling. Accordingly, a 5-storey building (the highest proposed) will be 20m high when measured from ground level to the ceiling of the uppermost floor excluding plant rooms and lift over-runs.

Buildings are arranged to provide a strong built edge between the residential community and the existing bushland consistent with the original architectural and landscape philosophies.



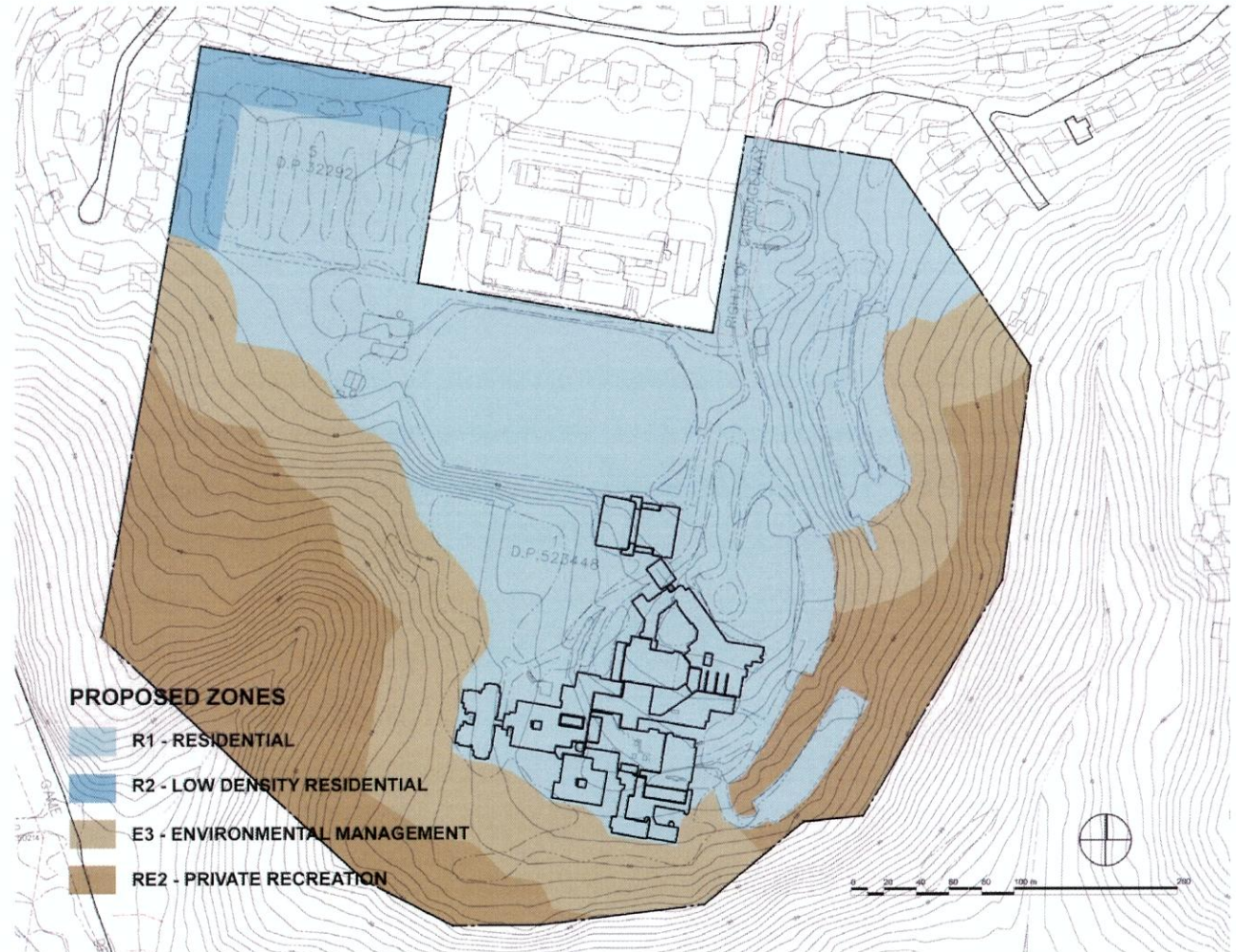
## University of Technology, Sydney, Kuring-gai Campus





## land use

Development is proposed within two residential zones as shown on the Proposed Zones plan. In addition, Environmental Management and Private Recreation zones are also included within the site.



## University of Technology, Sydney, Kuring-gai Campus

### State Significant Site Amendment / Concept Plan Application





dem



- 1 BUSHLAND ENTRY AND  
EXISTING BUS DROP OFF
- 2 ASSET PROTECTION ZONE
- 3 EXISTING BUSHLAND
- 4 GARDEN COURTYARDS
- 5 EXISTING CARPARKS AND ROAD  
NETWORK

— 50m ASSET PROTECTON ZONE

## University of Technology, Sydney, Kuring-gai Campus

State Significant Site Amendment / Concept Plan Application

53

### **Schedule 3 State significant sites**

#### **1. Name of Policy**

This Policy is State Environmental Planning Policy (Major Projects) 2005 (Amendment No XX)

#### **2. Aims of Policy**

The aims of this Policy are:

- (i) To identify the land to which this Plan applies as a State significant site under the State Environmental Planning Policy (Major Projects) 2005, and
- (ii) To identify development on the site that is development to which Part 3A of the environmental Planning and Assessment Act 1979 applies, and
- (iii) To establish appropriate zoning and other development controls for that land
- (iv) To provide for a wide range of compatible uses and opportunities for increased housing choice;
- (v) To preserve as far as practicable the distinctive bushland quality of the site by protecting the natural environment including biodiversity, the general tree canopy, natural watercourses, natural soil profiles, groundwater and topography and to reduce and mitigate impacts of development on natural areas and generally limiting new development to those areas which have already been developed;
- (vi) To conserve the existing campus building and its setting by generally concentrating development to those areas within the site which have already been developed or disturbed;
- (vii) To achieve high quality urban design and architectural design;

#### **3 Land to which this Part Applies**

This Part applies to the land identified on Map XX to this Schedule referred to in this Schedule as the UTS Kuring-gai site

#### **4 Amendment of State Environmental Planning Policy (Major Projects) 2005**

State Environmental Planning Policy (Major Projects) 2005 is amended as set out in Schedule 1.

## Schedule 1 Amendments

### Part X UTS Kuring-gai site

#### Division 1 Preliminary

##### 1 Definitions

In this Part:

**Building Height Map** means the map marked State Environmental Planning Policy (Major Projects) 2005 (Amendment No XX) – UTS Kuring-gai Site - Building Height Map.

**Floor Space Ratio Map** means the map marked State Environmental Planning Policy (Major Projects) 2005 (Amendment No XX) – UTS Kuring-gai Site – Floor Space Ratio Map.

**Zoning Map** means the map marked State Environmental Planning Policy (Major Projects) 2005 (Amendment No XX) – UTS Kuring-gai - Zoning Map.

##### 2 Interpretation

A word or expression used in this Part has the same meaning as it has in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) order 2006* unless it is otherwise defined in this part.

##### 3 Relationship with other environmental planning instruments

The only environmental planning instruments that apply, according to their terms, to or in respect of development on land within the UTS Kuring-gai site are this policy and all other State environmental planning policies.

##### 4 Maps

- (1) A reference in this Part to a named map adopted by this Part is a reference to a map by that name:
  - (a) approved by the Minister when the map is adopted, and
  - (b) as amended from time to time by maps declared by environmental planning instruments to amend that map, and approved by the Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference to this Part to any such named map is a reference to the relevant part of the single map.
- (3) Any such maps are to be kept available for public access in accordance with arrangements approved by the Minister.

#### Division 2 Part 3A projects

##### 5 Part 3A projects

- (1) Such development within the UTS Kuring-gai site as has a capital investment value of more than \$5 million, other than development for the purpose of a public utility undertaking.
- (2) Subdivision of land within the UTS Kuring-gai site, other than strata title subdivision, a community title subdivision, or a subdivision for any one or more of the following purposes:
  - (a) widening a public road,
  - (b) making an adjustment to a boundary between lot, being an adjustment that does not involve the creation of a greater number of lots,

- (c) a minor realignment of boundaries that does not create additional lots or the opportunity for additional dwellings,
  - (d) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings
  - (e) rectifying an encroachment on a lot,
  - (f) creating a public reserve,
  - (g) excising from a lot land that is , or is intended to be, used for public purposes, including drainage purposes or emergency service purposes or public conveniences.
- (3) Development involving reuse of the existing UTS Kuring-gai main building complex.

### **Division 3 Provisions applying to development within the Kuring-gai UTS site**

#### **6 Application of Division**

This Division applies with respect to any development within the UTS Kuring-gai site and so applies whether or not the development is a project to which Part 3A of the Act applies.

#### **7 Land use zones**

- (1) For the purposes of this Policy, land within the UTS Kuring-gai site is in a zone as follows if the land is shown on the Zoning Map as being that zone:
- (a) Zone R1 Residential
  - (b) Zone R2 Low Density Residential
  - (c) Zone RE2 Private Recreation
  - (d) Zone E3 Environmental Management

#### **8 Zone R1 General Residential Zone**

- (1) The objectives of Zone R1 Residential are as follows:
- (a) To provide for the housing needs of the community.
  - (b) To provide for a variety of housing types and densities.
  - (c) To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- (2) Permitted with consent
- Boarding houses; Child care centres; Community facilities; Dwelling houses; Group homes; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential care facilities; Residential flat buildings; Seniors housing; Shop top housing, commercial, educational;
- (3) Except as otherwise provided by this Policy, development is prohibited on land within the Zone R1 —General Residential unless it may be carried out under subclause (2).

#### **9 Zone R2 Low Density Residential Zone**

- (1) The objectives of Zone R2 Low Density Residential are as follows:
- (a) To provide for the housing needs of the community within a low density residential environment.



- (b) To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- (2) Permitted with consent
 

Dwelling houses; Group homes
- (3) Except as otherwise provided by this Policy, development is prohibited on land within the Zone R2 —Low Density Residential unless it may be carried out under subclause (2).

## **10 Zone RE2 Private Recreation**

- (1) The objectives of Zone RE2 Private Recreation are as follows:
  - (a) To enable land to be used for private open space or recreational purposes.
  - (b) To provide a range of recreational settings and activities and compatible land uses.
  - (c) To protect and enhance the natural environment for recreational purposes.
- (2) Permitted without consent
 

Environmental facilities, Environmental protection works, Roads
- (3) Permitted with consent
 

Community facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor)
- (4) Except as otherwise provided by this Policy, development is prohibited on land within the Zone R2 —Low Density Residential unless it may be carried out under subclauses (2) and (3).

## **11 Zone E3 Environmental Management**

- (1) The objectives of Zone E3 Environmental Management are as follows:
  - (a) To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
  - (b) To provide for a limited range of development that does not have an adverse effect on those values.
- (2) Permitted without consent
 

Bushfire hazard reduction work, Environmental protection work, roads
- (3) Except as otherwise provided by this Policy, development is prohibited on land within the Zone E3 —Environmental Management unless it may be carried out under subclauses (2)

## **12 Exempt and complying development**

Development within the UTS Kuring-gai site that satisfies the requirements for exempt development or complying development specified in *Kuring-gai Development Control Plan No.46 – Exempt and Complying Development* (adopted by Council 16 November 1999), is exempt development or complying development, as appropriate.

### 13 Public utility undertakings excepted

Development for the purpose of a public utility undertaking that is carried out on land within the UTS Kuring-gai site does not require consent.

Note. As a consequence of the removal of the requirement from development consent under part 4 of the Act, development for the purposes of public utility undertakings is subject to the environmental assessment and approval requirements of part 5 of the Act.

### 14 Subdivision – consent requirements

- (1) Land within the Kuring-gai UTS site may be subdivided, but only with consent.
- (2) However, consent is not required for a subdivision for the purpose only of any one or more of the following:
  - (a) widening a public road,
  - (b) making an adjustment to a boundary between lot, being an adjustment that does not involve the creation of a greater number of lots,
  - (c) a minor realignment of boundaries that does not create additional lots or the opportunity for additional dwellings,
  - (d) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings
  - (e) rectifying an encroachment on a lot,
  - (f) creating a public reserve,
  - (g) excising from a lot land that is , or is intended to be, used for public purposes, including drainage purposes or emergency service purposes or public conveniences.

### 16 Height of buildings

The height of buildings on any land that within the UTS Kuring-gai site is not to exceed the maximum number of storeys shown for the land on the Building Height Map.

### 17 Floor space ratio

The maximum gross floor area of buildings on any area identified on the Floor Space Ratio Map shall not to exceed the floor space ratio shown for that area on the map.

### 18 Heritage Conservation

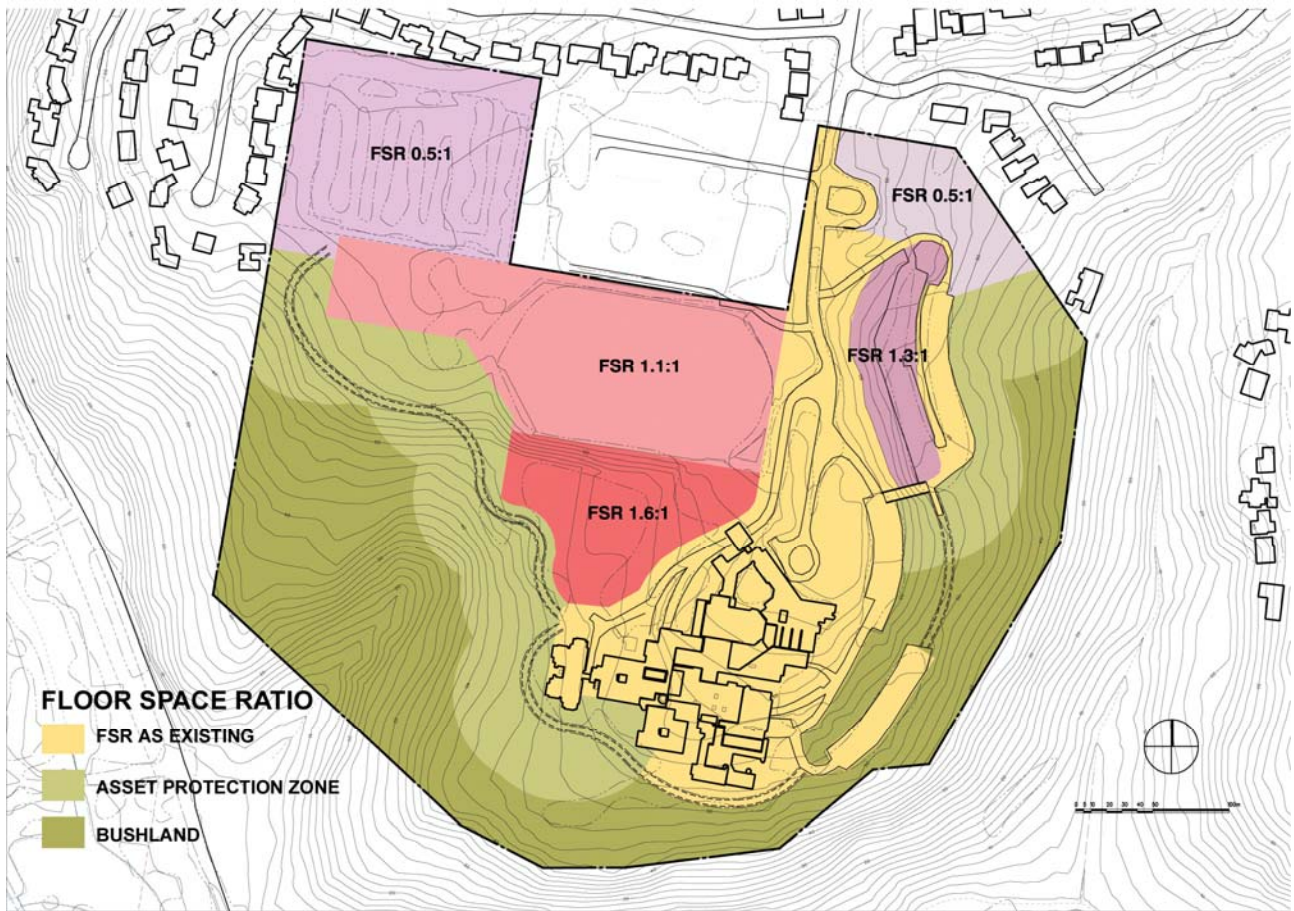
- (1) In this clause, **heritage item** means the building known as the UTS Kuring-gai main building complex, excluding the gymnasium.
- (2) A person must not, in respect of a building, work, relic, tree or place that is a heritage item:
  - (a) demolish, dismantle, move or alter the building, work, relic, tree or place, or
  - (b) damage or remove the relic, or
  - (c) excavate land for the purpose of discovering, exposing or moving the relic, or
  - (d) damage or despoil the tree or place, or
  - (e) erect a building on, or subdivide, land on which the building, work or relic is situated or that comprises the place, or
  - (f) damage any tree or land on which the building, work or relic is situated on or on the land which comprises the place, or
  - (g) make structural changes to the interior of the building or work,except with the consent of the Minister.

- (3) Consent may be granted to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Plan if the consent authority is satisfied that:
- (a) the conservation of the heritage item is facilitated by the granting of consent, and
  - (b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and
  - (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and
  - (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and
  - (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.
- (4) However, consent under this clause is not required if the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
- (a) is of a minor nature, or is for the maintenance of the heritage item, and
  - (b) would not adversely affect the significance of the heritage item.

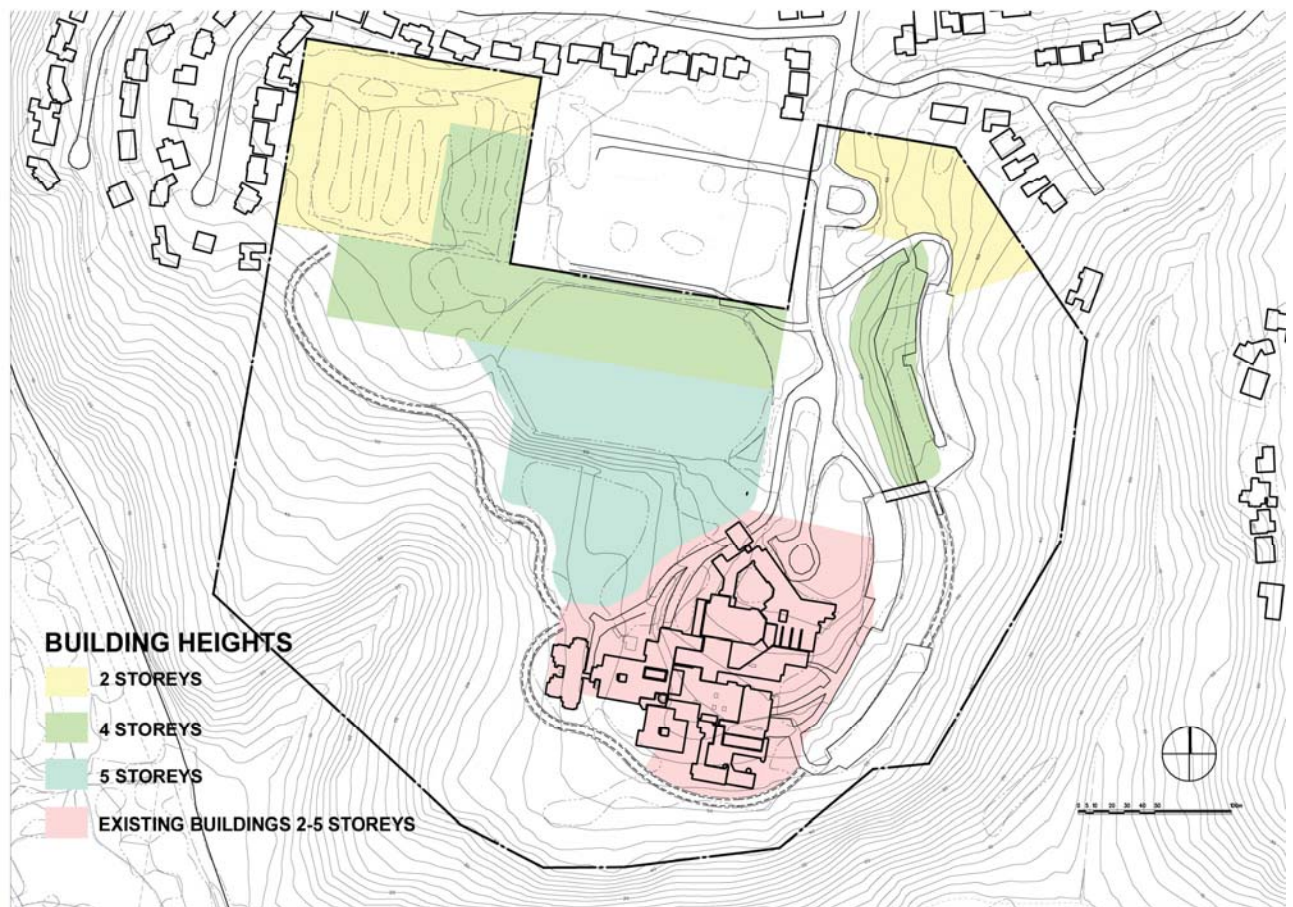


**Proposed Zones**





**FSR MAP**



**BUILDING HEIGHTS MAP**



## **UTS Kuring-Gai Campus Development Review of Ecological Report**

**Ku-Ring-Gai Municipal Council**

**Final Report**

**E07014**

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# 1 Introduction

## 1.1 Background

Australian Museum Business Services (AMBS) was commissioned by Ku-Ring-Gai Municipal Council to undertake a review of the Ecology Report prepared by Environmental Management Australia Pty Ltd (ERM 2007) in relation to a proposed development at the Kuring-gai Campus of the University of Technology, Sydney (UTS Kuring-gai). The Ecology Report forms part of the documentation submitted to the NSW Department of Planning (DoP) in support of an application for approval of a Concept Plan for the proposed development under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The proponent is concurrently seeking to rezone and list the site as a State Significant Site in Schedule 3 of *State Environment Planning Policy (Major Projects 2005)*. A State Significant Site Study and Environmental Assessment of the Concept Plan (JBA 2007) has been lodged with the DoP and is currently on public exhibition.

## 1.2 Concept Plan

The Concept Plan provides for:

- rezoning the site to 'General Residential', 'Low Density Residential', 'Environmental Management' and 'Private Recreation';
- identification of a bushfire Asset Protection Zone (APZ);
- part demolition of existing campus facilities for new residential development and retention of the main campus building for education or adaptive re-use;
- approximately 440 new dwellings including 10 single lot dwellings, 40 integrated dwellings or town houses and 390 apartments;
- building heights from 2 storeys at the interface with residential areas through to 5 storeys closer to the main campus building;
- car parking, internal roads and pedestrian network;
- conservation of bushland and the creation of a 'Village Green' Park.

## 1.3 Terminology

References to places in this report are intended to be consistent with the terminology and naming conventions currently used. Accordingly, the nomenclature “Ku-Ring-Gai” is used when referring to Ku-Ring-Gai Municipal Council and “Kuring-gai” is used when referring to UTS Kuring-gai Campus. The report of ERM (2007) is referred to as the “Ecology Report”.

The Director-General’s Environmental Assessment Requirements for the UTS Kuring-gai Concept Plan are referred to in this report as the Director-General’s Requirements or DGRs. The DGRs indicate that requirements to be addressed include the draft Guidelines for Threatened Species Assessment (DEC & DPI 2005), which are referred to in this report as “the Guidelines”.



## 1.4 Scope and objectives

The aim of this review is to provide an independent and objective appraisal of the Ecology Report for Ku-Ring-Gai Municipal Council. The review involves, and is largely limited to, an assessment of those components of the Ecology Report that deal with the threatened species *Darwinia biflora*, Red-crowned Toadlet *Pseudophryne australis* and Powerful Owl *Ninox strenua*, although other threatened species are referred to where considered relevant. Aspects of the Ecology Report that are considered in relation to these species include the comprehensiveness and accuracy of the information presented, consistency with the Director-General's requirements, adequacy of proposed mitigation measures and justification of the conclusions. It is not within the purpose or scope of this review to comment on other aspects of the Ecology Report or other information that is currently on public exhibition in relation to the proposed development.

A brief field survey was carried out at the UTS Kuring-gai Campus as part of this review, in order to examine the condition of the plant communities and habitats present, to verify the current status of locations where *Darwinia biflora* were reported in the Ecology Report and to examine potential habitat for the Red-crowned Toadlet.



## 2 Review of Ecological Report

### 2.1 General comments

#### 2.1.1 Study area

The Ecology Report has assessed potential impacts on threatened species within grounds of the UTS Kuring-gai Campus (referred to in the Ecology Report as “the site”), but does not adequately define a study area. Section 2 of the Guidelines indicate that the study area is “the development footprint and any additional areas that are likely to be affected by the proposal, either directly or indirectly. The study area should extend as far as is necessary to take all potential direct and indirect impacts into account”.

The Ecology Report correctly indicates that the proposed development would have indirect impacts and identifies stormwater run-off and erosion, weeds and feral and domestic animals. However, there are other potential indirect impacts that are not identified. Some examples include the impact of shade from buildings on their immediate surroundings and the potential impacts of increased human activity on the study area, such as track creation, increased trampling of bushland areas, or illegal removal of bush rock that may occur should the creation of an APZ and fire trail allow easier access to bushland areas.

The Ecology Report does not discuss the potential for, or likely extent of, edge effects that may occur near the development footprint or as a result of the establishment of an APZ. According to Figure 6.1 of the Ecology Report, sections of the APZ will be located at or close to the edge of Lane Cove National Park (LCNP) and known habitat for the Red-crowned Toadlet. Parts of the development footprint will be located close to potential habitat for the Red-crowned Toadlet.

The Ecology Report should identify all potential indirect impacts of the proposed development and define a study area that incorporates the full extent of likely indirect impacts. This should include an assessment of potential edge effects on the LCNP and known or potential Red-crowned Toadlet habitat.

#### 2.1.2 Survey effort

The literature and database searches described in the Ecology Report appear adequate, although not exhaustive, and the databases searched are poorly documented. There are additional databases in existence that could have been searched. The Ecology Report indicates that the results of the DECC *Atlas of NSW Wildlife* database search were plotted using a GIS, but the GIS mapping is not presented in the report. This means that it is impossible for the reader to determine, from the information presented, the location and proximity of threatened species records outside of the site itself.

Field survey effort is not adequately documented within the Ecology Report. Appendix 1 of the Guidelines provides a content framework for a range of elements that could be documented and states that “The technical information should be

sufficiently detailed to enable the field survey to be replicated. The choice of field methods and extent of survey should be justified, and any constraints noted”.

Other than targeted surveys for the Red-crowned Toadlet (which are discussed in more detail below), the only information provided in the report is that a two-day field investigation was carried out in 2003 “to supplement previous surveys undertaken at the site by ERM Mitchell McCotter” during or prior to 1999. There is almost no documentation of the survey techniques employed, survey area covered, taxa targeted, survey intensity, dates, times or weather conditions. There is also no documentation of any constraints or limitations to the surveys. This means that it is impossible for the reader to assess, from the information presented, whether the field survey effort is adequate.

The information regarding survey effort presented in the Ecology Report provides no evidence that field surveys for a range of fauna have been undertaken, other than surveys for potential habitat. It provides no evidence that surveys for birds, reptiles, frogs (other than the Red-crowned Toadlet), non-flying mammals, flying-foxes or microchiropteran bats have been undertaken at the site. A number of threatened microchiropteran bats could occur in the locality. Potential roost sites for these species are present within the proposed development area.

### **2.1.3 Results**

The results of the investigations are poorly documented in the Ecology Report. No lists of the plants or animals recorded at the site are presented. Some information regarding the fauna of the LCNP is presented in Section 4 of the Ecology Report; however, this information is derived from a report prepared by the NSW Department of Environment and Conservation in 2004 regarding the National Park. Maps of plant communities within the site are derived from surveys of a broader area by ERM Mitchell McCotter during or prior to 1999.

### **2.1.4 Assessments of significance**

Annex C of the Ecology Report presents a number of “assessments of significance” for threatened species considered likely to be impacted by the proposed development. These assessments are based on a number of criteria listed in Appendix 3 of the Guidelines. However, the criteria listed in Appendix 3 of the Guidelines are intended to be used as a guide to identifying potential effects on threatened species, populations or ecological communities (and thereby which threatened species are likely to be affected). This forms part of the “preliminary assessment” phase described on pages 2 and 3 of the Guidelines.

Assessments of significance are defined under Section 5A of the EP&A Act and currently take the form of the 7 Part Test. While the Guidelines do not specify that 7 Part Tests need to be undertaken as part of a Part 3A application, there is also nothing within the Guidelines that indicate that the criteria listed in Appendix 3 are intended to be applied beyond the preliminary assessment phase or used as a replacement for the 7 Part Test. The Guidelines do, however, indicate that the list in Appendix 3 is not necessarily exhaustive.

On this basis, it is our opinion that the Ecology Report should remove any claims that assessments of significance have been undertaken and any conclusions or statements that the proposed development would not have a “significant impact” on threatened species that are made on the basis of the application of Appendix 3 of the Guidelines.

### 2.1.5 Other considerations

Annex D of the Ecology Report presents an assessment of the Concept Plan / SSS Amendment against a number of documents. This includes the *Darwinia biflora* recovery plan, but does not include the recovery plan for large forest owls.

## 2.2 *Darwinia biflora*

The assessment of *Darwinia biflora* presented in the Ecology Report appears to be based on data collected in 2003 and in some cases 1999. A survey of all of the locations on the site previously occupied by the species (as identified in the Ecology Report 4.1) was undertaken by AMBS on 9 November 2007. A number of differences to the data presented in the Ecology Report were noted:

- 28 individuals were located in the area labeled D19 and 10 individuals in the area labeled D11. The species was apparently not found in these locations in 2003;
- 1 individual was located outside of any of the previously recorded sites, in the north-western car park area; and
- No individuals were recorded in the eastern car park in the areas labeled D3, D8 or the southern location labeled D1;
- No individuals were recorded in the bushland area to the west of the oval at the locations labeled D7 and D1.

The data suggest that updated surveys for this species should be undertaken. In particular, the occurrence of the species in the bushland area to the west of the oval should be confirmed, as this forms one of only two known areas for this species on the site that will be located outside of the development footprint. The failure to detect the species there in 2007 may be a result of the brevity of the survey. However, it may also be due to the growth of a dense understorey shading out the plants.

Existing data indicate that the proposed development footprint would cover all but two of the recorded locations of *D. biflora* within the site, reduce the area of known habitat for the species within the site and remove a large proportion of the known individuals (at least 50% on the basis of the Ecology Report or 44% on the basis of the 2007 surveys). This is inconsistent with the Ecology Report’s claim that the proposed mitigation measures include the “retention of areas of native vegetation and habitat for threatened flora and fauna within the site, including retention of *D. biflora* plants and habitat”. The reduction of the *D. biflora* population on the site to two patches would increase the risk of local extinction, should one or both of these patches be impacted by a catastrophic event.

The report states that remaining elements of the on-site population would be retained in two locations. However, it is unclear what the short and long-term impacts of the proposal on these locations would be. The first of these locations, near the south-eastern junction with Film Australia, at the bend in the road from the entry to the oval,

has been identified as the site of a drainage swale in the Urban Infrastructure Management Strategy and parts of the area are shown as being within the development footprint in Figure 6.1 of the Ecology Report. It is currently unclear whether the plant still occurs in the second of these locations, in the bushland west of the oval. This area is close to the development footprint and forms part of the proposed APZ. Assuming the plant is still present in the second location, or is present in the seed-bank, it may be affected by a range of indirect impacts including shade from the new buildings and edge effects.

Other than the two locations described above, the proposed mitigation for *D. biflora* primarily involves the translocation of soil and/or individuals and the development of a management plan. The recovery plan for *D. biflora* states that translocation is not recommended for this species as it is usually unsuccessful in the long term.

Insufficient detail regarding the proposed translocation strategy or management plan is provided. It appears that the majority of the plants would be translocated into the APZ. *D. biflora* does not currently appear to occur in most of this area and it is unclear if the management of the APZ will enable its continued occurrence. Management of the APZ will involve (Ecology Report pages 43-44):

- clearing for the creation of a fire trail;
- removal of leaf litter;
- retention of shrubs, ground cover species and larger shrubs (clumps where they will not result in fire spread to canopies); and
- construction of bridges over drainage lines.

The management of fire within the APZ is unclear. One section of the Ecology Report states that there will be no requirement for hazard reduction burns within the APZ, while Annex C states that ecological burns can be undertaken to assist in the regeneration of plants. However, this would require sufficient heat to assist in the regeneration of *D. biflora*, which is usually generated via the consumption of high levels of fine ground fuel. The removal of leaf litter by hand may make the consumption of high levels of fuel difficult.

In relation to mitigation measures, the Guidelines state: “The measures must be practical, must be implemented and there needs to be a reasonable level of confidence in their effectiveness. Acknowledged authorities with particular species or conservation practices should be consulted to determine if the measures proposed constitute appropriate management” and “Considerable research indicates that relocation of flora or fauna is not successful in the medium or longer term.”

### **2.3 Red-crowned Toadlet**

Some aspects of the survey effort for Red-crowned Toadlet have been documented in the Ecology Report, particularly the surveys undertaken in December 2003. However, the survey effort appears limited and a number of aspects have not been adequately documented. The surveys appear to have been limited to call playback techniques; thus, there is no evidence of searching for frogs, tadpoles or egg masses. Weather conditions during or prior to the surveys are not documented. The Ecology Report provides some evidence that weather conditions were reasonable, in that the species was calling from reference sites in the LCNP, but does not indicate whether the

species was calling from all of the reference sites on all of the nights or some of the reference sites on some of the nights. This makes it difficult for a reader to assess whether the survey effort was sufficient.

Scientific literature on the Red-crowned Toadlet that is currently available does not appear to have been used or referenced and the Ecology Report does not indicate the full extent of potential habitat for the Red-crowned Toadlet on Figure 4.1. The species, if present, could use a much wider proportion of the area than the known and potential breeding sites, including some of the area within the development footprint and the APZ. This is considered within the report, but is not shown on the Figure.

The assessment of impacts and mitigation measures in the Ecology Report is limited and relies, at least in part, on the implementation of a management plan. The report does not consider some potential indirect impacts (e.g. edge effects from the creation of the APZ). Potential impacts of altered hydrology regimes are poorly considered and the report states that there is unlikely to be an impact on the known breeding site because of the implementation of stormwater management. However, there is no information on the ecology of the species that is brought forward to support this. The hydrological requirements of the Red-crowned Toadlet are relatively specific.

## **2.4 Powerful Owl**

The Powerful Owl is listed as Vulnerable under the TSC Act. Figure 4.1 in the Ecology Report maps four point locations in and around the study area as “Daytime roost of Powerful Owl” and five disjunct polygons of “potential Roosting Habitat of Powerful Owl ERM 1999”. All sites and habitat are mapped downslope of the proposed development area. Two of the polygons, are mapped as being only a few hundred square metres in area. Powerful Owls are known to roost in many sites along Blue Gum and Little Blue Gum Creeks, including areas upstream of the proposed development site. Therefore, the mapping of potential habitat for the species, in small disjunct polygons, all downslope of the development, seems to underestimate the potential habitat. It is likely that all bushland, and areas of adjoining trees in and adjacent to the study site, form part of a contiguous zone of actual habitat, used for both roosting and foraging by the Powerful Owl.

Background information in the Ecology Report on the ecology of Powerful Owl is cursory. It is stated that “It is likely that a breeding pair still exists in the Lane Cove Valley and uses the site from time to time” (Ecology Report, p. 32). Indeed, numerous sightings suggest that there are many pairs in the Lane Cove Valley, including at least one resident pair in the Blue Gum Creek valley. The Ecology Report argues that because Powerful Owls have large territories, and because there is lots of surrounding bushland, that the loss of habitat on the site would not be significant. This statement makes the presumption that any resident Powerful Owls whose territory may include the proposed development site have ample habitat elsewhere. No evidence is supported to justify such a conclusion. The wording in the Ecology Report implies that Powerful Owl records from the site and nearby refer to birds that roam the entire Lane Cove Valley and have no special reliance on habitat in the study area.

## **2.5 Barking Owl, *Ninox connivens***

The Barking Owl is listed as Vulnerable under the TSC Act. In mid 2007 it has frequently been reported along Blue Gum Creek in Roseville and Chatswood (*Birding Aus Mail-List archives* at <http://bioacoustics.cse.unsw.edu.au/birding-aus/>). Sites where it has been reported are in bushland contiguous with, and less than 600 m from, the study site. The Barking Owl has not been considered by the Ecology Report.

### 3 References

DEC & DPI 2005. Draft Guidelines for Threatened Species Assessment. Prepared by the NSW Department of Environment and Conservation (now Department of Environment and Climate Change) and NSW Department of Primary Industries.

DoP 2007. Major Project Application for UTS Kuring-gai Campus: Environmental Assessment Requirements Under Part 3A of the Environmental Planning and Assessment Act 1979. Prepared by the NSW Department of Planning.

ERM 2007. UTS Kuring-gai Concept Plan / SSS Amendment, Ecology Report. Report prepared by Environmental Resources Management Australia Pty Ltd for CRI Australia Pty Ltd, dated September 2007.

JBA 2007. State Significant Site Study and Environmental Assessment of the Concept Plan, UTS Kuring-gai Campus, Lindfield. Report prepared by JBA Urban Planning Consultants and TCW Consulting submitted to the NSW Department of Planning on behalf of the University of Technology, Sydney, dated October 2007.