



**ORDINARY MEETING OF COUNCIL  
TO BE HELD ON TUESDAY, 23 AUGUST 2005 AT 7.00PM  
LEVEL 3, COUNCIL CHAMBERS**

**A G E N D A**

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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**

**DECLARATION OF PECUNIARY 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 19 July 2005

Minute numbered 288

Memorandum from Senior Governance Officer to be circulated separately

**Minutes of Ordinary Meeting of Council**

File: S02131

Meeting held 9 August 2005

Minutes numbered 311 to 332





**GB.4 Bushland, Catchments & Natural Areas Reference Group - Minutes of Meeting Of 20 June 2005 114**

.  
File: S03448

To bring to the attention of Council the proceedings from the Bushland, Catchments and Natural Areas Reference Group meeting held on Monday 20 June 2005.

**Recommendation:**

That the Minutes of the Bushland, Catchments and Natural Areas Reference Group meeting held on 20 June 2005 be received and noted.

**GB.5 St Ives Town Centre Planning - Traffic Options 119**

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File: S04020

To report to Council on the traffic implications associated with the proposed redevelopment of the St Ives Town Centre associated with the Stage 1 and proposed Stage 2 redevelopment of St Ives.

**Recommendation:**

That Council adopts the findings of the traffic study and incorporates the proposed changes in the Development Contribution Plan for Stage 2 redevelopment of the St Ives town centre.

**GB.6 Capital Works Program for Traffic Facilities 2005 to 2010 167**

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File: S03753

To seek Council approval for the capital works program for traffic facilities for 2005 to 2010.

**Recommendation:**

That Council adopts the 2005 to 2006 Traffic Facilities Program and the draft 2006 to 2010 Program.

**GB.7 2005 to 2006 RTA Program Funding 173**

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File: S02388

To approve Council's allocation of the 2005/2006 Roads and Traffic Authority Program Funding.

**Recommendation:**

That Council accepts the grants totalling \$269,000 under the Traffic Management Program and the grant of \$38,000 under the Road Safety Program.

- GB.8    **2004 to 2008 Management Plan, 4th Quarter Review for the Year ended 30 June 2005**    **181**

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File: S03096

To report to Council the year end status of Key Performance Indicators as contained in Council's 2004 to 2008 Management Plan and resolutions of Council not implemented during the 2004/05 financial year.

**Recommendation:**

The 2004 to 2008 Management Plan status report be received and noted.

- GB.9    **49 Telegraph Road, Pymble - Additions and Alterations plus Carport and Driveway**    **237**

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File: DA0642/05

To respond to issues raised at the Council site inspection of 6 August 2005 and seek Council's determination of development application DA 642/05.

**Recommendation:**

Approval

- GB.10    **2 Cynthia Street, Pymble - Alterations and Additions to Existing Dwelling, New Pool, Cabana and Front Fence.**    **291**

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File: 528/04A

Ward: Comenarra

Applicant: Loraine Unicomb

Owner: Loraine and Geoffrey Unicomb

To determine Section 82A Review of Development application No. DA528/04A, for alterations and additions to existing dwelling, new pool, cabana and front fence.

**Recommendation:**

Refusal.

**GB.11 6 to 8 Culworth Avenue, Killara - Supplementary Report 310**

.  
File: DA1369/04

To respond to issues raised at the Council site inspection and seek Council's determination of the development application.

**Recommendation:**

Approval.

**GB.12 49 to 51 Billyard Avenue, Wahroonga 424**

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File: P34936

For Council to consider the inclusion of 49 to 51 Billyard Avenue, Wahroonga in Schedule 7 (Heritage Items) of the Ku-ring-gai Planning Scheme Ordinance.

**Recommendation:**

That Council prepare a Local Environmental Plan to amend the Ku-ring-gai Planning Scheme Ordinance (KPSO) to include 49 to 51 Billyard Avenue, Wahroonga in Schedule 7 (Heritage Items) of the KPSO.

**GB.13 Minutes of Heritage Advisory Committee Meeting 476**

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File: S03816

That Council receive and note the Minutes of the Heritage Advisory Committee meetings from 27 April 2005.

**Recommendation:**

That Council receive and note the Minutes of the Heritage Advisory Committee.

**GB.14 Amendment to Development Control Plan No 55 - Nominated Area Provisions for Lindfield and Turramurra 487**

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File: S03730

To report to Council on the public exhibition and consultation of Draft Amendments to Development Control Plan No 55 (DCP55) relating to nominated area provisions for Lindfield and Turramurra and to present a final amendment to Council for consideration for adoption.

**Recommendation:**

That Council adopt the amended nominated area controls for Lindfield and Turramurra as an amendment to "Ku-ring-gai Multi-Unit Development Control Plan No 55 - Pacific Highway/Railway Corridor and St Ives Centre".

**GB.15 Local Government Association Conference 2005 509**

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File: S04415

For Council to determine its delegates to the 2005 Local Government Association of NSW Annual Conference.

**Recommendation:**

That Council determine its elected delegates and the General Manager accompany elected representatives to the Conference.

**GB.16 West Pymble Swimming Pool - 2005/2006 Admission Fees by Lessee 519**

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File: S02348

For Council to approve the lessee's proposed admission fees to the West Pymble Swimming Pool for the 2005/2006 swimming season.

**Recommendation:**

That Council approve the proposed 2005/2006 admission fees for West Pymble Swimming Pool as requested by the Lessee and as outlined in this report.

**GB.17 Analysis of Land & Environment Court Costs 2004/2005 524**

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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 year ended 30 June 2005.

**Recommendation:**

That the analysis of Land & Environment Court Costs for the financial year 2004/2005 be received and noted.

**EXTRA REPORTS CIRCULATED AT MEETING**

## **MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

### **NM.1 8 to 12 Nola Road, Roseville**

**532**

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File: DA1388/04

**Notice of Rescission from Councillors L Bennett, E Malicki and M Shelley dated 9 August 2005.**

We move -

"That the decision to approve 8 to 12 Nola Road, Roseville is hereby rescinded".

### **NM.2 Land & Environment Court Class 1 Appeal Outcomes**

**533**

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File: S03398

**Notice of Motion from Councillor T Hall dated 28 July 2005.**

I move:

"That where judgments of class 1 appeals handed down in the Land & Environment Court include a criticism, requirement or suggestion by the Court's Commissioner for the Council to review its policies/development control plans that he/she consider faulty as a result of the outcome of individual Class 1 appeals, these matters be reported with an appropriate staff recommendation to Council for review as to implementation, as soon as possible after the handing down of the relevant judgment.

I refer particularly to the Court's criticisms of Council's bonding conditions of landscaping/preservation of trees (see Appeals No.11333 of 2004 and No.10238/2005),the DCP condition for the rejection of Childcare Centres sited within 100m of sub-arterial roads (see Appeal no.10072 of 2005)and restrictions as to user on title, (Appeal No.11333 of 2005)".

Note. This list is not complete.

### **NM.3 Turramurra Town Centre Consultation**

**534**

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File: S04021

**Notice of Motion from Councillor E Malicki dated 15 August 2005.**

I move:

"That there be further meetings of residents to discuss options for the Turramurra Town Centre. This is in order to accommodate additional people who have asked or wish to be part of the consultation process."

File: S02073

**Notice of Motion from Councillor L Bennett dated 12 August 2005.**

I move that:

- "A. As a matter of urgency Council seek advice from s94 planners as to what traffic infrastructure improvements for St Ives can be funded through an amendment to the current s94 plan and these include those outlined in the Traffic Study for St. Ives
- B. The advice includes an estimate of the extent to which they could be financed by developer contributions
- C. The General Manager advises as to when the Council resolution on "Undergrounding of Car Parks and Section 94 Contributions" will be fully actioned."

**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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## 2004/2005 BUDGET REVIEW 4TH QUARTER ENDED JUNE 2005

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To present to Council the quarterly financial review for the year ended 30 June 2005.

**BACKGROUND:**

This review analyses the financial performance of the Council for the year ended 30 June 2005.

**COMMENTS:**

Council's budgetary position for the year ended 30 June 2005 provided a surplus of \$7,031,225 compared to a budgeted surplus of \$4,152,200.

**RECOMMENDATION:**

That Council receive and note the contents of this report.



## PURPOSE OF REPORT

To present to Council the quarterly financial review for the year ended 30 June 2005.

## BACKGROUND

This is a statutory requirement under the Local Government Financial Management Regulation 1999, Part 2 Clause 7 and it is an essential aspect of Council's financial management.

At the Council Meeting held on 22 June 2004, Council adopted the 2004-2008 Management Plan, which incorporated the annual budget for Council for 2004/2005. The resolution adopting this Management Plan was under Minute 294.

## COMMENTS

### General Budgetary Position

This review will analyse the overall financial performance of Council by responsibility centre comparing actual expenditure and revenue against budget as at 30 June 2005. Council's budgetary position for the year ended 30 June 2005 is within expectations.

The organisation's year to date net expenditure shows a surplus of \$7,031,225 compared to a budget surplus of \$4,152,200, a positive variance of \$2,879,025. This total variance is broken down as follows:

COUNCIL	Actual YTD	Budget YTD	Variance
Expenditure	\$75,412,028	\$74,606,250	(\$805,778)
Income	\$82,443,253	\$78,758,450	\$3,684,803
<b>Net Result</b>	<b>\$7,031,225</b>	<b>\$4,152,200</b>	<b>\$2,879,025</b>

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Variations at a departmental level are highlighted in the table below:

DEPARTMENT	2004/2005 Financial Year		
	Actual	Rev Budget	Variance
	\$	\$	\$
CIVIC MANAGEMENT	3,149,929	2,334,300	(815,629)
COMMUNITY SERVICES	6,602,680	6,323,800	(278,880)
DEVELOPMENT & REGULATION	2,938,471	2,476,800	(461,671)
FINANCE & BUSINESS	(36,125,749)	(33,110,000)	3,015,749
OPEN SPACE	6,617,040	7,086,750	469,710
PLANNING & ENVIRONMENT	935,494	973,750	38,256
TECHNICAL SERVICES	9,410,646	9,193,100	(217,546)
WASTE MANAGEMENT	(559,737)	569,300	1,129,037
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(7,031,225)</b>	<b>(4,152,200)</b>	<b>2,879,025</b>

**Variances by Responsibility Centre**

CIVIC MANAGEMENT		2004/2005 Financial Year		
		Actual	Rev Budget	Variance
		\$	\$	\$
Councillor Support	TOTAL EXPENSE	538,786	512,000	(26,786)
Councillor Support	NET EXPENDITURE	<b>538,786</b>	<b>512,000</b>	<b>(26,786)</b>
Executive Support	TOTAL EXPENSE	730,999	663,800	(67,199)
Executive Support	NET EXPENDITURE	<b>730,999</b>	<b>663,800</b>	<b>(67,199)</b>
Human Resource Management	TOTAL EXPENSE	1,904,360	1,185,100	(719,260)
Human Resource Management	TOTAL REVENUE	24,217	26,600	(2,383)
Human Resource Management	NET EXPENDITURE	<b>1,880,143</b>	<b>1,158,500</b>	<b>(721,643)</b>
<b>NET EXPENDITURE / (REVENUE)</b>		<b>3,149,929</b>	<b>2,334,300</b>	<b>(815,629)</b>

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This responsibility area completed the year with a minor over run of \$26,786, on a budget of \$512,000. This was primarily due to an increase in employee costs and legal fees.

Executive Support

This responsibility centre completed the year with a net expenditure overrun of \$67,199. This expenditure variation comprises employee & advertising costs.

Human Resource Management

Human Resource Management completed the year with a net expenditure overrun of \$721,643. This variation primarily relates to a \$642,000 increase in workers compensation & variations in recruitment costs (\$28,000) and consultants (\$25,000).

COMMUNITY SERVICES		2004/2005 Financial Year		
		Actual	Rev Budget	Variance
		\$	\$	\$
Community Development	TOTAL EXPENSE	2,941,179	2,938,700	(2,479)
Community Development	TOTAL REVENUE	2,045,386	1,988,700	56,686
Community Development	NET EXPENDITURE	<b>895,793</b>	<b>950,000</b>	<b>54,207</b>
Community Facilities Unit	TOTAL EXPENSE	1,019,602	1,132,500	112,898
Community Facilities Unit	TOTAL REVENUE	543,805	659,300	(115,495)
Community Facilities Unit	NET EXPENDITURE	<b>475,797</b>	<b>473,200</b>	<b>(2,597)</b>
Corporate Communications	TOTAL EXPENSE	253,721	273,000	19,279
Corporate Communications	NET EXPENDITURE	<b>253,721</b>	<b>273,000</b>	<b>19,279</b>
Cultural Services	TOTAL EXPENSE	991,827	948,500	(43,327)
Cultural Services	TOTAL REVENUE	619,616	850,100	(230,484)
Cultural Services	NET EXPENDITURE	<b>372,211</b>	<b>98,400</b>	<b>(273,811)</b>
Customer Services	TOTAL EXPENSE	861,879	868,100	6,221
Customer Services	TOTAL REVENUE	23,677	35,300	(11,623)
Customer Services	NET EXPENDITURE	<b>838,202</b>	<b>832,800</b>	<b>(5,402)</b>
Library Services	TOTAL EXPENSE	3,645,565	3,630,400	(15,165)
Library Services	TOTAL REVENUE	266,116	296,900	(30,784)
Library Services	NET EXPENDITURE	<b>3,379,449</b>	<b>3,333,500</b>	<b>(45,949)</b>
Management Support – Community Services	TOTAL EXPENSE	387,508	362,900	(24,608)
Management Support – Community Services	NET EXPENDITURE	<b>387,508</b>	<b>362,900</b>	<b>(24,608)</b>
NET EXPENDITURE / (REVENUE)		<b>6,602,680</b>	<b>6,323,800</b>	<b>(278,880)</b>

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Community Development

Community Development ended the year with a positive variance of \$54,207 due to additional rental income.

Community Facilities Unit

The net result of this responsibility centre was a net expenditure of \$2,597. There were no major variations to report.

Corporate Communication

This responsibility area yielded a net surplus of \$19,279 through savings in employee costs.

Cultural Services

The net result was a negative variation of \$273,811 for this responsibility centre. There were minor over runs with the Australia Day celebrations and the Festival on the Green. There was a variance of approximately \$4,000 for Australia Day, and the Festival on the Green budget was over expended by approximately \$6,000 due in part to expenses of \$3,000 from the previous year's festival, held on 27 June 2004, carrying over to the 2004/05 budget.

Art Centre income under achieved by \$141,000, due primarily to an increase in income forecasts which was not realised. It should be noted that this year's income has been consistent with previous year's results.

Anticipated revenue of \$78,000 for Community Programs was not realised because Child Care Benefit, and grant funding from the Department of Community Services was lower than expected. An internal adjustment was also made to align income and expenditure for each holiday period, resulting in income for 3, not 4, programs being realised in 2004-05 budget.

Filming revenue under achieved by \$18,000 due to the continual downturn in the filming industry which has occurred over the past 2 years.

Customer Services

Customer Services completed the year with a net expenditure of \$5,402. There were no major variations to report.

Library Services

This responsibility area completed the year with a net overrun of \$45,949, which was primarily due to employee costs, materials, and operating expenses.

Income for this area showed a negative variance of \$30,784 the majority of which is due to a reduction in photocopier fees in all the libraries.

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This responsibility area completed the year with a net overrun of \$24,608 relating primarily to employee costs.

DEVELOPMENT & REGULATION		2004/2005 Financial Year		
		Actual	Rev Budget	Variance
		\$	\$	\$
Administrative Service	TOTAL EXPENSE	1,020,455	996,000	(24,455)
Administrative Service	TOTAL REVENUE	534,432	615,000	(80,568)
Administrative Service	NET EXPENDITURE	<b>486,023</b>	<b>381,000</b>	<b>(105,023)</b>
Building Control Services	TOTAL EXPENSE	327,658	319,500	(8,158)
Building Control Services	TOTAL REVENUE	626,099	560,000	66,099
Building Control Services	NET EXPENDITURE	<b>(298,441)</b>	<b>(240,500)</b>	<b>57,941</b>
Compliance & Environmental Services	TOTAL EXPENSE	632,579	673,400	40,821
Compliance & Environmental Services	TOTAL REVENUE	217,582	194,500	23,082
Compliance & Environmental Services	NET EXPENDITURE	<b>414,997</b>	<b>478,900</b>	<b>63,903</b>
Development Control Services	TOTAL EXPENSE	3,927,514	3,467,700	(459,814)
Development Control Services	TOTAL REVENUE	1,583,278	1,598,000	(14,722)
Development Control Services	NET EXPENDITURE	<b>2,344,236</b>	<b>1,869,700</b>	<b>(474,536)</b>
Regulatory Services	TOTAL EXPENSE	819,178	828,800	9,622
Regulatory Services	TOTAL REVENUE	623,546	727,000	(103,454)
Regulatory Services	NET EXPENDITURE	<b>195,632</b>	<b>101,800</b>	<b>(93,832)</b>
Specialist Support Services	TOTAL EXPENSE	305,965	312,900	6,935
Specialist Support Services	TOTAL REVENUE	509,941	427,000	82,941
Specialist Support Services	NET EXPENDITURE	<b>(203,976)</b>	<b>(114,100)</b>	<b>89,876</b>
<b>NET EXPENDITURE / (REVENUE)</b>		<b>2,938,471</b>	<b>2,476,800</b>	<b>(461,671)</b>

The year end result for Development and Regulation Department resulted in a net overrun of \$461,671. This is attributable largely to over spending in Land and Environmental Court of \$334,800.

Budget performance for each responsibility centre within Development and Regulation is outlined as follows:

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Administrative Services

This net result for Administrative Services resulted in a negative variance of \$105,023. This variance is related to \$17,120 in employee costs and a shortfall in revenue of \$73,202 as a result of decreased outstanding notices.

Building Control Services

This responsibility area yielded a net surplus of \$57,941 through extra income received from construction certificates, building inspection and certificates fees.

Compliance & Environment Services

Compliance & Environment Services yielded a net surplus of \$63,903 through savings in employee costs and additional fines income.

Development Control

Net expenditure in Development Control Services was \$474,536 over budget, largely due to Land & Environment Court costs (\$319,584) and employee costs of \$87,795, which were required to assist the processing of development applications and undertake training in preparation for the implementation of the new "Proclaim" applications software system.

Regulatory Services

Regulatory Services ended the year with a net expenditure deficit of \$93,832. This was primarily attributable to revenue shortfalls for user fees & charges. Car parking, street parking and littering fines, plus regulatory inspection fees were below budget forecasts due to staff vacancies.

Specialist Support Services

This responsibility centre yielded a net surplus of \$89,876. This result was attributable to additional infrastructure restoration fees. There were no major variations to report.

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FINANCE & BUSINESS DEVELOPMENT		2004/2005 Financial Year		
		Actual	Rev Budget	Variance
		\$		\$
Business Development	TOTAL EXPENSE	191,186	201,600	10,414
Business Development	NET EXPENDITURE	<b>191,186</b>	<b>201,600</b>	<b>10,414</b>
Council Services	TOTAL EXPENSE	180,029	186,100	6,071
Council Services	TOTAL REVENUE	1,541	1,100	441
Council Services	NET EXPENDITURE	<b>178,488</b>	<b>185,000</b>	<b>6,512</b>
Corporate Accounts	TOTAL EXPENSE	5,015,231	5,081,800	66,569
Corporate Accounts	TOTAL REVENUE	46,857,582	43,714,300	3,143,282
Corporate Accounts	NET EXPENDITURE	<b>(41,842,351)</b>	<b>(38,632,500)</b>	<b>3,209,851</b>
Financial Management	TOTAL EXPENSE	1,008,824	998,600	(10,224)
Financial Management	TOTAL REVENUE	131,645	175,500	(43,855)
Financial Management	NET EXPENDITURE	<b>877,179</b>	<b>823,100</b>	<b>(54,079)</b>
Information Technology	TOTAL EXPENSE	1,896,085	1,741,500	(154,585)
Information Technology	NET EXPENDITURE	<b>1,896,085</b>	<b>1,741,500</b>	<b>(154,585)</b>
Insurance & Risk	TOTAL EXPENSE	876,221	829,800	(46,421)
Insurance & Risk	NET EXPENDITURE	<b>876,221</b>	<b>829,800</b>	<b>(46,421)</b>
Management Support – Finance & Business	TOTAL EXPENSE	260,247	231,500	(28,747)
Management Support – Finance & Business	NET EXPENDITURE	<b>260,247</b>	<b>231,500</b>	<b>(28,747)</b>
Print Room	TOTAL EXPENSE	181,729	191,600	9,871
Print Room	TOTAL REVENUE	192,222	230,200	(37,978)
Print Room	NET EXPENDITURE	<b>(10,493)</b>	<b>(38,600)</b>	<b>(28,107)</b>
Property Services	TOTAL EXPENSE	1,259,575	1,473,200	213,625
Property Services	TOTAL REVENUE	638,770	703,100	(64,330)
Property Services	NET EXPENDITURE	<b>620,805</b>	<b>770,100</b>	<b>149,295</b>
Records	TOTAL EXPENSE	434,509	435,700	1,191
Records	NET EXPENDITURE	<b>434,509</b>	<b>435,700</b>	<b>1,191</b>
Supply	TOTAL EXPENSE	392,375	343,800	(48,575)
Supply	TOTAL REVENUE	0	1,000	(1,000)
Supply	NET EXPENDITURE	<b>392,375</b>	<b>342,800</b>	<b>(49,575)</b>
<b>NET EXPENDITURE / (REVENUE)</b>		<b>(36,125,749)</b>	<b>(33,110,000)</b>	<b>3,015,749</b>

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Business Development

Business Development provided a net expenditure surplus of \$10,414 mainly from savings in employee costs.

Council Services

This responsibility centre completed the year with a positive variation of \$6,512.

Corporate Accounts

Statutory Levies performed to budget for the year.

Contributions provided a positive income variance of \$3,019,324. This mainly relates to S94 developer contributions parking funds received. These funds are externally restricted.

Financial Management

Financial Management ended the year with a net expenditure overrun of \$54,079. This was mainly due to an increase in employee costs. A negative income variation of \$30,640 is due to a downturn in the number of requests for Section 603 certificates.

Information Technology

Net expenditure in Information Technology has a budget overrun of \$154,585. This was primarily due to an increase in employee costs of \$43,232, higher than anticipated PABX services & equipment of \$74,756 and unbudgeted communication link upgrades for remote sites of \$17,693.

Insurance & Risk

This responsibility centre had a negative variance of \$46,421 for the year. This was primarily due to over expenditure of \$13,275 in security alarm monitoring services costs and insurance excess payments of \$31,749.

Management Support Finance & Business

This responsibility area completed the year with an over net expenditure of \$28,747 on a budget of \$231,500. This amount relates primarily to employee costs.

Print Room

Print room finished the year with a negative variation of \$28,107. This relates to internal services income.



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The net result of this responsibility centre was a positive variance of \$149,295 associated with savings in internal services building maintenance.

Supply

This responsibly area completed the year with a negative variance of \$48,575 in net expenditure. This was mainly due to an increase in employee costs of \$23,824 and in operating expenses of \$23,067, of which \$17,824 represented price variations incurred between the point at which stock was ordered and subsequently invoiced.

OPEN SPACE		2004/2005 Financial Year		
		Actual	Rev Budget	Variance
		\$	\$	\$
Bushland & Natural Resources	TOTAL EXPENSE	1,833,580	1,803,900	(29,680)
Bushland & Natural Resources	TOTAL REVENUE	68,070	62,700	5,370
Bushland & Natural Resources	NET EXPENDITURE	<b>1,765,510</b>	<b>1,741,200</b>	<b>(24,310)</b>
Management Support – Open Space	TOTAL EXPENSE	385,151	417,050	31,899
Management Support – Open Space	NET EXPENDITURE	<b>385,151</b>	<b>417,050</b>	<b>31,899</b>
Parks	TOTAL EXPENSE	2,117,483	2,252,400	134,917
Parks	TOTAL REVENUE	105,507	96,400	9,107
Parks	NET EXPENDITURE	<b>2,011,976</b>	<b>2,156,000</b>	<b>144,024</b>
Plant Nursery	TOTAL EXPENSE	165,211	218,200	52,989
Plant Nursery	TOTAL REVENUE	136,494	157,200	(20,706)
Plant Nursery	NET EXPENDITURE	<b>28,718</b>	<b>61,000</b>	<b>32,282</b>
Sport & Recreation	TOTAL EXPENSE	4,151,115	3,965,400	(185,715)
Sport & Recreation	TOTAL REVENUE	3,332,833	2,768,000	564,833
Sport & Recreation	NET EXPENDITURE	<b>818,282</b>	<b>1,197,400</b>	<b>379,118</b>
Tree & Landscape Assessment	TOTAL EXPENSE	536,592	518,800	(17,792)
Tree & Landscape Assessment	TOTAL REVENUE	105,708	112,000	(6,292)
Tree & Landscape Assessment	NET EXPENDITURE	<b>430,884</b>	<b>406,800</b>	<b>(24,084)</b>
Trees	TOTAL EXPENSE	1,176,519	1,107,300	(69,219)
Trees	NET EXPENDITURE	<b>1,176,519</b>	<b>1,107,300</b>	<b>(69,219)</b>
<b>NET EXPENDITURE / (REVENUE)</b>		<b>6,617,040</b>	<b>7,086,750</b>	<b>469,710</b>

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Bushland & Natural Resources

The Bushland & Natural Resources area ended the year with a net expenditure overrun of \$24,310.

The \$29,680 variance in total expenditure comprised \$48,933 in operating expenses and \$56,020 in materials & contractors, which was offset by the savings in employee costs of \$90,626. The negative variance also included internal services expenses of \$13,866.

Management Support Open Space

This responsibility area completed the year with a saving of \$31,899. This amount relates primarily to employee costs.

Parks

Parks completed the year with a net expenditure surplus of \$144,024. The majority of this saving is depreciation, a non-cash item. Savings of \$123,956 in employee costs were fully offset by contractors, materials and waste disposal.

Plant Nursery

Net expenditure in this responsibility centre resulted in a surplus of \$32,282.

Expenditure showed a positive variance of \$52,989 mainly from savings in employee costs of \$44,771 and in materials of \$7,851. This was partially offset by a negative variation of \$20,706 in income.

Sport & Recreation

The Sport and Recreation area ended the year with a net expenditure surplus of \$379,118.

The \$184,133 variance in expenses were made up of \$25,153 in operating expenses, \$163,887 in purchasing materials & hiring out contractors to undertake operational work due to unfilled vacant positions and \$145,225 in internal services due to works undertaken on open space buildings including swimming pool works. This was partially offset by a saving of \$179,419 in employee costs.

On the revenue side, income exceeded budget by \$564,833 mainly due to golf course fees, reflecting solid returns from the Golf Courses and increased income from sportsfields. The positive income variance also includes over achieved internal service income of \$204,057, a non-cash item.

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The Tree & Landscape Assessment area completed the year with a net expenditure overrun of \$24,084. This was primarily due to an over expenditure of \$23,480 in legal fees, for court cases that breached tree preservation regulations. The variation of income of \$6,292 represents slightly less applications than in previous years.

Trees

This responsibility centre completed the year with a net expenditure overrun of \$69,219. This is mainly made up by \$32,787 in employee costs and \$31,389 in materials and contractors due to unanticipated emergency works for major storm damage during the year.

PLANNING & ENVIRONMENT		2004/2005 Financial Year		
		Actual	Rev Budget	Variance
		\$	\$	\$
Environmental Policy Services	TOTAL EXPENSE	202,954	190,150	(12,804)
Environmental Policy Services	NET EXPENDITURE	<b>202,954</b>	<b>190,150</b>	<b>(12,804)</b>
Land Information Services	TOTAL EXPENSE	215,299	213,900	(1,399)
Land Information Services	TOTAL REVENUE	248,073	247,000	1,073
Land Information Services	NET EXPENDITURE	<b>(32,774)</b>	<b>(33,100)</b>	<b>(326)</b>
Management Support – Planning & Environment	TOTAL EXPENSE	381,515	434,300	52,785
Management Support – Planning & Environment	NET EXPENDITURE	<b>381,515</b>	<b>434,300</b>	<b>52,785</b>
Urban Planning	TOTAL EXPENSE	503,799	504,400	601
Urban Planning	TOTAL REVENUE	120,000	122,000	(2,000)
Urban Planning	NET EXPENDITURE	<b>383,799</b>	<b>382,400</b>	<b>(1,399)</b>
<b>NET EXPENDITURE / (REVENUE)</b>		<b>935,494</b>	<b>973,750</b>	<b>38,256</b>

Environmental Policy

This responsibility area completed the year with a net expenditure overrun of \$12,804 on a budget of \$190,150. This amount relates primarily to employee costs.

Land Information Services

Land Information Services ended the year with a minor overrun in net expenditure of \$326.

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Management Support of Planning and Environment yielded a net surplus of \$52,785 through savings in employee costs from an unfilled position.

Urban Planning

This responsibility centre completed the year with a net expenditure overrun of \$1,399 relating to internal service expenditure.

TECHNICAL SERVICES		2004/2005 Financial Year		
		Actual	Rev Budget	Variance
		\$	\$	\$
Depot Support Services	TOTAL EXPENSE	540,671	406,600	(134,071)
Depot Support Services	NET EXPENDITURE	<b>540,671</b>	<b>406,600</b>	<b>(134,071)</b>
Fleet Operations	TOTAL EXPENSE	2,884,575	2,650,600	(233,975)
Fleet Operations	TOTAL REVENUE	3,028,450	3,029,600	(1,150)
Fleet Operations	NET EXPENDITURE	<b>(143,876)</b>	<b>(379,000)</b>	<b>(235,124)</b>
Maintenance & Construction	TOTAL EXPENSE	6,439,410	6,798,700	359,290
Maintenance & Construction	TOTAL REVENUE	1,526,921	1,430,800	96,121
Maintenance & Construction	NET EXPENDITURE	<b>4,912,489</b>	<b>5,367,900</b>	<b>455,411</b>
Pavement Rehabilitation	TOTAL EXPENSE	690	0	(690)
Pavement Rehabilitation	NET EXPENDITURE	<b>690</b>	<b>0</b>	<b>(690)</b>
Management Support – Technical Services	TOTAL EXPENSE	1,978,936	1,933,400	(45,536)
Management Support – Technical Services	TOTAL REVENUE	273,096	250,000	23,096
Management Support – Technical Services	NET EXPENDITURE	<b>1,705,840</b>	<b>1,683,400</b>	<b>(22,440)</b>
Street Sweeping, Litter Control & Clean	TOTAL EXPENSE	1,106,403	1,192,700	86,297
Street Sweeping, Litter Control & Clean	TOTAL REVENUE	203,525	205,000	(1,475)
Street Sweeping, Litter Control & Clean	NET EXPENDITURE	<b>902,878</b>	<b>987,700</b>	<b>84,822</b>
Trade Services	TOTAL EXPENSE	7,520,637	7,035,150	(485,487)
Trade Services	TOTAL REVENUE	7,138,060	6,996,950	141,110
Trade Services	NET EXPENDITURE	<b>382,577</b>	<b>38,200</b>	<b>(344,377)</b>
Traffic & Project Service	TOTAL EXPENSE	1,277,921	1,238,400	(39,521)
Traffic & Project Service	TOTAL REVENUE	168,544	150,100	18,444
Traffic & Project Service	NET EXPENDITURE	<b>1,109,377</b>	<b>1,088,300</b>	<b>(21,077)</b>
<b>NET EXPENDITURE / (REVENUE)</b>		<b>9,410,646</b>	<b>9,193,100</b>	<b>(217,546)</b>

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Depot Support Services

This responsibility centre completed the year with a net expenditure overrun of \$134,071 relating to higher than anticipated costs in internal services building management. Other costs were within budget.

Fleet Operations

Fleet Operations ended the year with a net expenditure overrun of \$235,124. This relates to \$87,120 in depreciation, a non cash item, \$45,279 in operating expenses and \$191,705 in materials & contractors, which is partly offset by employee cost savings of \$89,528.

Expenditure variations included loss on sale of assets, maintenance costs of small plant and fuel costs.

Maintenance & Construction

This responsibility centre performed within budget for the year. The net expenditure surplus is \$455,411. This is mainly made up by \$325,957 savings in employee costs, \$26,475 in operating expenses, \$ 147,988 in materials & contractors, and \$96,121 over achieved in restoration income. This was partially offset by a negative variation of \$138,440 in depreciation.

Pavement Rehabilitation

No major variations to report in this area.

Management Support Technical Services

Management Support Technical Services completed the year with a net expenditure overrun of \$22,440. This negative variance included \$25,097 in employee costs and \$39,448 in operating expenses due to higher than expected lighting fees. This was partially offset by \$23,096 in additional income and grants received.

Street Sweeping, Litter Control & Clean

This responsibility centre performed within budget for the year. Employee costs and operating expenses provided a savings of \$124,412. This was partly offset by \$38,415 in materials and contractors. The overall position is a net expenditure surplus of \$84,822.

Trade Services

Trade Services ended the year with a net expenditure overrun of \$344,377. The expenditure variation of \$460,730 was attributable primarily to \$254,537 in internal services expenses, and \$105,419 in depreciation which are both non-cash items. Operating expenses and materials & contractors were also over spent due to higher use of contractors, but this was partly offset by the

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savings of \$140,069 in employee costs. User fees & charges income provided a positive result of \$106,826.

Traffic & Project Services

This responsibility centre completed the year with negative variance of \$21,077 in net expenditure. This relates to \$24,274 in operating expenses and \$31,100 representing a bus subsidy grant not received. However, these items are partly offset by the additional income of \$49,764 in user fees & charges generated from builders' contribution toward the usage of work zones.

WASTE MANAGEMENT		2004/2005 Financial Year		
		Actual	Rev Budget	Variance
		\$	\$	\$
Domestic Waste Services	TOTAL EXPENSE	8,946,121	9,838,400	892,279
Domestic Waste Services	TOTAL REVENUE	9,061,788	8,890,600	171,188
Domestic Waste Services	NET EXPENDITURE	(115,667)	947,800	1,063,467
Trade Waste Services	TOTAL EXPENSE	1,042,660	1,058,000	15,340
Trade Waste Services	TOTAL REVENUE	1,486,730	1,436,500	50,230
Trade Waste Services	NET EXPENDITURE	(444,070)	(378,500)	65,570
NET EXPENDITURE / (REVENUE)		(559,737)	569,300	1,129,037

Domestic Waste

The performance in this responsibility centre produced a positive variation of \$1,063,467.

The positive variation of \$892,279 in expenditure was mainly due to saving in waste disposal costs of \$254,024, contractors of \$210,157, and operational expenses savings of \$240,251 related to profit from sale of vehicles. There is also a savings in depreciation of \$135,917. It should be noted that there are a number of significant invoices which have not been posted at this point. These amounts are shown as a current liability in Council's financial statements.

On revenue side, the positive variation of \$171,188 represents \$52,940 additional income in annual charges, \$91,677 in user fees & charges derived from sale of recycling products and \$41,801 in other revenue for white goods collection.

Trade Waste

Trade Waste completed the year with positive variance of 65,570 in net expenditure; this is directly related to additional income achieved in annual charges on trade waste services.

**Projects 2004/2005**

Actual expenditure for projects for the year ended 30 June 2005 is \$12,892,761 or (91.22%) spent against the revised year budget of \$14,134,400. This leaves unspent funds of \$1,241,639 for the year. This is an improvement from previous financial year, where 75.60 % of the capital works/projects budget was expended.

A further detailed report will be submitted to Council presenting all projects requested to be carried forward for the 2004/05 financial year.

Project variations at a department level are as follows:

DEPARTMENT	PROJECTS 2004/2005		
	Actual	Rev Budget	Variance
	\$	\$	\$
CIVIC MANAGEMENT	696	0	(696)
COMMUNITY SERVICES	101,220	220,400	119,180
FINANCE & BUSINESS	2,735,087	2,797,300	62,213
OPEN SPACE	1,364,118	2,128,000	763,882
PLANNING & ENVIRONMENT	212,640	785,400	572,760
TECHNICAL SERVICES	8,410,917	8,123,300	(287,617)
WASTE MANAGEMENT	68,083	80,000	11,917
<b>TOTAL EXPENDITURE</b>	<b>12,892,761</b>	<b>14,134,400</b>	<b>1,241,639</b>

**Civic Management**

Civic Management has a minor over expenditure of \$696 relating to the Council Election from the previous financial year.

**Community Services**

Most of the capital projects in this department are completed. There are four projects that will be carried over to the new financial year, as they are funded by grants.

**Finance & Business Development**

This department had a total project budget of \$2,797,300. Out of this budgeted funding \$2,735,087 was spent.

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## **Planning & Environment**

The Department of Planning & Environment had a project budget of \$785,400. Out of this budget, \$212,640 was spent. Remaining projects will be carried out in 2005/2006, hence, the budget will be requested to be carried forward.

## **Open Space**

Open Space spent \$1,364,118 in expenditure against a total budget of \$2,128,000. Some carried forwards will be required for 2005/2006. Unspent funds relate primarily to the projects for major reconstruction of Barra Brui Oval and Queen Elizabeth Reserve which have both commenced together with a number of grant funded projects.

## **Technical Services**

Technical Services had a project budget of \$8,123,300 for the 2004/2005 financial year. Of this budgeted funding \$8,410,917 was spent.

## **Waste Management**

\$11,917 remains unspent in Waste Management and will be returned to the Domestic Waste Management Reserve.

## **CONSULTATION**

Not applicable

## **FINANCIAL CONSIDERATIONS**

It is not necessary to include any requests for budget variations in the June review. A report will be shortly referred to Council, which will analyse Council's working fund position. This report is dependant on the finalisation of Council's financial statements. Funding strategies for carried forwards will be assessed at this point in time.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Finance have worked with the Directors of each department to provide this quarterly review.

## **SUMMARY**

Council's overall budget for the financial year ending 30<sup>th</sup> June 2004 resulted in a surplus of \$7,031,225 compares to a budgeted surplus of \$4,152,200.



## RECOMMENDATION

That Council receive and note the contents of this report.

John McKee  
**Director Finance and Business**

Brian Bell  
**General Manager**

**Attachment:      Appendix A. June Financial Reports - 522762**



# MONTHLY FINANCIAL REPORTING - 2004/05

## COUNCIL SUMMARY

### Total Council

NET EXPENDITURE Department	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Civic Management	656,553	0	3,149,929	2,334,300	(815,629)	0	2,334,300
Community Services	114,097	0	6,602,680	6,323,800	(278,880)	0	6,323,800
Development & Regulation	(3,205)	0	2,938,471	2,476,800	(461,671)	0	2,476,800
Finance & Business	(8,895)	0	(36,125,749)	(33,110,000)	3,015,749	0	(33,110,000)
Open Space	(41,207)	0	6,617,040	7,086,750	469,710	0	7,086,750
Planning & Enviro	(44,740)	0	935,494	973,750	38,256	0	973,750
Technical Services	402,107	0	9,410,646	9,193,100	(217,546)	0	9,193,100
Waste Management	369,506	0	(559,737)	569,300	1,129,037	0	569,300
<b>NET EXPENDITURE / (REVENUE)</b>	<b>1,444,216</b>	<b>0</b>	<b>(7,031,225)</b>	<b>(4,152,200)</b>	<b>2,879,025</b>	<b>0</b>	<b>(4,152,200)</b>
<b>PROJECTS</b>							
<b>Capital Projects</b>	<b>(706,172)</b>	<b>0</b>	<b>5,996,411</b>	<b>4,165,800</b>	<b>(1,830,611)</b>	<b>0</b>	<b>4,165,800</b>
<b>Operating Projects</b>	<b>18,306</b>	<b>0</b>	<b>2,980,363</b>	<b>1,110,200</b>	<b>(1,870,163)</b>	<b>0</b>	<b>1,110,200</b>
<b>TOTAL PROJECTS</b>	<b>(687,866)</b>	<b>0</b>	<b>8,976,774</b>	<b>5,276,000</b>	<b>(3,700,774)</b>	<b>0</b>	<b>5,276,000</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	1,131,408	0	27,035,221	26,879,800	(155,421)	0	26,879,800
Operating Expenses	(521,530)	0	10,499,114	9,966,000	(533,114)	0	9,966,000
Materials & Contract	846,671	0	15,361,456	15,201,000	(160,456)	0	15,201,000
Statutory Levies	0	0	2,189,430	2,188,800	(630)	0	2,188,800
Pensioner Rebate	0	0	913,240	800,000	(113,240)	0	800,000
Interest Expense	0	0	671,088	693,700	22,612	0	693,700
Depreciation	(104)	0	6,801,006	6,892,600	91,594	0	6,892,600
Internal Transactions	3,489	0	11,402,035	11,418,750	16,715	0	11,418,750
<b>TOTAL OPERATING EXPENSE</b>	<b>1,459,934</b>	<b>0</b>	<b>74,872,590</b>	<b>74,040,650</b>	<b>(831,940)</b>	<b>0</b>	<b>74,040,650</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	(7,411)	0	539,438	565,600	26,162	0	565,600
<b>TOTAL CAPITALISED EXPENSE</b>	<b>(7,411)</b>	<b>0</b>	<b>539,438</b>	<b>565,600</b>	<b>26,162</b>	<b>0</b>	<b>565,600</b>
<b>TOTAL EXPENSE</b>	<b>1,452,523</b>	<b>0</b>	<b>75,412,028</b>	<b>74,606,250</b>	<b>(805,778)</b>	<b>0</b>	<b>74,606,250</b>
<b>REVENUE</b>							
Rates	(50,627)	0	35,340,553	35,354,300	(13,747)	0	35,354,300
Infrastructure Levy	58,019	0	1,705,908	1,704,700	1,208	0	1,704,700
Annual Charges	355,921	0	8,815,713	8,659,100	156,613	0	8,659,100
User Fees & Charges	(253,106)	0	14,885,373	14,544,100	341,273	0	14,544,100
Interest Income	87,962	0	1,081,730	925,000	156,730	0	925,000
Grants Recurrent	(171,739)	0	4,178,136	4,402,700	(224,564)	0	4,402,700
Contributions	0	0	5,019,324	2,000,000	3,019,324	0	2,000,000
Internal Transactions	(18,122)	0	11,416,516	11,168,550	247,966	0	11,168,550
<b>TOTAL REVENUE</b>	<b>8,307</b>	<b>0</b>	<b>82,443,253</b>	<b>78,758,450</b>	<b>3,684,803</b>	<b>0</b>	<b>78,758,450</b>
<b>NET DEFICIT / (SURPLUS)</b>	<b>1,444,216</b>	<b>0</b>	<b>(7,031,225)</b>	<b>(4,152,200)</b>	<b>2,879,025</b>	<b>0</b>	<b>(4,152,200)</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## DEPARTMENT SUMMARY

Department : Civic Management

NET EXPENDITURE Responsibility Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Councillor Support	6,124	0	538,786	512,000	(26,786)	0	512,000
Executive Support	(5,396)	0	730,999	663,800	(67,199)	0	663,800
Human Resource Management	655,825	0	1,880,143	1,158,500	(721,643)	0	1,158,500
<b>NET EXPENDITURE / (REVENUE)</b>	<b>656,553</b>	<b>0</b>	<b>3,149,929</b>	<b>2,334,300</b>	<b>(815,629)</b>	<b>0</b>	<b>2,334,300</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	629,401	0	2,200,648	1,488,800	(711,848)	0	1,488,800
Operating Expenses	36,975	0	771,967	680,700	(91,267)	0	680,700
Materials & Contract	(9,823)	0	56,991	45,900	(11,091)	0	45,900
Statutory Levies	0	0	500	0	(500)	0	0
Depreciation	0	0	778	0	(778)	0	0
Internal Transactions	0	0	140,075	142,300	2,225	0	142,300
<b>TOTAL OPERATING EXPENSE</b>	<b>656,553</b>	<b>0</b>	<b>3,170,959</b>	<b>2,357,700</b>	<b>(813,259)</b>	<b>0</b>	<b>2,357,700</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	3,186	3,200	14	0	3,200
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>3,186</b>	<b>3,200</b>	<b>14</b>	<b>0</b>	<b>3,200</b>
<b>TOTAL EXPENSE</b>	<b>656,553</b>	<b>0</b>	<b>3,174,146</b>	<b>2,360,900</b>	<b>(813,246)</b>	<b>0</b>	<b>2,360,900</b>
<b>REVENUE</b>							
User Fees & Charges	0	0	24,217	26,600	2,383	0	26,600
Interest Income	0	0	0	0	0	0	0
<b>TOTAL REVENUE</b>	<b>0</b>	<b>0</b>	<b>24,217</b>	<b>26,600</b>	<b>2,383</b>	<b>0</b>	<b>26,600</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(656,553)</b>	<b>0</b>	<b>(3,149,929)</b>	<b>(2,334,300)</b>	<b>815,629</b>	<b>0</b>	<b>(2,334,300)</b>
<b>PROJECTS</b>							
Operating Projects	0	0	696	0	(696)	0	0
<b>TOTAL PROJECTS</b>	<b>0</b>	<b>0</b>	<b>696</b>	<b>0</b>	<b>(696)</b>	<b>0</b>	<b>0</b>



# PROJECTS - 2004/05

Department : Civic Management

Adjustments Year To Date

Printed On

03-August-2005

Projects	Actual				Commit	Revised Budget			
	Net	Funding	Revenue	Expense		Net	Funding	Revenue	Expense
<b>Operational Project</b>									
100145 - Election '04 - 2003/2004	696	0	0	696	0	0	0	0	0
<b>Total For: Operational Project</b>	696	0	0	696	0	0	0	0	0
<b>Programs</b>									
400009 - Media Watch	41,050	0	0	41,050	0	0	0	0	0
<b>Total For: Programs</b>	41,050	0	0	41,050	0	0	0	0	0
<b>Total Projects</b>	41,745	0	0	41,745	0	0	0	0	0



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Councillor Support

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Councillor Support	6,124	0	538,786	512,000	(26,786)	0	512,000
<b>NET EXPENDITURE / (REVENUE)</b>	6,124	0	538,786	512,000	(26,786)	0	512,000
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(120)	0	126,745	119,400	(7,345)	0	119,400
Operating Expenses	6,185	0	281,395	266,200	(15,195)	0	266,200
Materials & Contract	59	0	32,565	29,300	(3,265)	0	29,300
Internal Transactions	0	0	98,081	97,100	(981)	0	97,100
<b>TOTAL OPERATING EXPENSE</b>	6,124	0	538,786	512,000	(26,786)	0	512,000
<b>TOTAL EXPENSE</b>	6,124	0	538,786	512,000	(26,786)	0	512,000
<b>NET SURPLUS / (DEFICIT)</b>	(6,124)	0	(538,786)	(512,000)	26,786	0	(512,000)
<b>PROJECTS</b>							
Operating Projects	0	0	696	0	(696)	0	0
<b>TOTAL PROJECTS</b>	0	0	696	0	(696)	0	0



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Executive Support

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Executive Support	(5,396)	0	730,999	663,800	(67,199)	0	663,800
<b>NET EXPENDITURE / (REVENUE)</b>	(5,396)	0	730,999	663,800	(67,199)	0	663,800
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(9,639)	0	638,110	582,900	(55,210)	0	582,900
Operating Expenses	14,605	0	62,271	54,600	(7,671)	0	54,600
Materials & Contract	(10,363)	0	8,956	4,900	(4,056)	0	4,900
Depreciation	0	0	778	0	(778)	0	0
Internal Transactions	0	0	17,698	18,200	502	0	18,200
<b>TOTAL OPERATING EXPENSE</b>	(5,396)	0	727,813	660,600	(67,213)	0	660,600
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	3,186	3,200	14	0	3,200
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	3,186	3,200	14	0	3,200
<b>TOTAL EXPENSE</b>	(5,396)	0	730,999	663,800	(67,199)	0	663,800
<b>NET SURPLUS / (DEFICIT)</b>	5,396	0	(730,999)	(663,800)	67,199	0	(663,800)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Human Resource Management

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Occupational, Health and Safety	646,211	0	746,186	94,200	(651,986)	0	94,200
Payroll Processing	483	0	135,913	124,100	(11,813)	0	124,100
Staff Training and Development	(485)	0	423,423	418,000	(5,423)	0	418,000
Workforce Management	9,616	0	574,621	522,200	(52,421)	0	522,200
<b>NET EXPENDITURE / (REVENUE)</b>	655,825	0	1,880,143	1,158,500	(721,643)	0	1,158,500
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	639,159	0	1,435,793	786,500	(649,293)	0	786,500
Operating Expenses	16,185	0	428,301	359,900	(68,401)	0	359,900
Materials & Contract	481	0	15,469	11,700	(3,769)	0	11,700
Statutory Levies	0	0	500	0	(500)	0	0
Internal Transactions	0	0	24,297	27,000	2,704	0	27,000
<b>TOTAL OPERATING EXPENSE</b>	655,825	0	1,904,360	1,185,100	(719,260)	0	1,185,100
<b>TOTAL EXPENSE</b>	655,825	0	1,904,360	1,185,100	(719,260)	0	1,185,100
<b>REVENUE</b>							
User Fees & Charges	0	0	24,217	26,600	2,383	0	26,600
<b>TOTAL REVENUE</b>	0	0	24,217	26,600	2,383	0	26,600
<b>NET SURPLUS / (DEFICIT)</b>	(655,825)	0	(1,880,143)	(1,158,500)	721,643	0	(1,158,500)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## DEPARTMENT SUMMARY

Department : Community Services

NET EXPENDITURE		Adjustments		Adjustments Year To Date		Commitments	Full Year
Responsibility Centre		Actual	Budget	Actual	Budget	Variance	Budget
<b>OPERATING</b>							
Community Development	(4,493)	0	895,793	950,000	54,207	0	950,000
Community Facilities Unit	4,700	0	475,797	473,200	(2,597)	0	473,200
Corp Communications	(4,323)	0	253,721	273,000	19,279	0	273,000
Cultural Services	101,869	0	372,211	98,400	(273,811)	0	98,400
Customer Services	(10,491)	0	838,202	832,800	(5,402)	0	832,800
Library Services	31,593	0	3,379,449	3,333,500	(45,949)	0	3,333,500
Mgmt Sup Comm Servs	(4,758)	0	387,508	362,900	(24,608)	0	362,900
<b>NET EXPENDITURE / (REVENUE)</b>	<b>114,097</b>	<b>0</b>	<b>6,602,680</b>	<b>6,323,800</b>	<b>(278,880)</b>	<b>0</b>	<b>6,323,800</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(18,855)	0	5,506,204	5,388,500	(117,704)	0	5,388,500
Operating Expenses	43,084	0	840,416	883,200	42,784	0	883,200
Materials & Contract	10,766	0	383,070	333,300	(49,770)	0	333,300
Depreciation	(104)	0	264,442	411,200	146,758	0	411,200
Internal Transactions	3,666	0	2,664,720	2,693,700	28,980	0	2,693,700
<b>TOTAL OPERATING EXPENSE</b>	<b>38,557</b>	<b>0</b>	<b>9,658,851</b>	<b>9,709,900</b>	<b>51,049</b>	<b>0</b>	<b>9,709,900</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	442,429	444,200	1,771	0	444,200
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>442,429</b>	<b>444,200</b>	<b>1,771</b>	<b>0</b>	<b>444,200</b>
<b>TOTAL EXPENSE</b>	<b>38,557</b>	<b>0</b>	<b>10,101,280</b>	<b>10,154,100</b>	<b>52,820</b>	<b>0</b>	<b>10,154,100</b>
<b>REVENUE</b>							
User Fees & Charges	(75,540)	0	1,326,863	1,565,800	238,937	0	1,565,800
Grants Recurrent	0	0	803,158	954,300	151,142	0	954,300
Contributions	0	0	0	0	0	0	0
Internal Transactions	0	0	1,368,579	1,310,200	(58,379)	0	1,310,200
<b>TOTAL REVENUE</b>	<b>(75,540)</b>	<b>0</b>	<b>3,498,600</b>	<b>3,830,300</b>	<b>331,700</b>	<b>0</b>	<b>3,830,300</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(114,097)</b>	<b>0</b>	<b>(6,602,680)</b>	<b>(6,323,800)</b>	<b>278,880</b>	<b>0</b>	<b>(6,323,800)</b>
<b>PROJECTS</b>							
Capital Projects	0	0	25,505	20,000	(5,505)	0	20,000
Operating Projects	0	0	(22,994)	15,500	38,494	0	15,500
<b>TOTAL PROJECTS</b>	<b>0</b>	<b>0</b>	<b>2,511</b>	<b>35,500</b>	<b>32,989</b>	<b>0</b>	<b>35,500</b>





# PROJECTS - 2004/05

Department : Community Services

Adjustments Year To Date

Printed On  
12-August-2005

Projects	Actual				Commit	Revised Budget			
	Net	Funding	Revenue	Expense		Net	Funding	Revenue	Expense
<b>Capital Project</b>									
100056 - Lady Game Community Kinderga	18,182	0	23,198	41,380	0	20,000	0	23,200	43,200
100150 - Library Chinese Materials Purch	7,323	0	0	7,323	0	0	7,200	0	7,200
100151 - Library Self-Checkers 2003/2004	0	0	0	0	0	0	39,200	0	39,200
<b>Total For: Capital Project</b>	25,505	0	23,198	48,703	0	20,000	46,400	23,200	89,600
<b>Operational Project</b>									
100034 - Resident Feedback Register	10,171	0	0	10,171	0	10,000	0	0	10,000
100054 - International Women's Day	(74)	0	800	726	0	0	0	800	800
100055 - A Non-User Survey of Ku-Ring-Gai	(31,500)	0	31,500	0	0	0	0	31,500	31,500
100063 - Indent	2,440	0	4,000	6,440	0	0	0	4,000	4,000
100064 - Special Purpose Grants 2004/200	(39,210)	0	39,210	0	0	0	0	39,000	39,000
100074 - Council Website Updates	19	0	0	19	0	5,500	0	0	5,500
100176 - Cultural Facility Feasibility Study	26,615	0	0	26,615	0	0	30,000	0	30,000
100187 - New Residents Kit	8,545	0	0	8,545	0	0	10,000	0	10,000
<b>Total For: Operational Project</b>	(22,994)	0	75,510	52,516	0	15,500	40,000	75,300	130,800



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Community Development

NET EXPENDITURE		Adjustments		Adjustments Year To Date		Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance	Budget
<b>OPERATING</b>							
Aged Services	(1,035)	0	125,819	108,000	(17,819)	0	108,000
Children Services Development	(840)	0	289,105	406,700	117,595	0	406,700
Family Day Care	260	0	119,832	130,000	10,168	0	130,000
Service Planning and Development	(1,065)	0	221,931	219,800	(2,131)	0	219,800
Thomas Carlyle Children's Centre	(169)	0	17,021	(30,200)	(47,221)	0	(30,200)
Youth Services	(1,645)	0	122,085	115,700	(6,385)	0	115,700
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(4,493)</b>	<b>0</b>	<b>895,793</b>	<b>950,000</b>	<b>54,207</b>	<b>0</b>	<b>950,000</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(13,969)	0	1,201,700	1,173,300	(28,400)	0	1,173,300
Operating Expenses	6,282	0	355,395	462,200	106,805	0	462,200
Materials & Contract	3,478	0	148,573	135,700	(12,873)	0	135,700
Depreciation	(104)	0	3,770	3,100	(670)	0	3,100
Internal Transactions	0	0	1,231,741	1,164,400	(67,341)	0	1,164,400
<b>TOTAL OPERATING EXPENSE</b>	<b>(4,314)</b>	<b>0</b>	<b>2,941,179</b>	<b>2,938,700</b>	<b>(2,479)</b>	<b>0</b>	<b>2,938,700</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	0	0	0	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENSE</b>	<b>(4,314)</b>	<b>0</b>	<b>2,941,179</b>	<b>2,938,700</b>	<b>(2,479)</b>	<b>0</b>	<b>2,938,700</b>
<b>REVENUE</b>							
User Fees & Charges	179	0	667,687	651,700	(15,987)	0	651,700
Grants Recurrent	0	0	546,336	672,300	125,964	0	672,300
Internal Transactions	0	0	831,363	664,700	(166,663)	0	664,700
<b>TOTAL REVENUE</b>	<b>179</b>	<b>0</b>	<b>2,045,386</b>	<b>1,988,700</b>	<b>(56,686)</b>	<b>0</b>	<b>1,988,700</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>4,493</b>	<b>0</b>	<b>(895,793)</b>	<b>(950,000)</b>	<b>(54,207)</b>	<b>0</b>	<b>(950,000)</b>
<b>PROJECTS</b>							
Operating Projects	0	0	12,537	10,000	(2,537)	0	10,000
<b>TOTAL PROJECTS</b>	<b>0</b>	<b>0</b>	<b>12,537</b>	<b>10,000</b>	<b>(2,537)</b>	<b>0</b>	<b>10,000</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Community Facilities Unit

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Community Facilities Unit		3,952	0	142,482	109,100	(33,382)	0	109,100
Community Halls		747	0	218,377	224,000	5,623	0	224,000
Meeting Rooms		0	0	114,937	140,100	25,163	0	140,100
<b>NET EXPENDITURE / (REVENUE)</b>		<b>4,700</b>	<b>0</b>	<b>475,797</b>	<b>473,200</b>	<b>(2,597)</b>	<b>0</b>	<b>473,200</b>
<b>NET OPERATING</b>								
<b>EXPENSE</b>								
Employee Costs		(2,665)	0	123,874	103,900	(19,974)	0	103,900
Operating Expenses		6,617	0	21,660	14,800	(6,860)	0	14,800
Materials & Contract		747	0	3,943	6,000	2,057	0	6,000
Depreciation		0	0	0	8,000	8,000	0	8,000
Internal Transactions		0	0	870,124	999,800	129,676	0	999,800
<b>TOTAL OPERATING EXPENSE</b>		<b>4,700</b>	<b>0</b>	<b>1,019,601</b>	<b>1,132,500</b>	<b>112,899</b>	<b>0</b>	<b>1,132,500</b>
<b>TOTAL EXPENSE</b>		<b>4,700</b>	<b>0</b>	<b>1,019,601</b>	<b>1,132,500</b>	<b>112,899</b>	<b>0</b>	<b>1,132,500</b>
<b>REVENUE</b>								
User Fees & Charges		0	0	6,731	13,800	7,069	0	13,800
Internal Transactions		0	0	537,073	645,500	108,427	0	645,500
<b>TOTAL REVENUE</b>		<b>0</b>	<b>0</b>	<b>543,805</b>	<b>659,300</b>	<b>115,495</b>	<b>0</b>	<b>659,300</b>
<b>NET SURPLUS / (DEFICIT)</b>		<b>(4,700)</b>	<b>0</b>	<b>(475,797)</b>	<b>(473,200)</b>	<b>2,597</b>	<b>0</b>	<b>(473,200)</b>
<b>PROJECTS</b>								
Capital Projects		0	0	18,182	20,000	1,818	0	20,000
<b>TOTAL PROJECTS</b>		<b>0</b>	<b>0</b>	<b>18,182</b>	<b>20,000</b>	<b>1,818</b>	<b>0</b>	<b>20,000</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Corp Communications

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Community Relations	(4,323)	0	253,721	273,000	19,279	0	273,000
<b>NET EXPENDITURE / (REVENUE)</b>	(4,323)	0	253,721	273,000	19,279	0	273,000
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(3,432)	0	174,527	192,100	17,573	0	192,100
Operating Expenses	611	0	54,879	60,200	5,321	0	60,200
Materials & Contract	(1,503)	0	21,608	17,400	(4,208)	0	17,400
Internal Transactions	0	0	2,706	3,300	594	0	3,300
<b>TOTAL OPERATING EXPENSE</b>	(4,323)	0	253,721	273,000	19,279	0	273,000
<b>TOTAL EXPENSE</b>	(4,323)	0	253,721	273,000	19,279	0	273,000
<b>NET SURPLUS / (DEFICIT)</b>	4,323	0	(253,721)	(273,000)	(19,279)	0	(273,000)
<b>PROJECTS</b>							
Operating Projects	0	0	8,564	5,500	(3,064)	0	5,500
<b>TOTAL PROJECTS</b>	0	0	8,564	5,500	(3,064)	0	5,500



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Cultural Services

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Art Centre	71,069	0	121,028	(13,000)	(134,028)	0	(13,000)
Community Programs	31,246	0	80,277	(2,100)	(82,377)	0	(2,100)
Cultural Development	(446)	0	170,905	113,500	(57,405)	0	113,500
<b>NET EXPENDITURE / (REVENUE)</b>	101,869	0	372,211	98,400	(273,811)	0	98,400
<b>NET OPERATING EXPENSE</b>							
Employee Costs	(7,197)	0	679,316	679,200	(116)	0	679,200
Operating Expenses	28,465	0	123,790	88,200	(35,590)	0	88,200
Materials & Contract	4,979	0	98,303	97,100	(1,203)	0	97,100
Depreciation	0	0	3,852	4,600	748	0	4,600
Internal Transactions	0	0	86,566	79,400	(7,166)	0	79,400
<b>TOTAL OPERATING EXPENSE</b>	26,247	0	991,826	948,500	(43,326)	0	948,500
<b>TOTAL EXPENSE</b>	26,247	0	991,826	948,500	(43,326)	0	948,500
<b>REVENUE</b>							
User Fees & Charges	(75,621)	0	564,000	770,100	206,100	0	770,100
Grants Recurrent	0	0	55,616	80,000	24,384	0	80,000
<b>TOTAL REVENUE</b>	(75,621)	0	619,616	850,100	230,484	0	850,100
<b>NET SURPLUS / (DEFICIT)</b>	(101,869)	0	(372,211)	(98,400)	273,811	0	(98,400)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full-Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Customer Relations		(10,491)	0	838,202	832,800	(5,402)	0	832,800
<b>NET EXPENDITURE / (REVENUE)</b>		(10,491)	0	838,202	832,800	(5,402)	0	832,800
<b>NET OPERATING RESULT</b>								
<b>EXPENSE</b>								
Employee Costs		(12,499)	0	782,154	804,500	22,346	0	804,500
Operating Expenses		0	0	32,520	20,800	(11,720)	0	20,800
Materials & Contract		1,926	0	37,952	30,800	(7,152)	0	30,800
Depreciation		0	0	181	0	(181)	0	0
Internal Transactions		0	0	9,072	12,000	2,928	0	12,000
<b>TOTAL OPERATING EXPENSE</b>		(10,574)	0	861,879	868,100	6,221	0	868,100
<b>TOTAL EXPENSE</b>		(10,574)	0	861,879	868,100	6,221	0	868,100
<b>REVENUE</b>								
User Fees & Charges		(82)	0	23,677	35,300	11,623	0	35,300
<b>TOTAL REVENUE</b>		(82)	0	23,677	35,300	11,623	0	35,300
<b>NET SURPLUS / (DEFICIT)</b>		10,491	0	(838,202)	(832,800)	5,402	0	(832,800)
<b>PROJECTS</b>								
<b>TOTAL PROJECTS</b>								



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Library Services

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Management Support - Library Serv	85,085	0	320,478	408,500	88,022	0	408,500
Gordon Library	(12,792)	0	1,025,515	926,300	(99,215)	0	926,300
Information Services	(6,611)	0	646,930	637,800	(9,130)	0	637,800
Lindfield Library	(3,742)	0	163,103	162,300	(803)	0	162,300
Special Library Services	(2,561)	0	112,660	109,200	(3,460)	0	109,200
St. Ives Library	(7,615)	0	308,004	295,700	(12,304)	0	295,700
Technical Services	(10,954)	0	327,456	323,700	(3,756)	0	323,700
Turramurra Library	(7,209)	0	323,890	329,300	5,410	0	329,300
Young Adult and Childrens Services	(2,008)	0	151,414	140,700	(10,714)	0	140,700
<b>NET EXPENDITURE / (REVENUE)</b>	31,593	0	3,379,449	3,333,500	(45,949)	0	3,333,500
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	25,664	0	2,241,839	2,162,900	(78,939)	0	2,162,900
Operating Expenses	1,109	0	188,876	165,700	(23,176)	0	165,700
Materials & Contract	1,139	0	63,379	41,300	(22,079)	0	41,300
Depreciation	0	0	255,591	393,000	137,409	0	393,000
Internal Transactions	3,666	0	453,452	423,300	(30,152)	0	423,300
<b>TOTAL OPERATING EXPENSE</b>	31,578	0	3,203,136	3,186,200	(16,936)	0	3,186,200
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	442,429	444,200	1,771	0	444,200
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	442,429	444,200	1,771	0	444,200
<b>TOTAL EXPENSE</b>	31,578	0	3,645,565	3,630,400	(15,165)	0	3,630,400
<b>REVENUE</b>							
User Fees & Charges	(15)	0	64,768	94,900	30,132	0	94,900
Grants Recurrent	0	0	201,206	202,000	794	0	202,000
Contributions	0	0	0	0	0	0	0
Internal Transactions	0	0	142	0	(142)	0	0
<b>TOTAL REVENUE</b>	(15)	0	266,116	296,900	30,784	0	296,900
<b>NET SURPLUS / (DEFICIT)</b>	(31,593)	0	(3,379,449)	(3,333,500)	45,949	0	(3,333,500)
<b>PROJECTS</b>							
Capital Projects	0	0	7,323	0	(7,323)	0	0
Operating Projects	0	0	(70,710)	0	70,710	0	0
<b>TOTAL PROJECTS</b>	0	0	(63,387)	0	63,387	0	0



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Mgnt Sup Comm Servs

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Management Support - Community S		(4,758)	0	387,508	362,900	(24,608)	0	362,900
<b>NET EXPENDITURE / (REVENUE)</b>		(4,758)	0	387,508	362,900	(24,608)	0	362,900
<b>NET OPERATING</b>								
<b>EXPENSE</b>								
Employee Costs		(4,758)	0	302,793	272,600	(30,193)	0	272,600
Operating Expenses		0	0	63,296	71,300	8,004	0	71,300
Materials & Contract		0	0	9,311	5,000	(4,311)	0	5,000
Depreciation		0	0	1,048	2,500	1,452	0	2,500
Internal Transactions		0	0	11,059	11,500	441	0	11,500
<b>TOTAL OPERATING EXPENSE</b>		(4,758)	0	387,508	362,900	(24,608)	0	362,900
<b>TOTAL EXPENSE</b>		(4,758)	0	387,508	362,900	(24,608)	0	362,900
<b>NET SURPLUS / (DEFICIT)</b>		4,758	0	(387,508)	(362,900)	24,608	0	(362,900)
<b>PROJECTS</b>								
Operating Projects		0	0	26,615	0	(26,615)	0	0
<b>TOTAL PROJECTS</b>		0	0	26,615	0	(26,615)	0	0





# MONTHLY FINANCIAL REPORTING - 2004/05

## DEPARTMENT SUMMARY

Department : Development & Regulation

NET EXPENDITURE Responsibility Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Building Control	(2,732)	0	(298,441)	(240,500)	57,941	0	(240,500)
Compliance & Enviro	(6,465)	0	414,997	478,900	63,903	0	478,900
Administrative Servs	(17,136)	0	486,023	381,000	(105,023)	0	381,000
Development Control	76,523	0	2,344,236	1,869,700	(474,536)	0	1,869,700
Regulatory Services	(46,330)	0	195,632	101,800	(93,832)	0	101,800
Specialist Support	(7,066)	0	(203,976)	(114,100)	89,876	0	(114,100)
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(3,205)</b>	<b>0</b>	<b>2,938,471</b>	<b>2,476,800</b>	<b>(461,671)</b>	<b>0</b>	<b>2,476,800</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(73,918)	0	4,174,989	4,141,400	(33,589)	0	4,141,400
Operating Expenses	108,827	0	2,202,733	1,820,200	(382,533)	0	1,820,200
Materials & Contract	3,190	0	241,422	221,400	(20,022)	0	221,400
Statutory Levies	0	0	0	0	0	0	0
Depreciation	0	0	333	0	(333)	0	0
Internal Transactions	0	0	411,793	415,300	3,507	0	415,300
<b>TOTAL OPERATING EXPENSE</b>	<b>38,099</b>	<b>0</b>	<b>7,031,269</b>	<b>6,598,300</b>	<b>(432,969)</b>	<b>0</b>	<b>6,598,300</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	2,080	0	(2,080)	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>2,080</b>	<b>0</b>	<b>(2,080)</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENSE</b>	<b>38,099</b>	<b>0</b>	<b>7,033,349</b>	<b>6,598,300</b>	<b>(435,049)</b>	<b>0</b>	<b>6,598,300</b>
<b>REVENUE</b>							
User Fees & Charges	38,043	0	4,091,617	4,121,500	29,883	0	4,121,500
Grants Recurrent	3,261	0	3,261	0	(3,261)	0	0
<b>TOTAL REVENUE</b>	<b>41,304</b>	<b>0</b>	<b>4,094,878</b>	<b>4,121,500</b>	<b>26,622</b>	<b>0</b>	<b>4,121,500</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>3,205</b>	<b>0</b>	<b>(2,938,471)</b>	<b>(2,476,800)</b>	<b>461,671</b>	<b>0</b>	<b>(2,476,800)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Building Control

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Building Unit		(2,732)	0	(298,441)	(240,500)	57,941	0	(240,500)
Complying Development		0	0	0	0	0	0	0
<b>NET EXPENDITURE / (REVENUE)</b>		(2,732)	0	(298,441)	(240,500)	57,941	0	(240,500)
<b>NET OPERATING</b>								
<b>EXPENSE</b>								
Employee Costs		(3,074)	0	217,181	240,200	23,019	0	240,200
Operating Expenses		0	0	1,658	1,800	142	0	1,800
Materials & Contract		0	0	82,443	50,300	(32,143)	0	50,300
Internal Transactions		0	0	26,377	27,200	823	0	27,200
<b>TOTAL OPERATING EXPENSE</b>		(3,074)	0	327,658	319,500	(8,158)	0	319,500
<b>TOTAL EXPENSE</b>		(3,074)	0	327,658	319,500	(8,158)	0	319,500
<b>REVENUE</b>								
User Fees & Charges		(342)	0	626,099	560,000	(66,099)	0	560,000
<b>TOTAL REVENUE</b>		(342)	0	626,099	560,000	(66,099)	0	560,000
<b>NET SURPLUS / (DEFICIT)</b>		2,732	0	298,441	240,500	(57,941)	0	240,500
<b>PROJECTS</b>								
<b>TOTAL PROJECTS</b>								



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Compliance & Enviro

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Development Compliance		(1,075)	0	72,391	167,900	95,509	0	167,900
Environmental Compliance		(1,521)	0	24,359	33,200	8,841	0	33,200
Public Health Services		(3,869)	0	318,247	277,800	(40,447)	0	277,800
<b>NET EXPENDITURE / (REVENUE)</b>		<b>(6,465)</b>	<b>0</b>	<b>414,997</b>	<b>478,900</b>	<b>63,903</b>	<b>0</b>	<b>478,900</b>
<b>NET OPERATING RESULT</b>								
<b>EXPENSE</b>								
Employee Costs		(6,793)	0	466,793	530,100	63,307	0	530,100
Operating Expenses		328	0	86,307	58,100	(28,207)	0	58,100
Materials & Contract		0	0	13,947	20,400	6,453	0	20,400
Depreciation		0	0	285	0	(285)	0	0
Internal Transactions		0	0	65,247	64,800	(447)	0	64,800
<b>TOTAL OPERATING EXPENSE</b>		<b>(6,465)</b>	<b>0</b>	<b>632,579</b>	<b>673,400</b>	<b>40,821</b>	<b>0</b>	<b>673,400</b>
<b>CAPITALISED EXPENSE</b>								
Balance Sheet		0	0	0	0	0	0	0
<b>TOTAL CAPITALISED EXPENSE</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENSE</b>		<b>(6,465)</b>	<b>0</b>	<b>632,579</b>	<b>673,400</b>	<b>40,821</b>	<b>0</b>	<b>673,400</b>
<b>REVENUE</b>								
User Fees & Charges		0	0	217,582	194,500	(23,082)	0	194,500
<b>TOTAL REVENUE</b>		<b>0</b>	<b>0</b>	<b>217,582</b>	<b>194,500</b>	<b>(23,082)</b>	<b>0</b>	<b>194,500</b>
<b>NET SURPLUS / (DEFICIT)</b>		<b>6,465</b>	<b>0</b>	<b>(414,997)</b>	<b>(478,900)</b>	<b>(63,903)</b>	<b>0</b>	<b>(478,900)</b>
<b>PROJECTS</b>								
<b>TOTAL PROJECTS</b>								

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Mgt Support - Environment & Reg S	(3,207)	0	254,920	237,800	(17,120)	0	237,800
Administration	(9,571)	0	(61,899)	(145,300)	(83,401)	0	(145,300)
Word Processing	(4,357)	0	293,001	288,500	(4,501)	0	288,500
<b>NET EXPENDITURE / (REVENUE)</b>	(17,136)	0	486,023	381,000	(105,023)	0	381,000
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(17,629)	0	874,168	827,800	(46,368)	0	827,800
Operating Expenses	42	0	68,573	87,900	19,327	0	87,900
Materials & Contract	289	0	55,402	55,000	(402)	0	55,000
Internal Transactions	0	0	22,312	25,300	2,988	0	25,300
<b>TOTAL OPERATING EXPENSE</b>	(17,298)	0	1,020,455	996,000	(24,455)	0	996,000
<b>TOTAL EXPENSE</b>	(17,298)	0	1,020,455	996,000	(24,455)	0	996,000
<b>REVENUE</b>							
User Fees & Charges	(163)	0	534,432	615,000	80,568	0	615,000
<b>TOTAL REVENUE</b>	(163)	0	534,432	615,000	80,568	0	615,000
<b>NET SURPLUS / (DEFICIT)</b>	17,136	0	(486,023)	(381,000)	105,023	0	(381,000)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Development Control

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Development Assessments	76,523	0	2,344,236	1,869,700	(474,536)	0	1,869,700
<b>NET EXPENDITURE / (REVENUE)</b>	76,523	0	2,344,236	1,869,700	(474,536)	0	1,869,700
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(37,501)	0	1,760,295	1,672,500	(87,795)	0	1,672,500
Operating Expenses	107,770	0	1,933,121	1,563,200	(369,921)	0	1,563,200
Materials & Contract	2,901	0	36,207	37,100	893	0	37,100
Statutory Levies	0	0	0	0	0	0	0
Depreciation	0	0	48	0	(48)	0	0
Internal Transactions	0	0	195,764	194,900	(864)	0	194,900
<b>TOTAL OPERATING EXPENSE</b>	73,171	0	3,925,434	3,467,700	(457,734)	0	3,467,700
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	2,080	0	(2,080)	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	2,080	0	(2,080)	0	0
<b>TOTAL EXPENSE</b>	73,171	0	3,927,514	3,467,700	(459,814)	0	3,467,700
<b>REVENUE</b>							
User Fees & Charges	(3,353)	0	1,583,278	1,598,000	14,722	0	1,598,000
<b>TOTAL REVENUE</b>	(3,353)	0	1,583,278	1,598,000	14,722	0	1,598,000
<b>NET SURPLUS / (DEFICIT)</b>	(76,523)	0	(2,344,236)	(1,869,700)	474,536	0	(1,869,700)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Regulatory Services

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Animal Control	(3,440)	0	33,439	76,800	43,361	0	76,800
Parking & Traffic	(41,356)	0	(201,242)	(296,900)	(95,658)	0	(296,900)
Regulatory Services	(1,534)	0	363,435	321,900	(41,535)	0	321,900
<b>NET EXPENDITURE / (REVENUE)</b>	(46,330)	0	195,632	101,800	(93,832)	0	101,800
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(4,541)	0	571,889	589,100	17,211	0	589,100
Operating Expenses	600	0	111,010	107,000	(4,010)	0	107,000
Materials & Contract	0	0	53,100	48,500	(4,600)	0	48,500
Internal Transactions	0	0	83,178	84,200	1,022	0	84,200
<b>TOTAL OPERATING EXPENSE</b>	(3,941)	0	819,178	828,800	9,622	0	828,800
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	0	0	0	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	0	0	0	0	0
<b>TOTAL EXPENSE</b>	(3,941)	0	819,178	828,800	9,622	0	828,800
<b>REVENUE</b>							
User Fees & Charges	39,128	0	620,285	727,000	106,715	0	727,000
Grants Recurrent	3,261	0	3,261	0	(3,261)	0	0
<b>TOTAL REVENUE</b>	42,389	0	623,546	727,000	103,454	0	727,000
<b>NET SURPLUS / (DEFICIT)</b>	46,330	0	(195,632)	(101,800)	93,832	0	(101,800)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							





# MONTHLY FINANCIAL REPORTING - 2004/05

## DEPARTMENT SUMMARY

Department : Finance & Business

NET EXPENDITURE Responsibility Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Business Development	(2,509)	0	191,186	201,600	10,414	0	201,600
Council Services	(3,766)	0	178,488	185,000	6,512	0	185,000
Corporate Accounts	(21,510)	0	(41,842,351)	(38,632,500)	3,209,851	0	(38,632,500)
Financial Management	(8,643)	0	877,179	823,100	(54,079)	0	823,100
Information Tech	10,330	0	1,896,085	1,741,500	(154,585)	0	1,741,500
Insurance & Risk	19,255	0	876,221	829,800	(46,421)	0	829,800
Mgmt Sup Fin & Bus	(3,972)	0	260,247	231,500	(28,747)	0	231,500
Print Room	(1,577)	0	(10,493)	(38,600)	(28,107)	0	(38,600)
Property Services	53,887	0	620,805	770,100	149,295	0	770,100
Records	(1,035)	0	434,509	435,700	1,191	0	435,700
Supply	(49,357)	0	392,375	342,800	(49,575)	0	342,800
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(8,895)</b>	<b>0</b>	<b>(36,125,749)</b>	<b>(33,110,000)</b>	<b>3,015,749</b>	<b>0</b>	<b>(33,110,000)</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	870,020	0	3,748,019	3,404,300	(343,719)	0	3,404,300
Operating Expenses	(701,348)	0	2,330,046	2,276,000	(54,046)	0	2,276,000
Materials & Contract	(9,023)	0	863,754	810,800	(52,954)	0	810,800
Statutory Levies	0	0	2,188,842	2,188,800	(42)	0	2,188,800
Pensioner Rebate	0	0	725,069	620,000	(105,069)	0	620,000
Interest Expense	0	0	671,088	693,700	22,612	0	693,700
Depreciation	0	0	145,842	143,300	(2,542)	0	143,300
Internal Transactions	0	0	983,631	1,486,600	502,969	0	1,486,600
<b>TOTAL OPERATING EXPENSE</b>	<b>159,649</b>	<b>0</b>	<b>11,656,291</b>	<b>11,623,500</b>	<b>(32,791)</b>	<b>0</b>	<b>11,623,500</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	39,722	91,700	51,978	0	91,700
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>39,722</b>	<b>91,700</b>	<b>51,978</b>	<b>0</b>	<b>91,700</b>
<b>TOTAL EXPENSE</b>	<b>159,649</b>	<b>0</b>	<b>11,696,012</b>	<b>11,715,200</b>	<b>19,188</b>	<b>0</b>	<b>11,715,200</b>
<b>REVENUE</b>							
Rates	(50,627)	0	35,340,553	35,354,300	13,747	0	35,354,300
Infrastructure Levy	58,019	0	1,705,908	1,704,700	(1,208)	0	1,704,700
User Fees & Charges	24,690	0	718,158	745,200	27,042	0	745,200
Interest Income	136,462	0	1,072,468	876,500	(195,968)	0	876,500
Grants Recurrent	0	0	2,835,626	2,897,700	62,074	0	2,897,700
Contributions	0	0	5,019,324	2,000,000	(3,019,324)	0	2,000,000
Internal Transactions	0	0	1,129,723	1,246,800	117,077	0	1,246,800
<b>TOTAL REVENUE</b>	<b>168,545</b>	<b>0</b>	<b>47,821,761</b>	<b>44,825,200</b>	<b>(2,996,561)</b>	<b>0</b>	<b>44,825,200</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>8,895</b>	<b>0</b>	<b>36,125,749</b>	<b>33,110,000</b>	<b>(3,015,749)</b>	<b>0</b>	<b>33,110,000</b>
<b>PROJECTS</b>							
Capital Projects	0	0	433,065	79,800	(353,265)	0	79,800
Operating Projects	0	0	2,302,232	62,500	(2,239,732)	0	62,500
<b>TOTAL PROJECTS</b>	<b>0</b>	<b>0</b>	<b>2,735,297</b>	<b>142,300</b>	<b>(2,592,997)</b>	<b>0</b>	<b>142,300</b>





# PROJECTS - 2004/05

Department : Finance & Business

Adjustments Year To Date

Printed On

03-August-2005

Projects	Actual				Commit	Revised Budget			
	Net	Funding	Revenue	Expense		Net	Funding	Revenue	Expense
<b>Capital Project</b>									
100012 - IT Corporate System Replacemer	433,065	0	0	433,065	0	79,800	380,000	0	459,800
100175 - IT Corporate System Replacemer	0	0	0	0	0	0	25,000	0	25,000
<b>Total For: Capital Project</b>	433,065	0	0	433,065	0	79,800	405,000	0	484,800
<b>Operational Project</b>									
100075 - Tulkiyan 2003/2004	0	0	0	0	0	0	0	0	0
100149 - 48 St. Johns Avenue - Drainage N	2,302,232	0	(210)	2,302,022	0	0	2,250,000	0	2,250,000
100180 - Storage & Backup Solutions	0	0	0	0	0	10,000	0	0	10,000
100181 - Q Master Upgrade	0	0	0	0	0	10,000	0	0	10,000
100182 - Name & Address Register	0	0	0	0	0	30,000	0	0	30,000
100183 - Data Quality Officer	0	0	0	0	0	12,500	0	0	12,500
<b>Total For: Operational Project</b>	2,302,232	0	(210)	2,302,022	0	62,500	2,250,000	0	2,312,500
<b>Total Projects</b>	2,735,297	0	(210)	2,735,087	0	142,300	2,655,000	0	2,797,300



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Business Development

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Business Development	(2,509)	0	191,186	201,600	10,414	0	201,600
<b>NET EXPENDITURE / (REVENUE)</b>	(2,509)	0	191,186	201,600	10,414	0	201,600
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(2,509)	0	175,477	186,400	10,923	0	186,400
Operating Expenses	0	0	2,695	2,000	(695)	0	2,000
Materials & Contract	0	0	314	300	(14)	0	300
Internal Transactions	0	0	12,700	12,900	200	0	12,900
<b>TOTAL OPERATING EXPENSE</b>	(2,509)	0	191,186	201,600	10,414	0	201,600
<b>TOTAL EXPENSE</b>	(2,509)	0	191,186	201,600	10,414	0	201,600
<b>NET SURPLUS / (DEFICIT)</b>	2,509	0	(191,186)	(201,600)	(10,414)	0	(201,600)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Council Services

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Council Meetings	(2,145)	0	37,248	38,900	1,652	0	38,900
Corporate Governance	(1,620)	0	141,240	146,100	4,860	0	146,100
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(3,766)</b>	<b>0</b>	<b>178,488</b>	<b>185,000</b>	<b>6,512</b>	<b>0</b>	<b>185,000</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(4,112)	0	145,468	152,200	6,732	0	152,200
Operating Expenses	346	0	16,102	14,400	(1,702)	0	14,400
Materials & Contract	0	0	5,165	3,200	(1,965)	0	3,200
Internal Transactions	0	0	13,294	16,300	3,006	0	16,300
<b>TOTAL OPERATING EXPENSE</b>	<b>(3,766)</b>	<b>0</b>	<b>180,029</b>	<b>186,100</b>	<b>6,071</b>	<b>0</b>	<b>186,100</b>
<b>TOTAL EXPENSE</b>	<b>(3,766)</b>	<b>0</b>	<b>180,029</b>	<b>186,100</b>	<b>6,071</b>	<b>0</b>	<b>186,100</b>
<b>REVENUE</b>							
User Fees & Charges	0	0	1,541	1,100	(441)	0	1,100
<b>TOTAL REVENUE</b>	<b>0</b>	<b>0</b>	<b>1,541</b>	<b>1,100</b>	<b>(441)</b>	<b>0</b>	<b>1,100</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>3,766</b>	<b>0</b>	<b>(178,488)</b>	<b>(185,000)</b>	<b>(6,512)</b>	<b>0</b>	<b>(185,000)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Corporate Accounts

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Corporate Accounts	431,488	0	(38,558,871)	(38,821,300)	(262,429)	0	(38,821,300)
Statutory Levies	0	0	2,188,842	2,188,800	(42)	0	2,188,800
Section 94	(452,998)	0	(5,472,322)	(2,000,000)	3,472,322	0	(2,000,000)
<b>NET EXPENDITURE / (REVENUE)</b>	(21,510)	0	(41,842,351)	(38,632,500)	3,209,851	0	(38,632,500)
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	910,521	0	1,170,147	925,300	(244,847)	0	925,300
Operating Expenses	(705,386)	0	260,011	394,000	133,989	0	394,000
Materials & Contract	74	0	74	0	(74)	0	0
Statutory Levies	0	0	2,188,842	2,188,800	(42)	0	2,188,800
Pensioner Rebate	0	0	725,069	620,000	(105,069)	0	620,000
Interest Expense	0	0	671,088	693,700	22,612	0	693,700
Internal Transactions	0	0	0	260,000	260,000	0	260,000
<b>TOTAL OPERATING EXPENSE</b>	205,209	0	5,015,231	5,081,800	66,569	0	5,081,800
<b>TOTAL EXPENSE</b>	205,209	0	5,015,231	5,081,800	66,569	0	5,081,800
<b>REVENUE</b>							
Rates	(50,627)	0	35,340,553	35,354,300	13,747	0	35,354,300
Infrastructure Levy	58,019	0	1,705,908	1,704,700	(1,208)	0	1,704,700
User Fees & Charges	82,866	0	62,603	60,000	(2,603)	0	60,000
Interest Income	136,462	0	1,072,468	876,500	(195,968)	0	876,500
Grants Recurrent	0	0	2,835,626	2,897,700	62,074	0	2,897,700
Contributions	0	0	5,019,324	2,000,000	(3,019,324)	0	2,000,000
Internal Transactions	0	0	821,100	821,100	0	0	821,100
<b>TOTAL REVENUE</b>	226,720	0	46,857,582	43,714,300	(3,143,282)	0	43,714,300
<b>NET SURPLUS / (DEFICIT)</b>	21,510	0	41,842,351	38,632,500	(3,209,851)	0	38,632,500
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Financial Management

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Financial Management	(3,855)	0	311,165	300,300	(10,865)	0	300,300
Rates & Debtors	(4,788)	0	566,013	522,800	(43,213)	0	522,800
<b>NET EXPENDITURE / (REVENUE)</b>	(8,643)	0	877,179	823,100	(54,079)	0	823,100
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(9,129)	0	707,497	680,100	(27,397)	0	680,100
Operating Expenses	486	0	264,447	279,600	15,153	0	279,600
Materials & Contract	0	0	6,034	5,000	(1,034)	0	5,000
Internal Transactions	0	0	30,847	33,900	3,053	0	33,900
<b>TOTAL OPERATING EXPENSE</b>	(8,643)	0	1,008,824	998,600	(10,224)	0	998,600
<b>TOTAL EXPENSE</b>	(8,643)	0	1,008,824	998,600	(10,224)	0	998,600
<b>REVENUE</b>							
User Fees & Charges	0	0	131,645	175,500	43,855	0	175,500
<b>TOTAL REVENUE</b>	0	0	131,645	175,500	43,855	0	175,500
<b>NET SURPLUS / (DEFICIT)</b>	8,643	0	(877,179)	(823,100)	54,079	0	(823,100)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Information Tech

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
IT Support	10,330	0	1,896,085	1,741,500	(154,585)	0	1,741,500
<b>NET EXPENDITURE / (REVENUE)</b>	10,330	0	1,896,085	1,741,500	(154,585)	0	1,741,500
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(5,309)	0	431,232	388,000	(43,232)	0	388,000
Operating Expenses	27,339	0	578,272	466,800	(111,472)	0	466,800
Materials & Contract	(11,700)	0	749,664	692,800	(56,864)	0	692,800
Depreciation	0	0	74,304	78,400	4,096	0	78,400
Internal Transactions	0	0	23,800	23,800	0	0	23,800
<b>TOTAL OPERATING EXPENSE</b>	10,330	0	1,857,272	1,649,800	(207,472)	0	1,649,800
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	38,813	91,700	52,887	0	91,700
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	38,813	91,700	52,887	0	91,700
<b>TOTAL EXPENSE</b>	10,330	0	1,896,085	1,741,500	(154,585)	0	1,741,500
<b>NET SURPLUS / (DEFICIT)</b>	(10,330)	0	(1,896,085)	(1,741,500)	154,585	0	(1,741,500)
<b>PROJECTS</b>							
Capital Projects	0	0	433,065	79,800	(353,265)	0	79,800
Operating Projects	0	0	0	62,500	62,500	0	62,500
<b>TOTAL PROJECTS</b>	0	0	433,065	142,300	(290,765)	0	142,300



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Insurance & Risk

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Insurance and Risk		15,493	0	740,312	709,800	(30,512)	0	709,800
Security Services		3,762	0	135,908	120,000	(15,908)	0	120,000
<b>NET EXPENDITURE / (REVENUE)</b>		19,255	0	876,221	829,800	(46,421)	0	829,800
<b>NET OPERATING</b>								
<b>EXPENSE</b>								
Employee Costs		(941)	0	57,689	56,100	(1,589)	0	56,100
Operating Expenses		20,196	0	815,849	773,700	(42,149)	0	773,700
Materials & Contract		0	0	2,683	0	(2,683)	0	0
Pensioner Rebate		0	0	0	0	0	0	0
<b>TOTAL OPERATING EXPENSE</b>		19,255	0	876,221	829,800	(46,421)	0	829,800
<b>TOTAL EXPENSE</b>		19,255	0	876,221	829,800	(46,421)	0	829,800
<b>NET SURPLUS / (DEFICIT)</b>		(19,255)	0	(876,221)	(829,800)	46,421	0	(829,800)
<b>PROJECTS</b>								
<b>TOTAL PROJECTS</b>								



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Mgnt Sup Fin & Bus

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Finance & B	(3,972)	0	260,247	231,500	(28,747)	0	231,500
<b>NET EXPENDITURE / (REVENUE)</b>	(3,972)	0	260,247	231,500	(28,747)	0	231,500
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(4,274)	0	213,587	185,600	(27,987)	0	185,600
Operating Expenses	0	0	17,829	16,200	(1,629)	0	16,200
Materials & Contract	302	0	12,711	13,100	389	0	13,100
Internal Transactions	0	0	16,121	16,600	479	0	16,600
<b>TOTAL OPERATING EXPENSE</b>	(3,972)	0	260,247	231,500	(28,747)	0	231,500
<b>TOTAL EXPENSE</b>	(3,972)	0	260,247	231,500	(28,747)	0	231,500
<b>NET SURPLUS / (DEFICIT)</b>	3,972	0	(260,247)	(231,500)	28,747	0	(231,500)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							





# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Print Room

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Print Room	(1,577)	0	(10,493)	(38,600)	(28,107)	0	(38,600)
<b>NET EXPENDITURE / (REVENUE)</b>	(1,577)	0	(10,493)	(38,600)	(28,107)	0	(38,600)
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(1,577)	0	100,023	92,500	(7,523)	0	92,500
Operating Expenses	0	0	22,624	22,600	(24)	0	22,600
Materials & Contract	0	0	59,082	76,500	17,418	0	76,500
<b>TOTAL OPERATING EXPENSE</b>	(1,577)	0	181,729	191,600	9,871	0	191,600
<b>TOTAL EXPENSE</b>	(1,577)	0	181,729	191,600	9,871	0	191,600
<b>REVENUE</b>							
Internal Transactions	0	0	192,222	230,200	37,978	0	230,200
<b>TOTAL REVENUE</b>	0	0	192,222	230,200	37,978	0	230,200
<b>NET SURPLUS / (DEFICIT)</b>	1,577	0	10,493	38,600	28,107	0	38,600
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Property Services

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Cleaning Services		(236)	0	7,840	0	(7,840)	0	0
Property Services		54,123	0	612,965	770,100	157,135	0	770,100
<b>NET EXPENDITURE / (REVENUE)</b>		53,887	0	620,805	770,100	149,295	0	770,100
<b>NET OPERATING</b>								
<b>EXPENSE</b>								
Employee Costs		(4,288)	0	130,849	138,600	7,751	0	138,600
Operating Expenses		0	0	176,463	161,700	(14,763)	0	161,700
Materials & Contract		0	0	8,046	2,000	(6,046)	0	2,000
Depreciation		0	0	70,723	64,900	(5,823)	0	64,900
Internal Transactions		0	0	872,585	1,106,000	233,415	0	1,106,000
<b>TOTAL OPERATING EXPENSE</b>		(4,288)	0	1,258,667	1,473,200	214,533	0	1,473,200
<b>CAPITALISED EXPENSE</b>								
Balance Sheet		0	0	909	0	(909)	0	0
<b>TOTAL CAPITALISED EXPENSE</b>		0	0	909	0	(909)	0	0
<b>TOTAL EXPENSE</b>		(4,288)	0	1,259,576	1,473,200	213,624	0	1,473,200
<b>REVENUE</b>								
User Fees & Charges		(58,175)	0	522,369	507,600	(14,769)	0	507,600
Internal Transactions		0	0	116,401	195,500	79,099	0	195,500
<b>TOTAL REVENUE</b>		(58,175)	0	638,770	703,100	64,330	0	703,100
<b>NET SURPLUS / (DEFICIT)</b>		(53,887)	0	(620,805)	(770,100)	(149,295)	0	(770,100)
<b>PROJECTS</b>								
Operating Projects		0	0	2,302,232	0	(2,302,232)	0	0
<b>TOTAL PROJECTS</b>		0	0	2,302,232	0	(2,302,232)	0	0



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Records

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Records Management	(1,035)	0	434,509	435,700	1,191	0	435,700
<b>NET EXPENDITURE / (REVENUE)</b>	(1,035)	0	434,509	435,700	1,191	0	435,700
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(3,248)	0	273,127	280,400	7,274	0	280,400
Operating Expenses	0	0	145,686	138,000	(7,686)	0	138,000
Materials & Contract	2,213	0	14,881	16,300	1,419	0	16,300
Depreciation	0	0	815	0	(815)	0	0
Internal Transactions	0	0	0	1,000	1,000	0	1,000
<b>TOTAL OPERATING EXPENSE</b>	(1,035)	0	434,509	435,700	1,191	0	435,700
<b>TOTAL EXPENSE</b>	(1,035)	0	434,509	435,700	1,191	0	435,700
<b>NET SURPLUS / (DEFICIT)</b>	1,035	0	(434,509)	(435,700)	(1,191)	0	(435,700)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Supply

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Accounts Payable		(1,702)	0	134,480	129,100	(5,380)	0	129,100
Purchasing / Supply		(47,655)	0	257,896	213,700	(44,196)	0	213,700
<b>NET EXPENDITURE / (REVENUE)</b>		(49,357)	0	392,375	342,800	(49,575)	0	342,800
<b>NET OPERATING RESULT</b>								
<b>EXPENSE</b>								
Employee Costs		(5,115)	0	342,924	319,100	(23,824)	0	319,100
Operating Expenses		(44,330)	0	30,067	7,000	(23,067)	0	7,000
Materials & Contract		88	0	5,100	1,600	(3,500)	0	1,600
Internal Transactions		0	0	14,284	16,100	1,816	0	16,100
<b>TOTAL OPERATING EXPENSE</b>		(49,357)	0	392,375	343,800	(48,575)	0	343,800
<b>TOTAL EXPENSE</b>		(49,357)	0	392,375	343,800	(48,575)	0	343,800
<b>REVENUE</b>								
User Fees & Charges		0	0	0	1,000	1,000	0	1,000
<b>TOTAL REVENUE</b>		0	0	0	1,000	1,000	0	1,000
<b>NET SURPLUS / (DEFICIT)</b>		49,357	0	(392,375)	(342,800)	49,575	0	(342,800)
<b>PROJECTS</b>								
<b>TOTAL PROJECTS</b>								



# MONTHLY FINANCIAL REPORTING - 2004/05

## DEPARTMENT SUMMARY

Department : Open Space

NET EXPENDITURE Responsibility Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Bush & Nat Resources	(52,997)	0	1,765,510	1,741,200	(24,310)	0	1,741,200
Tree&Landscape Asses	(6,150)	0	430,884	406,800	(24,084)	0	406,800
Mgmt Sup Open Space	(7,474)	0	385,151	417,050	31,899	0	417,050
Plant Nursery	491	0	28,718	61,000	32,282	0	61,000
Parks	(23,815)	0	2,011,976	2,156,000	144,024	0	2,156,000
Sport & Recreation	64,341	0	818,282	1,197,400	379,118	0	1,197,400
Trees	(15,603)	0	1,176,519	1,107,300	(69,219)	0	1,107,300
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(41,207)</b>	<b>0</b>	<b>6,617,040</b>	<b>7,086,750</b>	<b>469,710</b>	<b>0</b>	<b>7,086,750</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(201,401)	0	5,379,625	5,814,200	434,575	0	5,814,200
Operating Expenses	(33,879)	0	565,335	397,800	(167,535)	0	397,800
Materials & Contract	20,601	0	1,766,280	1,404,500	(361,780)	0	1,404,500
Statutory Levies	0	0	88	0	(88)	0	0
Depreciation	1,720	0	96,106	235,400	139,294	0	235,400
Internal Transactions	0	0	2,532,135	2,424,650	(107,485)	0	2,424,650
<b>TOTAL OPERATING EXPENSE</b>	<b>(212,960)</b>	<b>0</b>	<b>10,339,569</b>	<b>10,276,550</b>	<b>(63,019)</b>	<b>0</b>	<b>10,276,550</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	26,082	6,500	(19,582)	0	6,500
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>26,082</b>	<b>6,500</b>	<b>(19,582)</b>	<b>0</b>	<b>6,500</b>
<b>TOTAL EXPENSE</b>	<b>(212,960)</b>	<b>0</b>	<b>10,365,652</b>	<b>10,283,050</b>	<b>(82,602)</b>	<b>0</b>	<b>10,283,050</b>
<b>REVENUE</b>							
User Fees & Charges	(139,249)	0	3,181,040	2,830,250	(350,790)	0	2,830,250
Grants Recurrent	0	0	7,818	2,500	(5,318)	0	2,500
Contributions	0	0	0	0	0	0	0
Internal Transactions	(32,505)	0	559,753	363,550	(196,203)	0	363,550
<b>TOTAL REVENUE</b>	<b>(171,754)</b>	<b>0</b>	<b>3,748,611</b>	<b>3,196,300</b>	<b>(552,311)</b>	<b>0</b>	<b>3,196,300</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>41,207</b>	<b>0</b>	<b>(6,617,040)</b>	<b>(7,086,750)</b>	<b>(469,710)</b>	<b>0</b>	<b>(7,086,750)</b>
<b>PROJECTS</b>							
Capital Projects	(67,087)	0	845,409	(3,100)	(848,509)	0	(3,100)
Operating Projects	(13,238)	0	258,414	202,800	(55,614)	0	202,800
<b>TOTAL PROJECTS</b>	<b>(80,325)</b>	<b>0</b>	<b>1,103,823</b>	<b>199,700</b>	<b>(904,123)</b>	<b>0</b>	<b>199,700</b>



# PROJECTS - 2004/05

Department : Open Space

Adjustments Year To Date

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Projects	Actual				Commit	Revised Budget			
	Net	Funding	Revenue	Expense		Net	Funding	Revenue	Expense
<b>Capital Project</b>									
100007 - Golf Course Improvements GCC	17,129	0	0	17,129	0	0	125,000	0	125,000
100008 - Golf Course Improvements NTG	0	0	0	0	0	0	125,000	0	125,000
100013 - Swimming Pool Refurbishment	293,230	0	0	293,230	0	(33,000)	300,000	0	267,000
100014 - Tennis Court Refurbishment	158,911	0	16,000	174,911	0	0	157,000	0	157,000
100015 - Park Development	97,895	0	0	97,895	0	0	92,500	0	92,500
100016 - Sportsfield Refurbishment	66,362	0	1,091	67,453	0	0	320,000	0	320,000
100017 - Playground Refurbishment	152,313	0	0	152,313	0	0	150,000	0	150,000
100024 - Rehabilitation Wks Echo Point P	0	0	0	0	0	0	0	0	0
100025 - Blackbutt Creek Stormwater & CE	0	0	15,300	15,300	0	0	0	40,900	40,900
100026 - Moores Crk Stormwater Treatmer	12,962	0	0	12,962	0	0	11,300	0	11,300
100027 - Greenwood Quarry 2003/04	0	0	0	0	0	25,000	0	0	25,000
100028 - Sportsfield Refurbishment 2003/	0	0	0	0	0	0	209,600	0	209,600
100029 - Tennis Court Refurbishment 200	0	0	0	0	0	4,900	0	0	4,900
100030 - Memorial Seat Donations	(501)	0	1,915	1,414	0	0	0	500	500
100045 - Intergrated Catchment Restoratio	(68,000)	0	68,000	0	0	0	0	68,000	68,000
100061 - Bicentennial Park Picnic Area	49,058	0	0	49,058	0	0	95,000	0	95,000
100062 - Echo Point Park SHFAP Refurbi	61,794	0	75,500	137,294	0	0	53,500	75,500	129,000
100154 - Open Space Amenities/Buildings	0	0	0	0	0	0	0	0	0
100162 - Park Development 2003/2004	0	0	0	0	0	0	0	0	0
100188 - Maintenance of RTA Enviropod	4,256	0	0	4,256	0	0	5,000	0	5,000
<b>Total For: Capital Project</b>	<b>845,409</b>	<b>0</b>	<b>177,806</b>	<b>1,023,214</b>	<b>0</b>	<b>(3,100)</b>	<b>1,643,900</b>	<b>184,900</b>	<b>1,825,700</b>
<b>Operational Project</b>									
100018 - Tree Planting	119,271	0	0	119,271	0	0	120,000	0	120,000
100020 - Catchment Management	0	0	63,144	63,144	0	123,300	26,700	0	150,000
100022 - Catchment Analysis 2003/2004	79,500	0	0	79,500	0	79,500	0	0	79,500
100023 - Stormwater Trust Strategic Grant	(13,442)	0	30,000	16,558	0	0	48,800	0	48,800
100031 - Noxious Weeds 2003/2004	11,117	0	0	11,117	0	0	13,500	0	13,500
100032 - Backyard Buddies 2003/04	9,202	0	0	9,202	0	0	5,800	0	5,800
100033 - Waterwise Garden 2003/04	9,363	0	0	9,363	0	0	3,500	0	3,500
100037 - Noxious Weeds 2004/2005	(7,864)	0	7,864	0	0	0	0	16,900	16,900
100069 - Wildflower Garden Solar Panels	(8,000)	0	8,000	0	0	0	0	6,000	6,000
100080 - North Turrumurra Recreation Are	0	0	0	0	0	0	10,000	0	10,000
100125 - Bee Proactive 2003/2004	4,629	0	0	4,629	0	0	4,700	0	4,700
100129 - Bushland Interface Project	0	0	25,080	25,080	0	0	46,200	0	46,200
100152 - Cowan Catchment Ripa Wd Cont	(7,000)	0	7,000	0	0	0	8,100	7,000	15,100
100153 - Native Seed Stock Gardens 2003	0	0	0	0	0	0	4,700	0	4,700
100155 - St Ives Tree Planting-Simhilt Sett	0	0	0	0	0	0	0	23,800	23,800
100156 - Echo Point 2003 Access Progra	0	0	0	0	0	0	0	0	0
100157 - Restoration of Riparian Zone 200	0	0	0	0	0	0	1,600	0	1,600
100163 - Tree Planting 2003/2004	3,041	0	0	3,041	0	0	2,200	0	2,200
<b>Total For: Operational Project</b>	<b>199,816</b>	<b>0</b>	<b>141,088</b>	<b>340,904</b>	<b>0</b>	<b>202,800</b>	<b>295,800</b>	<b>53,700</b>	<b>552,300</b>
<b>Total Projects</b>	<b>1,045,225</b>	<b>0</b>	<b>318,894</b>	<b>1,364,118</b>	<b>0</b>	<b>199,700</b>	<b>1,939,700</b>	<b>238,600</b>	<b>2,378,000</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Bush & Nat Resources

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
OPERATING							
Mgt Suppt - Bushland & Natural Res	(6,662)	0	431,207	403,200	(28,007)	0	403,200
Bushfire Prevention	(12,928)	0	253,659	289,400	35,741	0	289,400
Bushland Access	(8,128)	0	231,203	204,100	(27,103)	0	204,100
Bushland Education	(551)	0	119,058	119,600	542	0	119,600
Bushland Reserves	687	0	74,370	63,900	(10,470)	0	63,900
Bushland Vegetation	(21,893)	0	369,486	381,200	11,714	0	381,200
Community Bushcare	(1,175)	0	162,347	164,500	2,153	0	164,500
Wildflower Gardens	(2,346)	0	124,180	115,300	(8,880)	0	115,300
NET EXPENDITURE / (REVENUE)	(52,997)	0	1,765,510	1,741,200	(24,310)	0	1,741,200
NET OPERATING							
EXPENSE							
Employee Costs	(52,373)	0	1,254,774	1,345,400	90,626	0	1,345,400
Operating Expenses	1,016	0	84,133	35,200	(48,933)	0	35,200
Materials & Contract	(1,640)	0	228,720	172,700	(56,020)	0	172,700
Statutory Levies	0	0	88	0	(88)	0	0
Internal Transactions	0	0	257,966	244,100	(13,866)	0	244,100
TOTAL OPERATING EXPENSE	(52,997)	0	1,825,679	1,797,400	(28,279)	0	1,797,400
CAPITALISED EXPENSE							
Balance Sheet	0	0	7,900	6,500	(1,400)	0	6,500
TOTAL CAPITALISED EXPENSE	0	0	7,900	6,500	(1,400)	0	6,500
TOTAL EXPENSE	(52,997)	0	1,833,580	1,803,900	(29,680)	0	1,803,900
REVENUE							
User Fees & Charges	0	0	49,255	50,050	795	0	50,050
Grants Recurrent	0	0	7,818	2,500	(5,318)	0	2,500
Internal Transactions	0	0	10,997	10,150	(847)	0	10,150
TOTAL REVENUE	0	0	68,070	62,700	(5,370)	0	62,700
NET SURPLUS / (DEFICIT)	52,997	0	(1,765,510)	(1,741,200)	24,310	0	(1,741,200)
PROJECTS							
Capital Projects	0	0	(68,000)	0	68,000	0	0
Operating Projects	(13,238)	0	18,446	0	(18,446)	0	0
TOTAL PROJECTS	(13,238)	0	(49,554)	0	49,554	0	0



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Tree&Landscape Asses

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Landscape Assessments	(4,484)	0	283,575	282,800	(775)	0	282,800
Tree Assessments	(1,666)	0	147,309	124,000	(23,309)	0	124,000
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(6,150)</b>	<b>0</b>	<b>430,884</b>	<b>406,800</b>	<b>(24,084)</b>	<b>0</b>	<b>406,800</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(7,415)	0	463,115	465,900	2,785	0	465,900
Operating Expenses	1,265	0	55,785	31,700	(24,085)	0	31,700
Materials & Contract	0	0	700	300	(400)	0	300
Internal Transactions	0	0	16,992	20,900	3,908	0	20,900
<b>TOTAL OPERATING EXPENSE</b>	<b>(6,150)</b>	<b>0</b>	<b>536,592</b>	<b>518,800</b>	<b>(17,792)</b>	<b>0</b>	<b>518,800</b>
<b>TOTAL EXPENSE</b>	<b>(6,150)</b>	<b>0</b>	<b>536,592</b>	<b>518,800</b>	<b>(17,792)</b>	<b>0</b>	<b>518,800</b>
<b>REVENUE</b>							
User Fees & Charges	0	0	105,708	112,000	6,292	0	112,000
<b>TOTAL REVENUE</b>	<b>0</b>	<b>0</b>	<b>105,708</b>	<b>112,000</b>	<b>6,292</b>	<b>0</b>	<b>112,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>6,150</b>	<b>0</b>	<b>(430,884)</b>	<b>(406,800)</b>	<b>24,084</b>	<b>0</b>	<b>(406,800)</b>
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							





# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Mgnt Sup Open Space

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Management Support - Open Space	(21,505)	0	350,987	333,700	(17,287)	0	333,700
Community Land Planning	14,031	0	34,164	83,350	49,186	0	83,350
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(7,474)</b>	<b>0</b>	<b>385,151</b>	<b>417,050</b>	<b>31,899</b>	<b>0</b>	<b>417,050</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(6,216)	0	292,996	318,800	25,804	0	318,800
Operating Expenses	2,740	0	33,821	35,600	1,779	0	35,600
Materials & Contract	(3,998)	0	24,787	13,500	(11,287)	0	13,500
Depreciation	0	0	470	0	(470)	0	0
Internal Transactions	0	0	33,078	49,150	16,072	0	49,150
<b>TOTAL OPERATING EXPENSE</b>	<b>(7,474)</b>	<b>0</b>	<b>385,151</b>	<b>417,050</b>	<b>31,899</b>	<b>0</b>	<b>417,050</b>
<b>TOTAL EXPENSE</b>	<b>(7,474)</b>	<b>0</b>	<b>385,151</b>	<b>417,050</b>	<b>31,899</b>	<b>0</b>	<b>417,050</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>7,474</b>	<b>0</b>	<b>(385,151)</b>	<b>(417,050)</b>	<b>(31,899)</b>	<b>0</b>	<b>(417,050)</b>
<b>PROJECTS</b>							
Capital Projects	(15,299)	0	17,218	0	(17,218)	0	0
Operating Projects	0	0	117,657	202,800	85,143	0	202,800
<b>TOTAL PROJECTS</b>	<b>(15,299)</b>	<b>0</b>	<b>134,875</b>	<b>202,800</b>	<b>67,925</b>	<b>0</b>	<b>202,800</b>

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Plant Nursery	491	0	28,718	61,000	32,282	0	61,000
<b>NET EXPENDITURE / (REVENUE)</b>	491	0	28,718	61,000	32,282	0	61,000
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(34,357)	0	89,529	134,300	44,771	0	134,300
Operating Expenses	11,722	0	16,363	4,100	(12,263)	0	4,100
Materials & Contract	(10,852)	0	15,149	23,000	7,851	0	23,000
Depreciation	0	0	0	100	100	0	100
Internal Transactions	0	0	44,171	56,700	12,529	0	56,700
<b>TOTAL OPERATING EXPENSE</b>	(33,486)	0	165,211	218,200	52,989	0	218,200
<b>TOTAL EXPENSE</b>	(33,486)	0	165,211	218,200	52,989	0	218,200
<b>REVENUE</b>							
User Fees & Charges	2,194	0	80,458	96,000	15,542	0	96,000
Internal Transactions	(36,171)	0	56,036	61,200	5,164	0	61,200
<b>TOTAL REVENUE</b>	(33,977)	0	136,494	157,200	20,706	0	157,200
<b>NET SURPLUS / (DEFICIT)</b>	(491)	0	(28,718)	(61,000)	(32,282)	0	(61,000)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Parks

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Management Support - Parks		10,075	0	314,056	395,700	81,644	0	395,700
Business Centre Landscapes		(2)	0	2,388	5,000	2,612	0	5,000
Council Properties		(3,666)	0	19,258	13,900	(5,358)	0	13,900
Open Space Landscapes		(353)	0	222,001	143,200	(78,801)	0	143,200
Open Space Playgrounds		(1,599)	0	172,098	341,900	169,802	0	341,900
Railway Gardens		55	0	14,413	17,600	3,187	0	17,600
Roadside Vegetation		(35)	0	62,414	58,000	(4,414)	0	58,000
Parks		(28,290)	0	1,205,348	1,180,700	(24,648)	0	1,180,700
<b>NET EXPENDITURE / (REVENUE)</b>		<b>(23,815)</b>	<b>0</b>	<b>2,011,976</b>	<b>2,156,000</b>	<b>144,024</b>	<b>0</b>	<b>2,156,000</b>
<b>NET OPERATING RESULT</b>								
<b>EXPENSE</b>								
Employee Costs		(29,715)	0	1,021,944	1,145,900	123,956	0	1,145,900
Operating Expenses		4,008	0	87,474	31,200	(56,274)	0	31,200
Materials & Contract		5,558	0	577,348	470,700	(106,648)	0	470,700
Depreciation		0	0	60,849	229,800	168,951	0	229,800
Internal Transactions		0	0	353,267	374,800	21,533	0	374,800
<b>TOTAL OPERATING EXPENSE</b>		<b>(20,149)</b>	<b>0</b>	<b>2,100,883</b>	<b>2,252,400</b>	<b>151,517</b>	<b>0</b>	<b>2,252,400</b>
<b>CAPITALISED EXPENSE</b>								
Balance Sheet		0	0	16,600	0	(16,600)	0	0
<b>TOTAL CAPITALISED EXPENSE</b>		<b>0</b>	<b>0</b>	<b>16,600</b>	<b>0</b>	<b>(16,600)</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENSE</b>		<b>(20,149)</b>	<b>0</b>	<b>2,117,483</b>	<b>2,252,400</b>	<b>134,917</b>	<b>0</b>	<b>2,252,400</b>
<b>REVENUE</b>								
User Fees & Charges		0	0	36,644	24,000	(12,644)	0	24,000
Internal Transactions		3,666	0	68,863	72,400	3,537	0	72,400
<b>TOTAL REVENUE</b>		<b>3,666</b>	<b>0</b>	<b>105,507</b>	<b>96,400</b>	<b>(9,107)</b>	<b>0</b>	<b>96,400</b>
<b>NET SURPLUS / (DEFICIT)</b>		<b>23,815</b>	<b>0</b>	<b>(2,011,976)</b>	<b>(2,156,000)</b>	<b>(144,024)</b>	<b>0</b>	<b>(2,156,000)</b>
<b>PROJECTS</b>								
Capital Projects		(72,899)	0	360,558	0	(360,558)	0	0
Operating Projects		0	0	0	0	0	0	0
<b>TOTAL PROJECTS</b>		<b>(72,899)</b>	<b>0</b>	<b>360,558</b>	<b>0</b>	<b>(360,558)</b>	<b>0</b>	<b>0</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Sport & Recreation

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Management Support - Sport & Rec	4,555	0	386,714	320,800	(65,914)	0	320,800
Gordon Golf Course	(15,928)	0	(370,731)	(275,500)	95,231	0	(275,500)
North Turrumurra Golf Course	(30,188)	0	(244,841)	(295,300)	(50,459)	0	(295,300)
Swimming Pool	0	0	91,603	76,600	(15,003)	0	76,600
Recreation Reserves	6,029	0	17,580	59,800	42,220	0	59,800
Tennis Courts	688	0	(132,885)	(168,500)	(35,615)	0	(168,500)
Turf Wickets	103,260	0	(85,491)	50,100	135,591	0	50,100
General Sportsgrounds	(9,416)	0	1,083,068	1,194,000	110,932	0	1,194,000
St Ives Showground	5,342	0	73,266	235,400	162,134	0	235,400
<b>NET EXPENDITURE / (REVENUE)</b>	<b>64,341</b>	<b>0</b>	<b>818,282</b>	<b>1,197,400</b>	<b>379,118</b>	<b>0</b>	<b>1,197,400</b>
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(52,349)	0	1,419,081	1,598,500	179,419	0	1,598,500
Operating Expenses	(54,905)	0	278,253	253,100	(25,153)	0	253,100
Materials & Contract	28,433	0	724,187	560,300	(163,887)	0	560,300
Depreciation	1,720	0	34,787	5,500	(29,287)	0	5,500
Internal Transactions	0	0	1,693,225	1,548,000	(145,225)	0	1,548,000
<b>TOTAL OPERATING EXPENSE</b>	<b>(77,101)</b>	<b>0</b>	<b>4,149,533</b>	<b>3,965,400</b>	<b>(184,133)</b>	<b>0</b>	<b>3,965,400</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	1,582	0	(1,582)	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>1,582</b>	<b>0</b>	<b>(1,582)</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENSE</b>	<b>(77,101)</b>	<b>0</b>	<b>4,151,115</b>	<b>3,965,400</b>	<b>(185,715)</b>	<b>0</b>	<b>3,965,400</b>
<b>REVENUE</b>							
User Fees & Charges	(141,443)	0	2,908,976	2,548,200	(360,776)	0	2,548,200
Internal Transactions	0	0	423,857	219,800	(204,057)	0	219,800
<b>TOTAL REVENUE</b>	<b>(141,443)</b>	<b>0</b>	<b>3,332,833</b>	<b>2,768,000</b>	<b>(564,833)</b>	<b>0</b>	<b>2,768,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(64,341)</b>	<b>0</b>	<b>(818,282)</b>	<b>(1,197,400)</b>	<b>(379,118)</b>	<b>0</b>	<b>(1,197,400)</b>
<b>PROJECTS</b>							
Capital Projects	21,112	0	535,633	(3,100)	(538,733)	0	(3,100)
<b>TOTAL PROJECTS</b>	<b>21,112</b>	<b>0</b>	<b>535,633</b>	<b>(3,100)</b>	<b>(538,733)</b>	<b>0</b>	<b>(3,100)</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Trees

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Trees	(2,751)	0	271,167	169,600	(101,567)	0	169,600
Open Space Trees	(4,454)	0	223,562	165,100	(58,462)	0	165,100
Street Trees	(8,398)	0	681,790	772,600	90,811	0	772,600
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(15,603)</b>	<b>0</b>	<b>1,176,519</b>	<b>1,107,300</b>	<b>(69,219)</b>	<b>0</b>	<b>1,107,300</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(18,977)	0	838,187	805,400	(32,787)	0	805,400
Operating Expenses	274	0	9,507	6,900	(2,607)	0	6,900
Materials & Contract	3,100	0	195,389	164,000	(31,389)	0	164,000
Internal Transactions	0	0	133,436	131,000	(2,436)	0	131,000
<b>TOTAL OPERATING EXPENSE</b>	<b>(15,603)</b>	<b>0</b>	<b>1,176,519</b>	<b>1,107,300</b>	<b>(69,219)</b>	<b>0</b>	<b>1,107,300</b>
<b>TOTAL EXPENSE</b>	<b>(15,603)</b>	<b>0</b>	<b>1,176,519</b>	<b>1,107,300</b>	<b>(69,219)</b>	<b>0</b>	<b>1,107,300</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>15,603</b>	<b>0</b>	<b>(1,176,519)</b>	<b>(1,107,300)</b>	<b>69,219</b>	<b>0</b>	<b>(1,107,300)</b>
<b>PROJECTS</b>							
Operating Projects	0	0	122,311	0	(122,311)	0	0
<b>TOTAL PROJECTS</b>	<b>0</b>	<b>0</b>	<b>122,311</b>	<b>0</b>	<b>(122,311)</b>	<b>0</b>	<b>0</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## DEPARTMENT SUMMARY

Department : Planning & Enviro

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Responsibility Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Environmental Policy	(5,501)	0	202,954	190,150	(12,804)	0	190,150
Land Information	(3,274)	0	(32,774)	(33,100)	(326)	0	(33,100)
Mgmt Sup Planning	(5,450)	0	381,515	434,300	52,785	0	434,300
Urban Planning	(30,516)	0	383,799	382,400	(1,399)	0	382,400
<b>NET EXPENDITURE / (REVENUE)</b>	<b>(44,740)</b>	<b>0</b>	<b>935,494</b>	<b>973,750</b>	<b>38,256</b>	<b>0</b>	<b>973,750</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(45,662)	0	1,103,334	1,128,500	25,166	0	1,128,500
Operating Expenses	622	0	66,406	93,200	26,794	0	93,200
Materials & Contract	301	0	24,558	20,100	(4,458)	0	20,100
Internal Transactions	0	0	109,268	100,950	(8,318)	0	100,950
<b>TOTAL OPERATING EXPENSE</b>	<b>(44,740)</b>	<b>0</b>	<b>1,303,566</b>	<b>1,342,750</b>	<b>39,184</b>	<b>0</b>	<b>1,342,750</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	0	0	0	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENSE</b>	<b>(44,740)</b>	<b>0</b>	<b>1,303,566</b>	<b>1,342,750</b>	<b>39,184</b>	<b>0</b>	<b>1,342,750</b>
<b>REVENUE</b>							
User Fees & Charges	0	0	353,097	360,000	6,903	0	360,000
Internal Transactions	0	0	14,976	9,000	(5,976)	0	9,000
<b>TOTAL REVENUE</b>	<b>0</b>	<b>0</b>	<b>368,073</b>	<b>369,000</b>	<b>927</b>	<b>0</b>	<b>369,000</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>44,740</b>	<b>0</b>	<b>(935,494)</b>	<b>(973,750)</b>	<b>(38,256)</b>	<b>0</b>	<b>(973,750)</b>
<b>PROJECTS</b>							
Operating Projects	14,766	0	212,640	719,400	506,760	0	719,400
<b>TOTAL PROJECTS</b>	<b>14,766</b>	<b>0</b>	<b>212,640</b>	<b>719,400</b>	<b>506,760</b>	<b>0</b>	<b>719,400</b>



# PROJECTS - 2004/05

Department : Planning & Enviro

Adjustments Year To Date

Printed On

03-August-2005

Projects	Actual				Commit	Revised Budget			
	Net	Funding	Revenue	Expense		Net	Funding	Revenue	Expense
<b>Operational Project</b>									
100005 - RDS Stage 2 - Traffic Studies	10,340	0	0	10,340	0	59,000	41,000	0	100,000
100021 - Heritage Item Assessment	0	0	0	0	0	80,000	0	0	80,000
100035 - Ecological Endangered Communi	0	0	0	0	0	0	20,000	0	20,000
100036 - Queen Elizabeth Reserve 2003/	1,554	0	0	1,554	0	7,600	0	0	7,600
100038 - Heritage DCP 2003/2004	0	0	0	0	0	43,000	0	0	43,000
100040 - Heritage UCA - Stage III 2003/04	15,750	0	0	15,750	0	28,500	0	0	28,500
100041 - Mixed Use Commercial LEP 200	14,540	0	0	14,540	0	27,200	0	0	27,200
100042 - SEPP 65 Design Panel 2003/04	0	0	0	0	0	30,000	0	0	30,000
100043 - Special Area Studies Consultati	53,109	0	0	53,109	0	71,600	0	0	71,600
100146 - RDS Stage 2 - Public Domain / L	4,749	0	0	4,749	0	60,000	0	0	60,000
100147 - RDS Stage 2 - Special Consultan	3,076	0	0	3,076	0	15,000	0	0	15,000
100148 - RDS Stage 2 - Project Manager	29,153	0	0	29,153	0	75,000	0	0	75,000
100158 - RDS Stage II - Retail Study 2003	10,640	0	0	10,640	0	60,000	0	0	60,000
100159 - St Ives Conservat-100-102 Rose	0	0	0	0	0	0	5,000	0	5,000
100177 - Urban Design	54,977	0	0	54,977	0	100,000	0	0	100,000
100178 - Economic Advice	0	0	0	0	0	40,000	0	0	40,000
100179 - Community Consultation	8,422	0	0	8,422	0	7,500	0	0	7,500
100186 - Interface Issues - Notice of Moti	6,330	0	0	6,330	0	15,000	0	0	15,000
<b>Total For: Operational Project</b>	<b>212,640</b>	<b>0</b>	<b>0</b>	<b>212,640</b>	<b>0</b>	<b>719,400</b>	<b>66,000</b>	<b>0</b>	<b>785,400</b>
<b>Total Projects</b>	<b>212,640</b>	<b>0</b>	<b>0</b>	<b>212,640</b>	<b>0</b>	<b>719,400</b>	<b>66,000</b>	<b>0</b>	<b>785,400</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Environmental Policy

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Environmental Policy and Planning		(5,501)	0	202,954	190,150	(12,804)	0	190,150
<b>NET EXPENDITURE / (REVENUE)</b>		(5,501)	0	202,954	190,150	(12,804)	0	190,150
<b>NET OPERATING</b>								
<b>EXPENSE</b>								
Employee Costs		(5,521)	0	182,060	156,400	(25,660)	0	156,400
Operating Expenses		20	0	5,374	12,400	7,026	0	12,400
Materials & Contract		0	0	2,467	2,100	(367)	0	2,100
Internal Transactions		0	0	13,052	19,250	6,198	0	19,250
<b>TOTAL OPERATING EXPENSE</b>		(5,501)	0	202,954	190,150	(12,804)	0	190,150
<b>TOTAL EXPENSE</b>		(5,501)	0	202,954	190,150	(12,804)	0	190,150
<b>NET SURPLUS / (DEFICIT)</b>		5,501	0	(202,954)	(190,150)	12,804	0	(190,150)
<b>PROJECTS</b>								
Operating Projects		0	0	1,554	7,600	6,046	0	7,600
<b>TOTAL PROJECTS</b>		0	0	1,554	7,600	6,046	0	7,600





# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Land Information

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Geographical Information Services	(3,274)	0	(32,774)	(33,100)	(326)	0	(33,100)
<b>NET EXPENDITURE / (REVENUE)</b>	(3,274)	0	(32,774)	(33,100)	(326)	0	(33,100)
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(3,274)	0	193,950	190,100	(3,850)	0	190,100
Operating Expenses	0	0	2,400	2,400	0	0	2,400
Materials & Contract	0	0	8,563	10,000	1,437	0	10,000
Internal Transactions	0	0	10,386	11,400	1,014	0	11,400
<b>TOTAL OPERATING EXPENSE</b>	(3,274)	0	215,299	213,900	(1,399)	0	213,900
<b>TOTAL EXPENSE</b>	(3,274)	0	215,299	213,900	(1,399)	0	213,900
<b>REVENUE</b>							
User Fees & Charges	0	0	233,097	238,000	4,903	0	238,000
Internal Transactions	0	0	14,976	9,000	(5,976)	0	9,000
<b>TOTAL REVENUE</b>	0	0	248,073	247,000	(1,073)	0	247,000
<b>NET SURPLUS / (DEFICIT)</b>	3,274	0	32,774	33,100	326	0	33,100
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Mgnt Sup Planning

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Management Support - Planning	(5,450)	0	381,515	434,300	52,785	0	434,300
<b>NET EXPENDITURE / (REVENUE)</b>	(5,450)	0	381,515	434,300	52,785	0	434,300
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(5,832)	0	319,607	376,700	57,093	0	376,700
Operating Expenses	82	0	12,812	12,800	(12)	0	12,800
Materials & Contract	301	0	12,166	7,000	(5,166)	0	7,000
Internal Transactions	0	0	36,930	37,800	870	0	37,800
<b>TOTAL OPERATING EXPENSE</b>	(5,450)	0	381,515	434,300	52,785	0	434,300
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	0	0	0	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	0	0	0	0	0
<b>TOTAL EXPENSE</b>	(5,450)	0	381,515	434,300	52,785	0	434,300
<b>NET SURPLUS / (DEFICIT)</b>	5,450	0	(381,515)	(434,300)	(52,785)	0	(434,300)
<b>PROJECTS</b>							
Operating Projects	14,401	0	47,319	209,000	161,681	0	209,000
<b>TOTAL PROJECTS</b>	<b>14,401</b>	<b>0</b>	<b>47,319</b>	<b>209,000</b>	<b>161,681</b>	<b>0</b>	<b>209,000</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Urban Planning

NET EXPENDITURE		Adjustments		Adjustments Year To Date		Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance	Budget
<b>OPERATING</b>							
Codes, Policies and Plans		0	0	0	0	0	0
Urban Planning		(30,516)	0	383,799	382,400	(1,399)	382,400
<b>NET EXPENDITURE / (REVENUE)</b>		(30,516)	0	383,799	382,400	(1,399)	382,400
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs		(31,035)	0	407,717	405,300	(2,417)	405,300
Operating Expenses		520	0	45,820	65,600	19,780	65,600
Materials & Contract		0	0	1,362	1,000	(362)	1,000
Internal Transactions		0	0	48,900	32,500	(16,400)	32,500
<b>TOTAL OPERATING EXPENSE</b>		(30,516)	0	503,799	504,400	601	504,400
<b>TOTAL EXPENSE</b>		(30,516)	0	503,799	504,400	601	504,400
<b>REVENUE</b>							
User Fees & Charges		0	0	120,000	122,000	2,000	122,000
<b>TOTAL REVENUE</b>		0	0	120,000	122,000	2,000	122,000
<b>NET SURPLUS / (DEFICIT)</b>		30,516	0	(383,799)	(382,400)	1,399	(382,400)
<b>PROJECTS</b>							
Operating Projects		365	0	163,768	502,800	339,032	502,800
<b>TOTAL PROJECTS</b>		365	0	163,768	502,800	339,032	502,800



# MONTHLY FINANCIAL REPORTING - 2004/05

## DEPARTMENT SUMMARY

Department : Technical Services

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Responsibility Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Depot Support Servs	(3,635)	0	540,671	406,600	(134,071)	0	406,600
Fleet Operations	94,695	0	(143,876)	(379,000)	(235,124)	0	(379,000)
Infrastructure Levy	0	0	0	0	0	0	0
Maint & Construction	201,573	0	4,912,489	5,367,900	455,411	0	5,367,900
Mgmt Sup Tech Services	95,502	0	1,705,840	1,683,400	(22,440)	0	1,683,400
Pavement Rehab	0	0	690	0	(690)	0	0
Street Sweep & Litter	17,932	0	902,878	987,700	84,822	0	987,700
Trade Services	12,996	0	382,577	38,200	(344,377)	0	38,200
Traffic & Projects	(16,956)	0	1,109,377	1,088,300	(21,077)	0	1,088,300
<b>NET EXPENDITURE / (REVENUE)</b>	<b>402,107</b>	<b>0</b>	<b>9,410,646</b>	<b>9,193,100</b>	<b>(217,546)</b>	<b>0</b>	<b>9,193,100</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(23,633)	0	4,645,692	5,264,700	619,008	0	5,264,700
Operating Expenses	20,800	0	3,841,697	3,694,900	(146,797)	0	3,694,900
Materials & Contract	124,735	0	3,493,743	3,268,600	(225,143)	0	3,268,600
Depreciation	(1,720)	0	6,279,422	5,952,700	(326,722)	0	5,952,700
Internal Transactions	(177)	0	3,462,749	3,074,650	(388,099)	0	3,074,650
<b>TOTAL OPERATING EXPENSE</b>	<b>120,005</b>	<b>0</b>	<b>21,723,303</b>	<b>21,255,550</b>	<b>(467,753)</b>	<b>0</b>	<b>21,255,550</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	(7,411)	0	25,939	0	(25,939)	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	<b>(7,411)</b>	<b>0</b>	<b>25,939</b>	<b>0</b>	<b>(25,939)</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENSE</b>	<b>112,594</b>	<b>0</b>	<b>21,749,241</b>	<b>21,255,550</b>	<b>(493,691)</b>	<b>0</b>	<b>21,255,550</b>
<b>REVENUE</b>							
Annual Charges	0	0	0	0	0	0	0
User Fees & Charges	(128,895)	0	3,752,147	3,494,750	(257,397)	0	3,494,750
Grants Recurrent	(175,000)	0	424,664	440,200	15,536	0	440,200
Contributions	0	0	0	0	0	0	0
Internal Transactions	14,383	0	8,161,784	8,127,500	(34,284)	0	8,127,500
<b>TOTAL REVENUE</b>	<b>(289,513)</b>	<b>0</b>	<b>12,338,595</b>	<b>12,062,450</b>	<b>(276,145)</b>	<b>0</b>	<b>12,062,450</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(402,107)</b>	<b>0</b>	<b>(9,410,646)</b>	<b>(9,193,100)</b>	<b>217,546</b>	<b>0</b>	<b>(9,193,100)</b>
<b>PROJECTS</b>							
Capital Projects	(639,085)	0	4,692,431	4,069,100	(623,331)	0	4,069,100
Operating Projects	16,778	0	161,293	110,000	(51,293)	0	110,000
<b>TOTAL PROJECTS</b>	<b>(622,307)</b>	<b>0</b>	<b>4,853,725</b>	<b>4,179,100</b>	<b>(674,625)</b>	<b>0</b>	<b>4,179,100</b>



# PROJECTS - 2004/05

Department : Technical Services

Adjustments Year To Date

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Projects	Actual				Commit	Revised Budget			
	Net	Funding	Revenue	Expense		Net	Funding	Revenue	Expense
<b>Capital Project</b>									
100000 - Operational Fleet	(159,038)	0	636,679	477,642	0	700,000	0	0	700,000
100001 - Passenger Fleet	883,221	0	1,425,205	2,308,425	0	0	350,000	0	350,000
100002 - Infrastructure Levy Works	0	0	0	0	0	1,704,700	0	0	1,704,700
100003 - Road Refurbishment	0	0	0	0	0	1,573,300	530,000	415,000	2,518,300
100004 - Depot Relocation	409,815	0	0	409,815	0	0	150,000	0	150,000
100006 - Business Centres Improvement P	117,637	0	0	117,637	0	185,000	0	0	185,000
100009 - Drainage Works	7,005	0	0	7,005	0	0	297,000	0	297,000
100010 - Footpath Works	757	0	0	757	0	(75,000)	402,600	0	327,600
100011 - Traffic Facilities	820	0	(738)	82	0	0	143,500	0	143,500
100039 - Werona Ave Underpass	0	0	26,297	26,297	0	0	0	100,000	100,000
100048 - West Lindfield Traffic Scheme 20	1,001	0	0	1,001	0	47,300	0	0	47,300
100049 - Roadside Facilities(RTA Case163	14,380	0	0	14,380	0	0	0	0	0
100050 - Wahroonga Shopping Centre Bus	11,185	0	0	11,185	0	8,900	0	0	8,900
100051 - 30 Warragal Rd Implemt Kerb Gu	0	0	0	0	0	10,000	0	0	10,000
100052 - Railway Ave Nth Wahroonga-Busi	9,600	0	0	9,600	0	12,500	0	0	12,500
100053 - Kissing Point Rd Turramurra-Foot	0	0	0	0	0	0	0	0	0
100057 - Access Works Council Chamber	1,500	0	0	1,500	0	0	15,000	0	15,000
100058 - Depot Relocation -DA Preparatio	0	0	0	0	0	0	172,000	0	172,000
100059 - Depot Relocation - Contamnt Inv	2,818	0	0	2,818	0	0	30,000	0	30,000
100060 - Traffic Facilities 2003/04	0	0	0	0	0	0	98,500	0	98,500
100066 - Link Rd - Footpath Program 03/0	94,359	0	0	94,359	0	0	0	0	0
100067 - Mona Vale Rd - Footpath Progra	0	0	0	0	0	0	0	0	0
100068 - Carrington Rd Part Two	45,083	0	0	45,083	0	0	0	0	0
100070 - Burns Rd Wahroonga-Lovers Jurr	149,658	0	0	149,658	0	0	7,900	0	7,900
100071 - Grosvenor St Wahroongah	76,050	0	0	76,050	0	0	0	0	0
100072 - Wahroonga Ave Part Two	40,374	0	0	40,374	0	0	0	0	0
100073 - Firs Estate Cottage 2003/2004	39,613	0	0	39,613	0	0	93,000	0	93,000
100076 - Keats Rd	5,360	0	0	5,360	0	0	0	0	0
100079 - Installation of Load Limit Signs	24,331	0	0	24,331	0	0	0	0	0
100081 - Banks Ave North Turramurra	56,087	0	0	56,087	0	0	0	0	0
100082 - Briar St St. Ives	25,606	0	0	25,606	0	0	0	0	0
100083 - Curagul Rd North Turramurra	138,907	0	0	138,907	0	0	0	0	0
100084 - Edgecombe Rd St. Ives	15,750	0	0	15,750	0	0	0	0	0
100085 - Ayres Rd St. Ives	85	0	0	85	0	0	0	0	0
100086 - Fidden Wharf Rd Killara	154,321	0	0	154,321	0	0	0	0	0
100087 - Gladys Ave Wahroonga	39,914	0	0	39,914	0	0	0	0	0
100088 - Addison Ave Roseville - Archbold	65,845	0	0	65,845	0	0	0	0	0
100089 - Addison Ave Roseville - Moore A	49,681	0	0	49,681	0	0	0	0	0
100090 - Howard St Lindfield	35,573	0	0	35,573	0	0	0	0	0
100091 - Kylie St Killara	48,330	0	0	48,330	0	0	0	0	0
100092 - Moore Ave Roseville	41,182	0	0	41,182	0	0	0	0	0
100093 - Nelson St Gordon - Carter St	128,230	0	0	128,230	0	0	0	0	0
100094 - Nelson St Gordon - Matong St	14,705	0	0	14,705	0	0	0	0	0
100095 - Park Lane Gordon - Rosedale Rd	15,122	0	0	15,122	0	0	0	0	0
100096 - Stanley St St. Ives	129,444	0	0	129,444	0	0	0	0	0
100097 - The Chase Rd Turramurra	111,255	0	0	111,255	0	0	0	0	0
100098 - Wembury Rd St. Ives	51,410	0	0	51,410	0	0	0	0	0
100099 - Windsor Place St. Ives Chase	43,638	0	0	43,638	0	0	0	0	0
100100 - Yirgella Ave East Killara	74,338	0	0	74,338	0	0	0	0	0
100101 - Zelda Ave Wahroongah	43,134	0	0	43,134	0	0	0	0	0
100102 - Alvona Ave. St. Ives	144,667	0	0	144,667	0	0	0	0	0
100103 - Carrington Rd Wahroongah	256,324	0	0	256,324	0	0	0	0	0
100104 - Heydon Ave Warrawee	181,314	0	0	181,314	0	0	0	0	0
100105 - Johnson St Lindfield	200,886	0	0	200,886	0	0	0	0	0
100107 - Marlborough Pl St. Ives	124,500	0	0	124,500	0	0	0	0	0
100108 - Minnamurra Ave Pymble	311,037	0	0	311,037	0	0	0	0	0
100109 - Mudies Rd St. Ives	74,362	0	0	74,362	0	0	0	0	0
100110 - Ravenhill Rd Turramurra	104,508	0	0	104,508	0	0	0	0	0
100111 - Ray St Turramurra	152,044	0	0	152,044	0	0	0	0	0
100112 - Robert St Gordon	67,703	0	0	67,703	0	0	0	0	0



# PROJECTS - 2004/05

Department : Technical Services

Adjustments Year To Date

Printed On  
12-August-2005

Projects	Actual				Commit	Revised Budget			
	Net	Funding	Revenue	Expense		Net	Funding	Revenue	Expense
100113 - Rothery St Gordon	21,655	0	0	21,655	0	0	0	0	0
100114 - Wahroonga Ave Wahroonga	47,774	0	0	47,774	0	0	0	0	0
100115 - Yarabah Ave Gordon	194,016	0	0	194,016	0	0	0	0	0
100116 - Hydrant Markers	410	0	0	410	0	0	0	0	0
100118 - Bangalla St - Warrawee	176,322	0	0	176,322	0	0	0	0	0
100119 - Fox Valley Rd	34,393	0	0	34,393	0	0	0	0	0
100120 - The Comenarra Pwy Sth Turramu	280,228	0	0	280,228	0	0	0	0	0
100121 - The Comenarra Pwy Sth Turramu	201,890	0	0	201,890	0	0	0	0	0
100123 - Infrastructure Levy 2003/2004	13,778	0	0	13,778	0	0	0	0	0
100124 - Rehabilitation 2003/2004	3,196	0	0	3,196	0	0	0	0	0
100126 - Bus Shelter Advertising	(675,030)	0	682,790	7,760	0	0	0	620,900	620,900
100130 - Robert St-Pedestrian Refuge Isl	0	0	0	0	0	0	0	0	0
100132 - Highfield/Dorman - Roundabout 2	24,144	0	0	24,144	0	0	0	0	0
100133 - Highfield near Bowling Club-Rd n	10,379	0	0	10,379	0	0	0	0	0
100135 - Highfield/Primula - Roundabout 2	36,053	0	0	36,053	0	0	0	0	0
100137 - St Ives-Gordon C'way-Footpath P	80,362	0	75,000	155,362	0	75,000	0	75,000	150,000
100139 - Jersey St - Footpath Program	33,357	0	0	33,357	0	0	0	0	0
100140 - Boyd St - Footpath Program	13,700	0	0	13,700	0	0	0	0	0
100141 - Eastern Rd - Footpath Program	40,959	0	0	40,959	0	0	0	0	0
100160 - C.A.R.E.S. St Ives 2003/2004	12,736	0	0	12,736	0	2,400	0	0	2,400
100161 - Footpath Program 2003/2004	0	0	0	0	0	0	217,000	0	217,000
100167 - Bobbin Head Rd - Footpath Prog	1,173	0	0	1,173	0	0	0	0	0
100174 - Business Centre Improvement Pr	52,608	0	0	52,608	0	0	51,800	0	51,800
100184 - Highfield Rd - West of cook Rd - F	6,246	0	0	6,246	0	0	0	0	0
100189 - Energy Australia - Kulgoa Avenu	(15,629)	0	69,110	53,481	0	0	0	0	0
100190 - Energy Australia - Bromley Aven	12,065	0	52,849	64,914	0	0	0	0	0
100192 - Eastern Arterial Rd St Ives	(81,100)	0	81,100	0	0	(81,100)	0	81,100	0
100193 - Fox Valley Rd Wahroonga	(71,600)	0	71,600	0	0	(71,600)	0	71,600	0
100194 - Eastern Rd Turramurra	(22,088)	0	22,300	213	0	(22,300)	0	22,300	0
<b>Total For: Capital Project</b>	<b>4,692,431</b>	<b>0</b>	<b>3,557,192</b>	<b>8,249,624</b>	<b>0</b>	<b>4,069,100</b>	<b>2,558,300</b>	<b>1,385,900</b>	<b>8,013,300</b>
<b>Operational Project</b>									
100019 - Catchment Analysis	99,194	0	0	99,194	0	100,000	0	0	100,000
100046 - SES Power Supply 2003/04	0	0	0	0	0	10,000	0	0	10,000
100117 - Rehab - Pavement Condition Sur	16,569	0	0	16,569	0	0	0	0	0
100122 - Infrastru Levy Pavement Condiiti	44,221	0	0	44,221	0	0	0	0	0
100185 - Bus Shelter - Road Safety Audit	1,310	0	0	1,310	0	0	0	0	0
<b>Total For: Operational Project</b>	<b>161,293</b>	<b>0</b>	<b>0</b>	<b>161,293</b>	<b>0</b>	<b>110,000</b>	<b>0</b>	<b>0</b>	<b>110,000</b>

NET EXPENDITURE	Adjustments	Adjustments Year To Date				Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Management Support - Depot Servi	(3,635)	0	540,671	406,600	(134,071)	0	406,600
<b>NET EXPENDITURE / (REVENUE)</b>	(3,635)	0	540,671	406,600	(134,071)	0	406,600
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(3,830)	0	232,769	226,900	(5,869)	0	226,900
Operating Expenses	195	0	43,126	42,400	(726)	0	42,400
Materials & Contract	0	0	1,708	500	(1,208)	0	500
Depreciation	0	0	0	4,600	4,600	0	4,600
Internal Transactions	0	0	263,068	132,200	(130,868)	0	132,200
<b>TOTAL OPERATING EXPENSE</b>	(3,635)	0	540,671	406,600	(134,071)	0	406,600
<b>TOTAL EXPENSE</b>	(3,635)	0	540,671	406,600	(134,071)	0	406,600
<b>NET SURPLUS / (DEFICIT)</b>	3,635	0	(540,671)	(406,600)	134,071	0	(406,600)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Fleet Operations

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Management Support - Fleet Opera		(2,326)	0	133,901	114,000	(19,901)	0	114,000
Operational Fleet		47,500	0	(426,263)	(240,300)	185,963	0	(240,300)
Passenger Fleet		39,896	0	(243,006)	(635,700)	(392,694)	0	(635,700)
Small Plant & Equipment		446	0	51,232	0	(51,232)	0	0
Workshop		9,179	0	340,261	383,000	42,739	0	383,000
<b>NET EXPENDITURE / (REVENUE)</b>		<b>94,695</b>	<b>0</b>	<b>(143,876)</b>	<b>(379,000)</b>	<b>(235,124)</b>	<b>0</b>	<b>(379,000)</b>
<b>NET OPERATING RESULT</b>								
<b>EXPENSE</b>								
Employee Costs		(3,673)	0	590,672	680,200	89,528	0	680,200
Operating Expenses		15,667	0	416,479	371,200	(45,279)	0	371,200
Materials & Contract		82,701	0	781,205	589,500	(191,705)	0	589,500
Depreciation		0	0	1,072,020	984,900	(87,120)	0	984,900
Internal Transactions		0	0	24,198	24,800	602	0	24,800
<b>TOTAL OPERATING EXPENSE</b>		<b>94,695</b>	<b>0</b>	<b>2,884,575</b>	<b>2,650,600</b>	<b>(233,975)</b>	<b>0</b>	<b>2,650,600</b>
<b>TOTAL EXPENSE</b>		<b>94,695</b>	<b>0</b>	<b>2,884,575</b>	<b>2,650,600</b>	<b>(233,975)</b>	<b>0</b>	<b>2,650,600</b>
<b>REVENUE</b>								
User Fees & Charges		0	0	298,850	300,000	1,150	0	300,000
Internal Transactions		0	0	2,729,600	2,729,600	0	0	2,729,600
<b>TOTAL REVENUE</b>		<b>0</b>	<b>0</b>	<b>3,028,450</b>	<b>3,029,600</b>	<b>1,150</b>	<b>0</b>	<b>3,029,600</b>
<b>NET SURPLUS / (DEFICIT)</b>		<b>(94,695)</b>	<b>0</b>	<b>143,876</b>	<b>379,000</b>	<b>235,124</b>	<b>0</b>	<b>379,000</b>
<b>PROJECTS</b>								
Capital Projects		(602)	0	724,183	700,000	(24,183)	0	700,000
<b>TOTAL PROJECTS</b>		<b>(602)</b>	<b>0</b>	<b>724,183</b>	<b>700,000</b>	<b>(24,183)</b>	<b>0</b>	<b>700,000</b>





# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Infrastructure Levy

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Infrastructure Levy		0	0	0	0	0	0	0
<b>NET EXPENDITURE / (REVENUE)</b>		0	0	0	0	0	0	0
<b>NET OPERATING</b>								
<b>EXPENSE</b>								
Employee Costs		0	0	0	0	0	0	0
<b>TOTAL OPERATING EXPENSE</b>		0	0	0	0	0	0	0
<b>TOTAL EXPENSE</b>		0	0	0	0	0	0	0
<b>NET SURPLUS / (DEFICIT)</b>		0	0	0	0	0	0	0
<b>PROJECTS</b>								
Capital Projects		0	0	1,296,336	1,704,700	408,364	0	1,704,700
Operating Projects		0	0	44,221	0	(44,221)	0	0
<b>TOTAL PROJECTS</b>		0	0	<b>1,340,557</b>	<b>1,704,700</b>	<b>364,143</b>	<b>0</b>	<b>1,704,700</b>



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Maint & Construction

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Mgt Support - Maintenance & Constr		(388)	0	91,382	113,500	22,118	0	113,500
Access Crossings		392	0	(178,654)	(123,300)	55,354	0	(123,300)
Drainage Maintenance & Repair		49,259	0	1,043,224	974,300	(68,924)	0	974,300
Footpath Maintenance		(4,318)	0	629,381	776,100	146,719	0	776,100
Kerb & Gutter Maintenance		(471)	0	90,947	172,700	81,753	0	172,700
Patching		(46)	0	42,146	72,800	30,654	0	72,800
Restorations		(485)	0	(564,501)	(602,700)	(38,199)	0	(602,700)
Road Maintenance		155,522	0	3,334,663	3,498,200	163,537	0	3,498,200
Road Maintenance - Road Shoulders		2,108	0	282,455	373,400	90,945	0	373,400
Car Parks		0	0	141,447	112,900	(28,547)	0	112,900
<b>NET EXPENDITURE / (REVENUE)</b>		201,573	0	4,912,489	5,367,900	455,411	0	5,367,900
<b>NET OPERATING</b>								
<b>EXPENSE</b>								
Employee Costs		19,983	0	1,155,243	1,481,200	325,957	0	1,481,200
Operating Expenses		177	0	43,525	70,000	26,475	0	70,000
Materials & Contract		6,474	0	1,277,612	1,425,600	147,988	0	1,425,600
Depreciation		0	0	3,591,440	3,453,000	(138,440)	0	3,453,000
Internal Transactions		(61)	0	371,588	368,900	(2,688)	0	368,900
<b>TOTAL OPERATING EXPENSE</b>		26,573	0	6,439,409	6,798,700	359,291	0	6,798,700
<b>TOTAL EXPENSE</b>		26,573	0	6,439,409	6,798,700	359,291	0	6,798,700
<b>REVENUE</b>								
User Fees & Charges		0	0	1,446,921	1,350,800	(96,121)	0	1,350,800
Grants Recurrent		(175,000)	0	80,000	80,000	0	0	80,000
<b>TOTAL REVENUE</b>		(175,000)	0	1,526,921	1,430,800	(96,121)	0	1,430,800
<b>NET SURPLUS / (DEFICIT)</b>		(201,573)	0	(4,912,489)	(5,367,900)	(455,411)	0	(5,367,900)
<b>PROJECTS</b>								
Capital Projects		(63,779)	0	410,095	206,400	(203,695)	0	206,400
<b>TOTAL PROJECTS</b>		(63,779)	0	410,095	206,400	(203,695)	0	206,400



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Mgnt Sup Tech Services

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Management Support - Technical Se	(2,387)	0	642,560	608,900	(33,660)	0	608,900
Public Lighting	97,775	0	873,370	845,000	(28,370)	0	845,000
Rural Fire Brigade Services	0	0	66,294	97,700	31,406	0	97,700
SES Services	114	0	123,617	131,800	8,183	0	131,800
<b>NET EXPENDITURE / (REVENUE)</b>	95,502	0	1,705,840	1,683,400	(22,440)	0	1,683,400
<b>NET OPERATING EXPENSE</b>							
<b>EXPENSE</b>							
Employee Costs	(4,753)	0	295,897	270,800	(25,097)	0	270,800
Operating Expenses	99,881	0	1,460,948	1,421,500	(39,448)	0	1,421,500
Materials & Contract	374	0	41,917	60,900	18,983	0	60,900
Depreciation	0	0	342	0	(342)	0	0
Internal Transactions	0	0	178,651	180,200	1,549	0	180,200
<b>TOTAL OPERATING EXPENSE</b>	95,502	0	1,977,754	1,933,400	(44,354)	0	1,933,400
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	1,182	0	(1,182)	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	1,182	0	(1,182)	0	0
<b>TOTAL EXPENSE</b>	95,502	0	1,978,936	1,933,400	(45,536)	0	1,933,400
<b>REVENUE</b>							
User Fees & Charges	0	0	8,311	1,000	(7,311)	0	1,000
Grants Recurrent	0	0	264,785	249,000	(15,785)	0	249,000
<b>TOTAL REVENUE</b>	0	0	273,096	250,000	(23,096)	0	250,000
<b>NET SURPLUS / (DEFICIT)</b>	(95,502)	0	(1,705,840)	(1,683,400)	22,440	0	(1,683,400)
<b>PROJECTS</b>							
<b>Capital Projects</b>	0	0	(221,284)	0	221,284	0	0
<b>Operating Projects</b>	16,778	0	100,504	110,000	9,496	0	110,000
<b>TOTAL PROJECTS</b>	16,778	0	(120,780)	110,000	230,780	0	110,000



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Pavement Rehab

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Pavement Rehabilitation & Reconst	0	0	690	0	(690)	0	0
<b>NET EXPENDITURE / (REVENUE)</b>	0	0	690	0	(690)	0	0
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	0	0	690	0	(690)	0	0
<b>TOTAL OPERATING EXPENSE</b>	0	0	690	0	(690)	0	0
<b>TOTAL EXPENSE</b>	0	0	690	0	(690)	0	0
<b>NET SURPLUS / (DEFICIT)</b>	0	0	(690)	0	690	0	0
<b>PROJECTS</b>							
Capital Projects	(570,628)	0	2,300,403	1,398,300	(902,103)	0	1,398,300
Operating Projects	0	0	16,569	0	(16,569)	0	0
<b>TOTAL PROJECTS</b>	(570,628)	0	2,316,972	1,398,300	(918,672)	0	1,398,300

**MONTHLY FINANCIAL REPORTING - 2004/05**

## RESPONSIBILITY CENTRE SUMMARY

**Responsibility Centre : Street Sweep & Litter**

NET EXPENDITURE	Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre	Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>							
Litter Control & Clearing	1,521	0	154,546	177,300	22,754	0	177,300
Routine Pit Clearance	12	0	75,339	160,300	84,961	0	160,300
Street Sweeping	17,413	0	547,998	516,400	(31,598)	0	516,400
Unformed Shoulder Clearing	(1,015)	0	124,995	133,700	8,705	0	133,700
<b>NET EXPENDITURE / (REVENUE)</b>	17,932	0	902,878	987,700	84,822	0	987,700
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(3,308)	0	480,469	592,100	111,631	0	592,100
Operating Expenses	52	0	4,819	17,600	12,781	0	17,600
Materials & Contract	21,188	0	284,815	246,400	(38,415)	0	246,400
Internal Transactions	0	0	336,300	336,600	300	0	336,600
<b>TOTAL OPERATING EXPENSE</b>	17,932	0	1,106,403	1,192,700	86,297	0	1,192,700
<b>TOTAL EXPENSE</b>	17,932	0	1,106,403	1,192,700	86,297	0	1,192,700
<b>REVENUE</b>							
User Fees & Charges	0	0	(1,475)	0	1,475	0	0
Internal Transactions	0	0	205,000	205,000	0	0	205,000
<b>TOTAL REVENUE</b>	0	0	203,525	205,000	1,475	0	205,000
<b>NET SURPLUS / (DEFICIT)</b>	(17,932)	0	(902,878)	(987,700)	(84,822)	0	(987,700)
<b>PROJECTS</b>							
<b>TOTAL PROJECTS</b>							



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Trade Services

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Management Support - Trade Servi	(2,123)	0	(40,316)	(3,400)	36,916	0	(3,400)
Building Management	15,119	0	422,893	41,600	(381,293)	0	41,600
<b>NET EXPENDITURE / (REVENUE)</b>	12,996	0	382,577	38,200	(344,377)	0	38,200
<b>NET OPERATING RESULT</b>							
<b>EXPENSE</b>							
Employee Costs	(10,817)	0	876,031	1,016,100	140,069	0	1,016,100
Operating Expenses	(102,861)	0	1,747,625	1,671,300	(76,325)	0	1,671,300
Materials & Contract	13,998	0	1,067,318	902,800	(164,518)	0	902,800
Depreciation	(1,720)	0	1,615,619	1,510,200	(105,419)	0	1,510,200
Internal Transactions	(116)	0	2,189,287	1,934,750	(254,537)	0	1,934,750
<b>TOTAL OPERATING EXPENSE</b>	(101,516)	0	7,495,880	7,035,150	(460,730)	0	7,035,150
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	24,757	0	(24,757)	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	24,757	0	(24,757)	0	0
<b>TOTAL EXPENSE</b>	(101,516)	0	7,520,637	7,035,150	(485,487)	0	7,035,150
<b>REVENUE</b>							
User Fees & Charges	(128,895)	0	1,910,876	1,804,050	(106,826)	0	1,804,050
Internal Transactions	14,383	0	5,227,184	5,192,900	(34,284)	0	5,192,900
<b>TOTAL REVENUE</b>	(114,513)	0	7,138,060	6,996,950	(141,110)	0	6,996,950
<b>NET SURPLUS / (DEFICIT)</b>	(12,996)	0	(382,577)	(38,200)	344,377	0	(38,200)
<b>PROJECTS</b>							
<b>Capital Projects</b>	80	0	24,331	0	(24,331)	0	0
<b>TOTAL PROJECTS</b>	80	0	24,331	0	(24,331)	0	0



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Traffic & Projects

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Investigation & Design	(9,722)	0	661,125	612,900	(48,225)	0	612,900
Road Safety	(1,098)	0	85,412	71,100	(14,312)	0	71,100
Traffic Management	(6,136)	0	362,840	404,300	41,460	0	404,300
<b>NET EXPENDITURE / (REVENUE)</b>	(16,956)	0	1,109,377	1,088,300	(21,077)	0	1,088,300
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(17,234)	0	1,013,922	997,400	(16,522)	0	997,400
Operating Expenses	7,689	0	125,174	100,900	(24,274)	0	100,900
Materials & Contract	0	0	39,168	42,900	3,732	0	42,900
Internal Transactions	0	0	99,657	97,200	(2,457)	0	97,200
<b>TOTAL OPERATING EXPENSE</b>	(9,546)	0	1,277,921	1,238,400	(39,521)	0	1,238,400
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	(7,411)	0	0	0	0	0	0
<b>TOTAL CAPITALISED EXPENSE</b>	(7,411)	0	0	0	0	0	0
<b>TOTAL EXPENSE</b>	(16,956)	0	1,277,921	1,238,400	(39,521)	0	1,238,400
<b>REVENUE</b>							
User Fees & Charges	0	0	88,664	38,900	(49,764)	0	38,900
Grants Recurrent	0	0	79,879	111,200	31,321	0	111,200
<b>TOTAL REVENUE</b>	0	0	168,544	150,100	(18,444)	0	150,100
<b>NET SURPLUS / (DEFICIT)</b>	16,956	0	(1,109,377)	(1,088,300)	21,077	0	(1,088,300)
<b>PROJECTS</b>							
<b>Capital Projects</b>	(4,156)	0	158,367	59,700	(98,667)	0	59,700
<b>TOTAL PROJECTS</b>	(4,156)	0	158,367	59,700	(98,667)	0	59,700



# MONTHLY FINANCIAL REPORTING - 2004/05

## DEPARTMENT SUMMARY

Department : Waste Management

NET EXPENDITURE Responsibility Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Domestic Waste	620,513	0	(115,666)	947,800	1,063,466	0	947,800
Trade Waste	(251,006)	0	(444,070)	(378,500)	65,570	0	(378,500)
<b>NET EXPENDITURE / (REVENUE)</b>	<b>369,506</b>	<b>0</b>	<b>(559,737)</b>	<b>569,300</b>	<b>1,129,037</b>	<b>0</b>	<b>569,300</b>
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(4,543)	0	276,711	249,400	(27,311)	0	249,400
Operating Expenses	3,391	0	(119,485)	120,000	239,485	0	120,000
Materials & Contract	705,923	0	8,531,639	9,096,400	564,761	0	9,096,400
Pensioner Rebate	0	0	188,171	180,000	(8,171)	0	180,000
Depreciation	0	0	14,083	150,000	135,917	0	150,000
Internal Transactions	0	0	1,097,663	1,080,600	(17,063)	0	1,080,600
<b>TOTAL OPERATING EXPENSE</b>	<b>704,771</b>	<b>0</b>	<b>9,988,782</b>	<b>10,876,400</b>	<b>887,618</b>	<b>0</b>	<b>10,876,400</b>
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	0	20,000	20,000	0	20,000
<b>TOTAL CAPITALISED EXPENSE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20,000</b>	<b>20,000</b>	<b>0</b>	<b>20,000</b>
<b>TOTAL EXPENSE</b>	<b>704,771</b>	<b>0</b>	<b>9,988,782</b>	<b>10,896,400</b>	<b>907,618</b>	<b>0</b>	<b>10,896,400</b>
<b>REVENUE</b>							
Annual Charges	355,921	0	8,815,713	8,659,100	(156,613)	0	8,659,100
User Fees & Charges	27,844	0	1,438,234	1,400,000	(38,234)	0	1,400,000
Interest Income	(48,500)	0	9,262	48,500	39,238	0	48,500
Grants Recurrent	0	0	103,608	108,000	4,392	0	108,000
Internal Transactions	0	0	181,701	111,500	(70,201)	0	111,500
<b>TOTAL REVENUE</b>	<b>335,264</b>	<b>0</b>	<b>10,548,519</b>	<b>10,327,100</b>	<b>(221,419)</b>	<b>0</b>	<b>10,327,100</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(369,506)</b>	<b>0</b>	<b>559,737</b>	<b>(569,300)</b>	<b>(1,129,037)</b>	<b>0</b>	<b>(569,300)</b>
<b>PROJECTS</b>							
Operating Projects	0	0	68,083	0	(68,083)	0	0
<b>TOTAL PROJECTS</b>	<b>0</b>	<b>0</b>	<b>68,083</b>	<b>0</b>	<b>(68,083)</b>	<b>0</b>	<b>0</b>





# PROJECTS - 2004/05

Department : Waste Management

Adjustments Year To Date

Printed On  
03-August-2005

Projects	Actual				Commit	Revised Budget			
	Net	Funding	Revenue	Expense		Net	Funding	Revenue	Expense
<b>Operational Project</b>									
100078 - Waste Education & Communi St	68,083	0	0	68,083	0	0	80,000	0	80,000
<b>Total For: Operational Project</b>	68,083	0	0	68,083	0	0	80,000	0	80,000
<b>Total Projects</b>	68,083	0	0	68,083	0	0	80,000	0	80,000



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

### Responsibility Centre : Domestic Waste

NET EXPENDITURE Cost Centre	Adjustments		Adjustments Year To Date			Commitments	Full Year Budget
	Actual	Budget	Actual	Budget	Variance		
<b>OPERATING</b>							
Domestic Waste	(3,499,861)	0	(4,517,178)	1,006,700	5,523,878	0	1,006,700
Green Waste Service	2,116,608	0	2,614,283	(58,900)	(2,673,183)	0	(58,900)
Recycling Service	2,003,765	0	1,787,229	0	(1,787,229)	0	0
<b>NET EXPENDITURE / (REVENUE)</b>	620,513	0	(115,666)	947,800	1,063,466	0	947,800
<b>NET OPERATING</b>							
<b>EXPENSE</b>							
Employee Costs	(3,890)	0	242,724	222,000	(20,724)	0	222,000
Operating Expenses	3,391	0	(120,851)	119,400	240,251	0	119,400
Materials & Contract	624,135	0	7,524,333	8,066,400	542,067	0	8,066,400
Pensioner Rebate	0	0	188,171	180,000	(8,171)	0	180,000
Depreciation	0	0	14,083	150,000	135,917	0	150,000
Internal Transactions	0	0	1,097,663	1,080,600	(17,063)	0	1,080,600
<b>TOTAL OPERATING EXPENSE</b>	623,636	0	8,946,122	9,818,400	872,278	0	9,818,400
<b>CAPITALISED EXPENSE</b>							
Balance Sheet	0	0	0	20,000	20,000	0	20,000
<b>TOTAL CAPITALISED EXPENSE</b>	0	0	0	20,000	20,000	0	20,000
<b>TOTAL EXPENSE</b>	623,636	0	8,946,122	9,838,400	892,278	0	9,838,400
<b>REVENUE</b>							
Annual Charges	23,779	0	8,387,040	8,334,100	(52,940)	0	8,334,100
User Fees & Charges	27,844	0	491,676	400,000	(91,676)	0	400,000
Interest Income	(48,500)	0	9,262	48,500	39,238	0	48,500
Grants Recurrent	0	0	103,608	108,000	4,392	0	108,000
Internal Transactions	0	0	70,201	0	(70,201)	0	0
<b>TOTAL REVENUE</b>	3,123	0	9,061,788	8,890,600	(171,188)	0	8,890,600
<b>NET SURPLUS / (DEFICIT)</b>	(620,513)	0	115,666	(947,800)	(1,063,466)	0	(947,800)
<b>PROJECTS</b>							
Operating Projects	0	0	68,083	0	(68,083)	0	0
<b>TOTAL PROJECTS</b>	0	0	68,083	0	(68,083)	0	0



# MONTHLY FINANCIAL REPORTING - 2004/05

## RESPONSIBILITY CENTRE SUMMARY

Responsibility Centre : Trade Waste

NET EXPENDITURE		Adjustments		Adjustments Year To Date			Commitments	Full Year
Cost Centre		Actual	Budget	Actual	Budget	Variance		Budget
<b>OPERATING</b>								
Trade Waste		(251,006)	0	(444,070)	(378,500)	65,570	0	(378,500)
<b>NET EXPENDITURE / (REVENUE)</b>		(251,006)	0	(444,070)	(378,500)	65,570	0	(378,500)
<b>NET OPERATING RESULT</b>								
<b>EXPENSE</b>								
Employee Costs		(653)	0	33,987	27,400	(6,587)	0	27,400
Operating Expenses		0	0	1,366	600	(766)	0	600
Materials & Contract		81,788	0	1,007,307	1,030,000	22,693	0	1,030,000
<b>TOTAL OPERATING EXPENSE</b>		81,135	0	1,042,660	1,058,000	15,340	0	1,058,000
<b>TOTAL EXPENSE</b>		81,135	0	1,042,660	1,058,000	15,340	0	1,058,000
<b>REVENUE</b>								
Annual Charges		332,142	0	428,672	325,000	(103,672)	0	325,000
User Fees & Charges		0	0	946,558	1,000,000	53,442	0	1,000,000
Internal Transactions		0	0	111,500	111,500	0	0	111,500
<b>TOTAL REVENUE</b>		332,142	0	1,486,730	1,436,500	(50,230)	0	1,436,500
<b>NET SURPLUS / (DEFICIT)</b>		251,006	0	444,070	378,500	(65,570)	0	378,500
<b>PROJECTS</b>								
<b>TOTAL PROJECTS</b>								

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## INVESTMENT CASH FLOW & LOAN LIABILITY - JULY 2005

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To present to Council the Investment allocation and the performance of funds, monthly cash flow and details of loan liability for July 2005.

**BACKGROUND:**

Council's investments are made in accordance with the Local Government Act (1993), the Local Government (Financial Management) Regulation (1999) and Council's Investment Policy which was adopted by Council on 12 December 2004 (Minute No.480).

**COMMENTS:**

The Reserve Bank of Australia (RBA) left the official cash rate unchanged at 5.50% during July.

**RECOMMENDATION:**

That the summary of investments, daily cash flows and loan liability for July 2005 be received and noted.

## PURPOSE OF REPORT

To present to Council the Investment allocation and the performance of funds, monthly cash flow and details of loan liability for July 2005.

## BACKGROUND

Council's investments are made in accordance with the Local Government Act (1993), the Local Government (Financial Management) Regulation (1999) and Council's Investment Policy which was adopted by Council on 12 December 2004 (Minute No. 480).

This policy allows Council to utilise the expertise of external fund managers for the investment of Council's short term surplus funds. This is done, as for many other Council's, with the advice of Grove Research & Advisory Pty Limited.

## COMMENTS

During the month of July Council had a cash inflow of \$4,800,000 and gross capital appreciation on Council's investments was \$107,700.

Council's total investment portfolio at the end of July 2005 is \$23,430,800. This compares to an opening balance of \$18,539,000 as at 1 July 2005.

Council's General Fund interest on investments for July year to date is \$107,700. This compares favourably to the year to date budget of \$83,750.

Council's total debt as at 31 July 2005 is \$11,295,900. There were no debt repayments during the month of July.

## 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 annualized yield (net of fees and charges) for each of Council's portfolios. 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.

Council's investment policy requires that not more than 45% of funds are to be with any one Fund Manager. All funds are kept below this required level of 45%.

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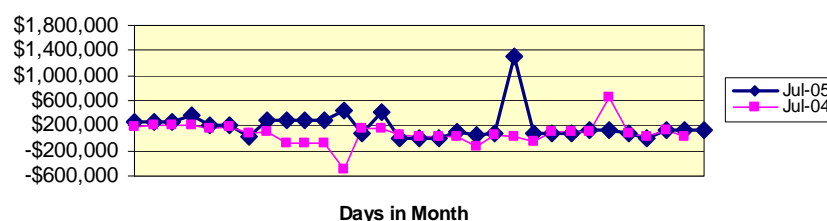
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▪ **Summary of Borrowings**

This is a summary of Council's borrowings. It lists each of Council's loans, original amounts borrowed, principal repayments made, outstanding balances, interest rates and maturity dates.

**July 2005****Management of General Fund Bank Balance**

During July, Council had an inflow of funds of \$4,800,000. Funds were received from payment made against the first rate instalment that is due on 31 August 2005 and the sale of 48 St John's Avenue Gordon.

**Management of General Fund Bank Balance****Funds Performance against the UBS Bank Bill Index**

The weighted average return for the total portfolio of managed funds during July was 6.48% compared to the benchmark of the UBS Bank Bill Index of 5.80%.

A summary of each funds performance is shown in the following table.

<b>Fund Manager</b>	<b>Terms</b>	<b>Opening Balance</b>	<b>Cash flow Movement</b>	<b>Income Earned (net of fees)</b>	<b>Closing Balance</b>	<b>Interest Rate</b>
BT Institutional Managed Cash	At Call	\$323,104	\$1,400,000	\$5,331	\$1,728,435	5.84%
Deutsche Income Fund	At Call	\$5,804,476	\$1,200,000	\$34,444	\$7,038,920	6.92%
Macquarie Income Plus Fund	At Call	\$4,107,101	\$2,200,000	\$25,435	\$6,332,536	6.59%
Perpetual Credit Enhanced Cash	At Call	\$5,464,325		\$26,590	\$5,490,915	6.56%
Turrumurra Community Bank	Term Deposit	\$500,000		\$2,358	\$500,000	5.66%
CBA Loan Offset No 1	Offset	\$1,040,000		\$4,889	\$1,040,000	5.72%
CBA Loan Offset No 2	Offset	\$1,300,000		\$6,112	\$1,300,000	5.72%
<b>TOTALS</b>		<b>\$18,539,006</b>	<b>\$4,800,000</b>	<b>\$105,159</b>	<b>\$23,430,806</b>	

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# **Year to-date Funds Performance against the UBS Bank Bill Index**

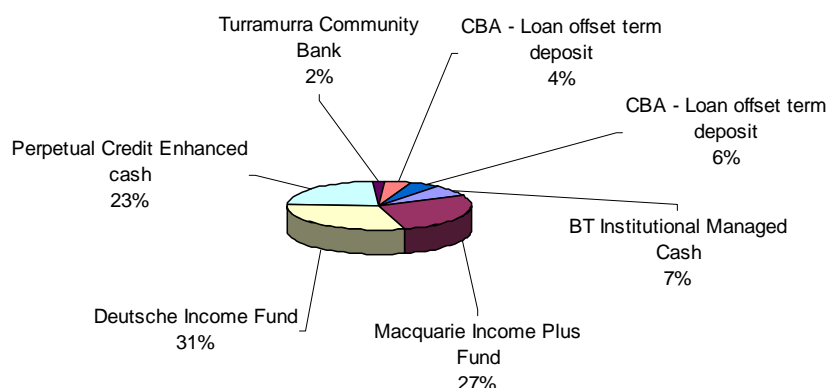
The following table provides a year-to-date analysis of each fund's performance against the industry benchmark.

Fund Manager	Performance Annualised for July 2005	UBS Bank Bill Index Annualised for July 2005
BT Institutional Managed Cash	5.84%	5.80%
Deutsche Income Fund	6.92%	
Macquarie Income Plus Fund	6.59%	
Perpetual Credit Enhanced Cash	6.56%	
Turramurra Community Bank	5.66%	
CBA Offset No.1	5.72%	
CBA Offset No.2	5.72%	

## **Allocation of Investment Funds:**

Council's funds during July were allocated as follows:

### **Portfolio Allocation of Investment Funds**



## **2004/2005 versus 2005/2006**

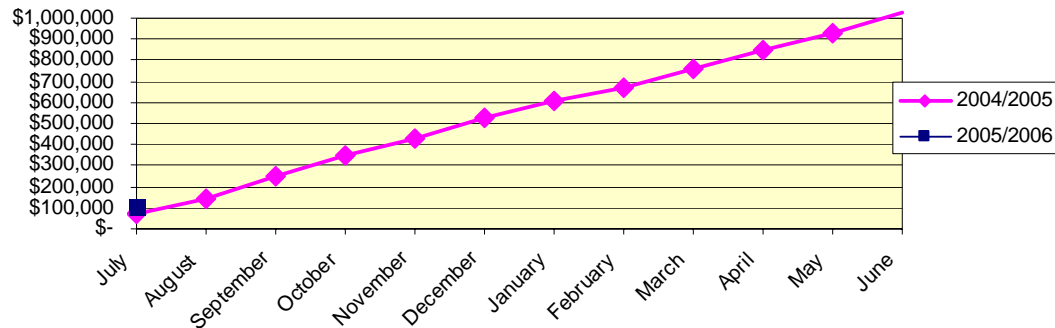
### **Accumulative Interest**

The following graph compares the interest earned on an accumulative monthly basis for financial years 2004/2005 and 2005/2006. Interest for July totalled \$107,700. This compares to \$72,400 at the same time last year, an increase of \$35,300.

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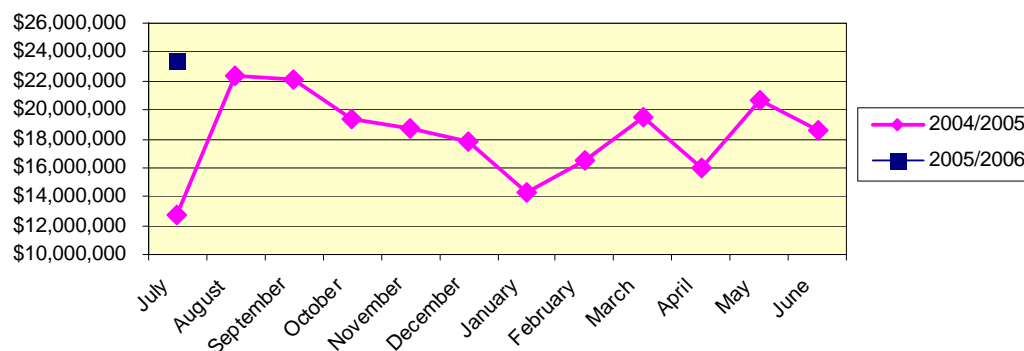
**Accumulative Interest 2004/2005 v's 2005/2006**



**Total Investment Portfolio**

The following graph tracks the monthly investment portfolio balances for 2005/2006 in comparison to 2004/2005.

**Total Investment Portfolio 2004/2005 v's 2005/2006**



During July 2005 Council's investment portfolio increased by \$4,800,000. In comparison, during July 2004 Council's investments decreased by \$4,650,000.

Council's closing investment portfolio of \$23,430,800 in July 2005 is \$10,751,700 higher than the July 2004 closing balance of \$12,679,100.

**Capital Works Projects**

During July 2005 Council expended \$324,300 on capital works, which compares to \$420,400 during July 2004, a decrease of \$96,100.

Council's 2005/2006 total budget for capital works in 2005/06 (excluding fleet replacement) is \$7,130,300, which leaves funds of \$6,806,000 unexpended at the end of July.

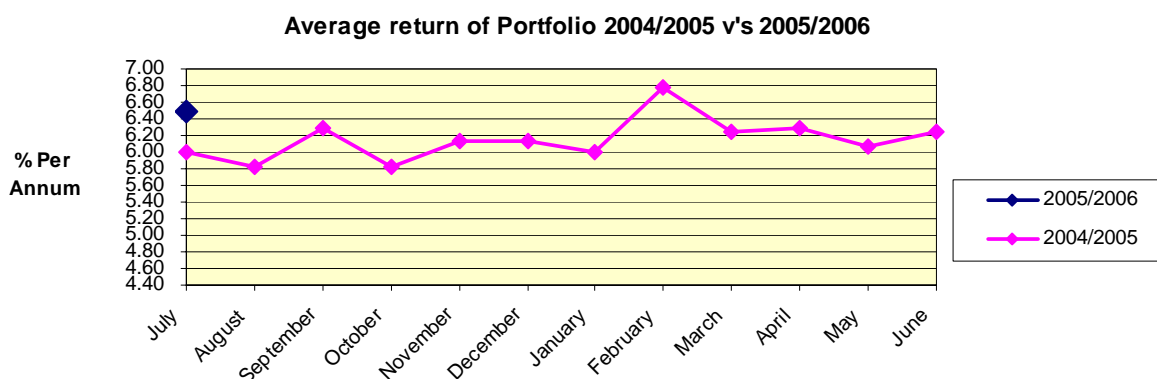


## Item 2

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5 August 2005**Portfolio Performance Average Return 2004/2005 versus 2005/2006**

The following graph compares the monthly returns on Council's portfolio for the financial years 2004/2005 and 2005/2006.

In July 2005 earnings before fees were 6.48%, this compares to 6.01% in July 2004.

**2005/2006 Portfolio Performance against the UBS Bank Bill Index**

Council's average portfolio performance (6.48%) performed above the UBS Bank Bill Index (5.80%) in July.

**Summary of Borrowings**

There were no loan repayments made in July, leaving total debt at \$11,295,900.

Lender	Loan Number	Original Principal	Principal Repayments	Balance Outstanding	Interest Rate	Draw Down Date	Maturity Date
Westpac	127	\$1,000,000	\$632,423	\$367,577	6.32%	29-Jun-98	29-Jun-08
CBA Offset No 1	128	\$2,600,000	\$1,560,000	\$1,040,000	5.87%	29-Jun-99	13-Jun-09
CBA Offset No 2	129	\$2,600,000	\$1,300,000	\$1,300,000	5.87%	13-Jun-00	14-Jun-10
CBA	130	\$2,600,000	\$851,338	\$1,748,662	6.32%	26-Jun-01	28-Jun-11
NAB	131	\$2,600,000	\$605,123	\$1,994,877	6.85%	27-Jun-02	27-Jun-12
Westpac	132	\$1,882,000	\$303,556	\$1,578,444	5.16%	27-Jun-03	27-Jun-13
CBA	133	\$1,800,000	\$133,690	\$1,666,310	6.36%	23-Jun-04	23-Jun-14
Westpac	134	\$1,600,000		\$1,600,000	6.05%	29-Jun-05	30-Jun-15
<b>TOTAL</b>		<b>\$21,682,000</b>	<b>\$10,386,100</b>	<b>\$11,295,900</b>			

## CONSULTATION

Not applicable

## FINANCIAL CONSIDERATIONS

The Reserve Bank of Australia (RBA) left the official cash rate unchanged at 5.50% during July.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

## SUMMARY

As at 30 July 2005:

- Council's total investment portfolio is \$23,430,800. This compares to an opening balance of \$18,539,000 as at 1 July 2005, an increase of \$4,891,800.
- Council's General Fund interest on investments totals \$107,700. This compares favourably to the year to date budget of \$83,750.
- Council's total debt stands at \$11,295,900.

## RECOMMENDATION

That the summary of investments, daily cash flows and loan liability for July 2005 is received and noted.

John McKee  
**Director Finance and Business**

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## OUTDOOR DINING AND FOOTPATH TRADING POLICY

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To present the Outdoor Dining and Footpath Trading Policy to Council for adoption.

**BACKGROUND:**

The Draft Policy was originally placed on exhibition in the format of a Draft Development Control Plan (Draft DCP). The Draft DCP has since been modified to a Policy as it concerns activities undertaken within a road reserve, which are considered by Council under the *Roads Act 1993*. The Policy was listed for consideration by Council in May 2005 but the matter was deferred pending discussion about a number of issues including disability access, and general requirements of the policy.

**COMMENTS:**

The Draft Policy has been amended following input from the community and further work by Council officers.

**RECOMMENDATION:**

That Council adopt recommendations A to D as outlined in this report for the Outdoor Dining and Footpath Trading Policy as included in the attachment to this report.

## PURPOSE OF REPORT

To present the Outdoor Dining and Footpath Trading Policy to Council for adoption.

## BACKGROUND

Draft Development Control Plan (Draft DCP No 54) was publicly exhibited from 14 May 2003 until 11 June 2003. In accordance with Council's resolution of 6 May 2003, all existing outdoor dining and footpath activity license holders, Business Centre Consultative Committee (BCCC) and the relevant Chambers of Commerce were notified of the exhibition. Two submissions were received during the public exhibition period, from the BCCC and the Wahroonga Chamber of Commerce.

Following the exhibition, the document was modified from a DCP to a Policy, as it concerns activities undertaken within a road reserve. Such activities are outside the scope of a DCP and are instead considered by Council under the *Roads Act 1993*.

The Policy was listed for consideration on 24 May 2005, however, the matter was deferred to enable further consideration about disabled access, furniture requirements and disposable cutlery.

## COMMENTS

The *Outdoor Dining and Footpath Trading Policy* (as **attached**) has been developed to promote and control the use of Council owned footpaths, plazas and public areas that may be used for commercial purposes. This is now particularly important as Council's Residential Development Strategy – Stage 2 will increase opportunities to conduct outdoor dining and footpath trading activities.

Following exhibition in 2003 a number of changes were proposed to the detail of the Policy:

### 1. Advertising

In order to ensure that business operators would not be disadvantaged, the Policy was amended to permit low level advertising, specifically the advertising logos of a single company per dining area. This is important as the costs of these furnishings (such as tables, chairs and umbrellas) are often met by companies who use them as an advertising source to promote their products.

The proposal to amend the document to permit some forms of advertising did not, however, extend to A-frame style signs, as these have the potential to obstruct footpaths and present a safety issue.

The change to advertising provisions will necessitate a review of *Development Control Plans No 28 – Advertising Signs* to ensure consistency.

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## **2. Placement of Outdoor Dining Furnishings**

The Policy was amended to enable applicants to depart from the numerical controls for the placement of dining furnishings in the event that the objectives were met in full. This is consistent with the provisions of Council's DCPs and Policies.

## **3. Fees**

Reference to Rental Fees for the costs of renting Council owned footpath, plazas and other public places was deleted from the policy. These costs are contained within the *Fees and Charges* of Council's Management Plan and reviewed annually. It is not appropriate to include such information in a more permanent document.

## **4. Heating Structures**

The document was amended to permit a variety of heating structures in outdoor dining areas.

## **5. Planter Boxes**

The document was modified to permit the use of planter boxes in outdoor dining areas, as these may be beneficial in certain circumstances, for example, to provide separation between the adjoining areas of other businesses or soft landscaping. The plant selection must be to Council's satisfaction.

## **6. General Changes**

Appendices were added to illustrate means of correctly interpreting the requirements. Reference is now made to these appendices in the body of the document.

Several minor changes have also been made to the document to correct grammatical errors and the overall formatting of the document.

Following discussion at Council's Planning Committee of 21 June 2005, Council staff have conducted further consultation and reviewed the issues raised:

### **1. Disability Access**

The Policy as presented to Council on 23 May 2005 required that all furniture associated with outdoor dining be located adjacent to the premises with which it is associated, leaving an accessway between the dining areas and the road.

*Australian Standard AS1428*, which requires a clear and continuous path of access for pedestrians, does not specify where the accessway must be located. However, requiring the furniture to be located against the building façade is contrary to both the *Blind Citizens Australian Pedestrian Safety Policy* and the *WSROC/RTA/NRMA Manual of Best Practice for People with Disabilities*. Accordingly, the Policy has been modified to require an unobstructed footpath width of 2.0 metres

## Item 3

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between the dining area and the building façade, unless the objectives of the Policy can be met in another manner.

As presented to Council, the Policy also required all footpath trading activities to be located against the building façade. The *Royal Blind Society* recommends that all display stands be located against the kerb to ensure safe travel for people with visual disabilities. It is not considered practical to require this in all instances, particularly where shops may only use a single small stand for the display of a brochure.

The Policy has instead been modified to require:

- Consistency in the location of footpath trading activities between adjacent premises;
- Displays that are solid-to-ground so that they may be detected easily by people with canes;
- Displays against building facades to project not more than 500 mm, so that pedestrians may negotiate around the object(s).

The Policy also notes that, in accordance with *AS/NZS 1428.4-2002*, tactile surfaces may be required around display stands in some instances.

## 2. Plastic Furniture

The Policy presented to Council on 23 May 2005 required that furniture used for outdoor dining be commercial grade and specifically prohibited plastic and domestic-style furniture. It is recognised that some plastic furniture is of a high quality: in these instances Council would consider a variation to the requirement. However, it is considered important to set a standard for the quality of Ku-ring-gai's outdoor dining spaces which would not generally be achieved with common outdoor plastic furniture. Although the cost of providing quality furniture is higher than that of purchasing plastic, the Policy already enables shopkeepers to obtain much of the furniture free of charge from product manufacturers. Further, it is considered that outdoor dining areas with an appearance of quality would be more attractive to the residents of Ku-ring-gai.

## 3. Disposable Utensils

The Policy presented to Council in May prohibited the use of non-disposable eating utensils.

Disposable cutlery, crockery and containers are currently in use by the take-away shops and restaurants. They are a major source of the litter found in Sydney's streets. As noted in Council's *State of the Environment Report*, littering is a significant environmental issue in Ku-ring-gai because of the cost of managing it, the potential it has to degrade the aesthetics of an area and the harm it causes to terrestrial and aquatic ecosystems when it enters the stormwater system.

Most disposable eating utensils are made of plastic. They are relatively light weight and could easily blow off outdoor tables and would be highly likely to add to the litter problem in Ku-ring-gai and degrade the appearance of the outdoor areas.

Item 3

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5 August 2005

Biodegradable-disposable utensils would be preferable; however, the cost of these is presently too great to enable Council to require these in all instances. Further, it should be noted that biodegradable utensils are not necessarily always a desirable solution as their disposal can contribute to other environmental problems.

In order to help maintain a quality environment in Ku-ring-gai, as well as quality outdoor dining spaces, it is proposed that utensils for outdoor dining be non-disposable only.

**4. Down-lighting**

The wording of the Policy has been amended to enable forms of lighting other than down-lighting.

**5. Objectives**

The objectives have been amended to indicate that Council wishes to encourage outdoor dining.

## **CONSULTATION**

During the exhibition period, consultation was conducted with Council's Business Centres Consultative Committee and Council's Access Committee. The committee outlined several issues for review, which have been the basis for several of the proposed changes to the document's content. Further consultation has been undertaken since that time, with Council's Access Committee and with the Royal Blind Society.

## **FINANCIAL CONSIDERATIONS**

Council costs have primarily related to staff time required for the preparation and review of the policy as well as the costs of advertising and exhibiting the document. These costs have been met by the budget of the Planning and Environment Department.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

The development and review of the document has been a collaborative effort between Council's Planning and Environment, Technical Services and Finance and Business, Community Services and Development and Regulation Departments.

## **SUMMARY**

Activities undertaken within a road reserve, which includes footpaths, are considered by Council under the *Roads Act 1993* rather than as a development application. The requirements for footpath trading cannot therefore be contained within a DCP. For this reason, the exhibited *Draft Development Control Plan No 54 – The Commercial Use of Footpaths, Plazas and Public Areas* is now being presented to Council as *the Outdoor Dining and Footpath Trading Policy*.

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Several changes to the content of the document are proposed that respond to concerns raised during the exhibition period and research conducted in accordance with a previous Council resolution. Minor changes are also proposed to make the document more user-friendly.

Should the proposed amendments be adopted, it will be necessary to review *Development Control Plan No 28- Advertising Signs* for consistency.

## RECOMMENDATION

- A. That Council adopt the *Outdoor Dining and Footpath Trading Policy* under Section 68 of the *Local Government Act* as a Local Approvals Policy.
- B. That the relevant Chambers of Commerce and current permit holders be notified of Council's decision.
- C. That Council review *Development Control Plan No 28 – Advertising Signs* to ensure consistency with *Outdoor Dining and Footpath Trading Policy*.
- D. That a report be brought back to Council on the proposed amendment to *Development Control Plan No 28 – Advertising Signs*.

Katherine Lustig  
Environmental Planner

Antony Fabbro  
Manager  
Urban Planning

Steven Head  
Director Open Space and  
Planning

**Attachments:**      **Outdoor Dining and Footpath Trading Policy - 514225**  
                             **Appendices to Policy - 521887**





*“Outdoor Dining Areas that positively contribute to the streetscape character”*

# 1 INTRODUCTION

## 1.1 Name of this Policy

This Policy is called the ‘Outdoor Dining and Footpath Trading Policy.’

## 1.2 Commencement Date

This policy came into effect on **xxxxx**.

## 1.3 Purpose

The purpose of this policy is to:

- 1) facilitate the appropriate use of footpaths, plazas and public areas for the purposes of outdoor dining areas and other footpath trading activities in the Ku-ring-gai Local Government Area;
- 2) facilitate improvement to the street vitality, amenity and economic viability of Ku-ring-gai’s business zones;
- 3) provide opportunities for shop owners and residents to benefit from pedestrian circulation; and
- 4) set a high standard for public safety.

## 1.4 Objectives

The objectives of this Policy are:

- A. The appropriate use of footpaths, plazas and public areas for outdoor dining areas and footpath trading activities.
- B. Outdoor dining areas and footpath trading activities that contribute positively to the streetscape character.
- C. Outdoor dining areas and footpath trading activities that are compatible with other community uses of the public space.
- D. Outdoor furniture and other outdoor equipment that is safe, durable and aesthetically pleasing.

## 1.5 Obtaining a Permit

Council will use this Policy to assess all applications for the commercial use of footpath, plazas or public areas. Before applying for a permit, you should:

- obtain an application form for either a ‘Footpath Trading Activity Permit’ or an ‘Outdoor Dining Area Permit’ from Council;
- consider how your proposal complies with the objectives of Section 1.3;
- establish which sections of this Policy apply to your proposal;
- consider discussing the proposal with Council Officers to ensure relevant key matters are identified and addressed;

- ensure that your application is consistent with the aims and objectives of this Policy and complies with the requirements contained within this Policy; and
- ensure you are providing Council with all the necessary information.

## 1.6 Circumstances in which this Policy applies

This Policy applies to all:

- commercial premises; and
- food premises within commercial areas

that are lawfully operating or that have a valid development consent to operate, where it is proposed to use Council's footpaths, plazas or public areas to either:

- establish an outdoor dining area, or
- carry out footpath trading activities,

within the Ku-ring-gai Local Government Area.

**Note:** This policy does not apply to outdoor dining areas or footpath trading activities that are carried out on privately owned land.

## 1.7 Relationship to other Plans / Policies

The following Acts and Plans also apply to outdoor dining and footpath trading activities:

- *Roads Act 1993* – Sections 125, 126 and 127
- *Local Government Act 1993* – Section 68
- *Development Control Plan No 28 - Advertising Signs*

## 1.8 Variations to the Policy

Variations to the controls and requirements of this Policy may be permissible if, in the opinion of the Council, the objectives of the Policy have been met. A written statement and any other supporting information that details how this has been achieved must be included with the application.

# 2 DEFINITIONS

**Consent Authority** means Ku-ring-gai Council.

**Food Premises** means the café, restaurant or take away food shop to which the footpath / plaza / public area restaurant will be annexed.

**Footpath** means the part of a road that is set aside or formed as a path or way for pedestrian traffic.

**Footpath Trading Activity** means the display of goods for sale on Council footpaths, plazas or public areas.

**Footpath / Plaza / Public Area Permit** means the permit which must be held by the proprietor of the premises if they wish to carry out business operations on Council's footpaths, plazas or public areas.

**Outdoor Dining Area** means an area which is the portion of a café, restaurant, take away food shop or other premises directly in front of the premises and on Council owned land where food is served.

**Outdoor Dining on Private Land** means a dining establishment that is situated on privately owned land.

**Permitted Area** means the site of the footpath / plaza / public area for which a permit for commercial activity has been granted.

**Renewal Date** means the anniversary date of the commencement of the permit. The permit must be renewed each year before this date.

**Third Party Advertising** means any advertising other than that which identifies the subject premises itself.

## 3 OUTDOOR DINING AREAS

### 3.1 Assessment Criteria

Outdoor dining on Council owned land will only be permitted where:

- i) the premises meets the relevant standards, controls and policies that apply to the establishment of outdoor dining activities on the land;
- ii) the premises includes washing-up facilities on the premises; and
- iii) only non-disposable eating utensils are provided in the outdoor dining area of the premises.

### 3.2 Suitable Locations for Outdoor Dining Areas

All outdoor dining areas must:

- i) be located on a suitably constructed surface that is sufficiently level to allow for the safe use of the furniture and can support a layout that adequately meets the other requirements of this policy;
- ii) maintain a minimum unobstructed footpath width of 2.0 metres at all times between the outdoor dining area and the building;

**Note:** Council may consider outdoor dining areas located away from the road kerb or other locations where the applicant can demonstrate that the dining area will have no adverse impact on pedestrian flow, car parking, vehicular movement and other traffic flows. In the event that the outdoor seating is to be located adjacent to the building, a 500mm high solid barrier with a colour contrasting with the pavement (eg. planter box or canvas frame) must be erected around the furniture.

- iii) be located adjacent to the road kerb to allow for continuous easy movement of pedestrians along the footpath,
- iv) be located so as not to interfere with car parking and vehicular movement;
- v) be designed so that furniture will not be placed within 1.5 metres of any accessible parking space; and
- vi) be located directly in front of the premise to which it relates

unless written consent from the adjoining owner or proprietor is provided.

**Note:** If the applicant wishes to use adjoining land for the purpose of outdoor dining, this land must also be zoned for commercial use.

Note 1 Outdoor dining areas located on arterial roads will be subject to RTA approval.

Note 2 Refer to Appendix A for examples of how to apply numerical standards.

### 3.3 Allocation of Seating Space

The allocation of seating space is subject to the following controls:

- i) No furniture shall be located within 3.0 metres of any road corner, bus stop or taxi stand.
- ii) The minimum practical depth for an outdoor dining area is 1.0 metre. This provides adequate space for one (1) table and two (2) chairs. Each additional chair is to be allocated an extra 0.5 metres of footpath area.
- iii) No other goods or materials other than those that have been permitted by the Council shall be placed on footpaths.

Note: Refer to Appendix A for examples of how to apply numerical standards.

### 3.4 Outdoor Furniture

Outdoor furniture to be used by an establishment must be approved by Council and should adhere to the following guidelines:

- i) Outdoor furniture must be of an adequate strength and durability to withstand all external weather conditions and outdoor commercial usage.
- ii) Furniture types that are powder coated or polished aluminium, brushed or stainless steel, natural or painted timber are preferred.

**Note:** Examples of furniture that meet the criteria of this section may be found in Appendix B

- iii) Plastic or domestic-style furniture will not be permitted (commercial grade furniture is easily maintained and durable for outdoor dining purposes).
- iv) All furniture must be of a high aesthetic quality that enhances the existing streetscape.
- v) Outdoor furniture belonging to an establishment should be of a single colour and style to provide consistency and identity.
- vi) Furniture must be of a colour that does not show dirt or grime easily.
- vii) Furniture must be of a practical design and weight construction for commercial use.
- viii) Furniture for all establishments is to be kept in a clean, hygienic and safe condition at all times.
- ix) Umbrellas are to be securely anchored, however permanent anchoring is not permitted.
- x) Chairs must not be placed with their backs to the kerb.

- xi) All furnishings are the responsibility of the proprietor and are to be of a nature that allows them to be removed and stored elsewhere outside of trading hours.
- xii) All furnishings are to be well maintained in the interest of public safety.

### **3.5 Heating Structures**

All heating structures must adhere to *Australian Standard 4565 – Radiant Gas Heaters for Outdoor and Non-residential Indoor Use*

Any proposal to use heating structures within outdoor dining areas will be assessed on merit with consideration given to footpath width, type, number and location of heating structures proposed. Particular attention will be given to the safety of the diners and the public.

### **3.6 Toilet Facilities**

Toilet Facilities must be provided in accordance with the provisions and standards of the Building Code of Australia.

If additional sanitary facilities are proposed, a Development Application for such works must be lodged for consideration by Council. The use of the public area must not commence until such time as the necessary consent is obtained from Council and the sanitary facilities are constructed and operational.

### **3.7 Lighting**

Any outdoor dining area licensed to operate outside daylight hours must be adequately lit to Council's satisfaction to ensure the safety and amenity of patrons and the general public. Lighting of any outdoor dining area must be:

- i) in the form of down lights;
- ii) be directed away from the roadway; and
- iii) turned off outside the operating hours of the premises.

### **3.8 Advertising and Signage**

Advertising on outdoor dining furniture or footpath trading activities that is associated with the café/restaurant or retail premises is permitted by Council in accordance with the following guidelines:

- i) The third party advertising of one (1) advertiser only may appear on the furnishings of the area.
- ii) Details of third party advertising on outdoor dining furnishings must be submitted to Council with the application for a permit.

Note: A-Frame signs and other forms of advertising signs not permissible under *DCP 28 – Advertising Signs* are prohibited.

### **3.9 Planter Boxes**

Planter Box styles proposed for use within outdoor dining areas will be assessed by Council on merit with consideration given to footpath width, type and location of the planter boxes proposed. Planter boxes:

- i) must be located within the permit area;



*"Furniture must be of a practical design and weight construction for commercial use"*

- ii) must be well maintained;
- iii) must not extend beyond 50% of the total outdoor dining area's depth;
- iv) must be located against the building's front façade or in a location that does not obstruct pedestrian flow; and
- v) must be removed from the outdoor dining area and stored elsewhere outside trading hours.

Note 1 No advertising will be permitted on planter boxes.

Note 2 Refer to Appendix A for examples of how to apply numerical standards.

Note 3 Council reserves the right to order the removal of planter boxes that are not properly maintained.

### 3.10 Associated Works

In some cases, the applicant may wish to undertake streetscape works to accommodate an outdoor dining area. Such works may include street tree planting, landscaping, pedestrian lighting etc. Any such works require a specific approval by the Council and may require development consent.

Please contact Council's Technical Services Department to discuss this.

### 3.11 Public Health and Safety

The proprietor is to ensure that the requirements of *Australian Standard 4674 – 2004 Design, Construction and Fit-out of Food Premises* are met in full. Each licensee is responsible for the cleanliness and tidiness of the area in front of the premises and the immediate surrounds used for outdoor dining. Tables must be cleaned of food scraps immediately after customers leave so as not to attract birds or vermin. All debris must be swept up and disposed of appropriately.

The proprietor of the restaurant is responsible for maintaining and storing all furniture items and is to ensure that the furniture is kept neat, tidy and clean when in use. After close of business, all furniture must be removed from the footpath/plaza/public area and the area should be swept and stains removed.

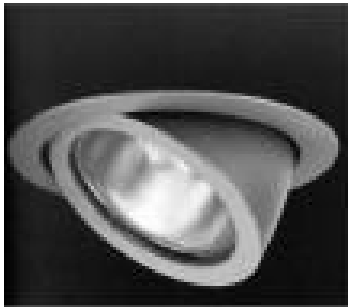
Note: Debris must not be swept into the gutter. This action constitutes a pollution offence for which penalties may be incurred.

## 4 FOOTPATH TRADING ACTIVITIES

### 4.1 Footpath Trading Activity Locations:

The space directly in front of the retail premises is allocated to that shop. Footpath trading activities must be established in accordance with the following guidelines:

- i) Footpath trading activities must be located on a safe, stable, hard surface that is sufficiently level to provide adequate stability to display stands.



*"Lighting must be in the form of down lights"*

- ii) Supervision of trading activities / goods must be possible from the shop.
- iii) A minimum footpath width of 2.0 metres must be maintained for public access.
- iv) No footpath trading activity shall be located within 3.0 metres of any road corner, bus stop or taxi stand.
- v) The footpath trading activity shall not project more than 1.0 metres onto the footpath from the property frontage.
- vi) The footpath trading activity is not to extend beyond the side property boundary of the premises.
- vii) The footpath trading activity is not to obstruct access to the premises.
- viii) The footpath trading activity is not to create litter, rubbish or other form of degradation of the footpath.
- ix) Footpath trading activities (including display stands) may not be anchored.
- x) The lodged application must show the intended location of display stands and structures.

Note: Refer to Appendix A for examples of how to apply numerical standards.

## 4.2 Merchandise Displayed on Footpaths

The following types of merchandise may **not** be displayed on footpaths, plazas or public areas:

- liquor
- drugs
- tobacco
- unpackaged food (excluding whole fruits or vegetables)
- gases (eg. Liquid Petroleum Gas [LPG] canisters)
- corrosives (eg. car batteries)
- oxidising materials (eg. paint stripper)
- explosives (eg. boat flares)
- flammable liquids

Note: This list is not exhaustive. Council reserves the right to order the removal of any merchandise considered to be a risk to the health and safety of the public at any time.

## 4.3 Display of Goods on Footpath

When displaying goods on a footpath:

- i) Fresh food must be kept at least 750mm above the footpath.
- ii) All goods must be displayed on stands, racks or in containers above the level of the footpath, unless goods to be displayed are designed in a manner intended to allow for placement on the ground.
- iii) White goods may not be displayed on the footpath.
- iv) No advertising using amplification or persons calling to the public may be undertaken in association with the display of goods.
- v) No food may be cooked, processed or prepared for



*“Planter Boxes are only to be used to enhance the aesthetic nature of the outdoor dining area”*

consumption within the leased area of footpath.

#### **4.4 Display Stands**

When using display stands on footpath areas to present goods, the following conditions apply:

- i) All goods are to be presented on display stands approved by Council.
- ii) Display stands are to be aesthetically pleasing, durable, well finished, secure and solid at the base.
- iii) Materials and finish of display stands must be weather - resistant.
- iv) Edges and corners must be finished so as not to cause any injury to a passer-by.
- v) All display stands are to be custom made and/or designed for the goods being displayed.
- vi) All goods on display must be adequately secured to the display stand on which they are presented.

## **5 GENERAL CONSIDERATIONS**

### **5.1 Hours of Operation / Noise Impacts**

The hours of operation will generally be the same as the hours approved under the development consent for the premises unless a lesser period is determined due to environmental considerations.

An application for an outdoor dining area or footpath trading activity will not be approved under this Policy if the proposal is of such a scale that the noise generated will have a significantly adverse effect upon nearby residential properties.

### **5.2 Insurance**

Proprietors of the premises must maintain a minimum \$20 million public liability insurance for utilisation of the footpath area and are required to provide evidence of that cover with their application and whenever required by Council.

### **5.3 Conduct of Patrons**

The appropriate conduct of patrons is the responsibility of the permit holder.

### **5.4 Work on Council Footpaths / Plazas / Public Areas**

Permit holders can not claim for any loss of income or refund of permit fees as a result of works carried out by Council or other Service Providers on Council owned footpaths, plazas and public areas.

### **5.5 Outdoor Dining and Footpath Trading Activity Permit Application Requirements**

Applicants are required to complete and submit to Council an





*"All goods must be displayed on stands, racks or in containers above the level of the footpath..."*



*"...display stands are to be custom made for the goods being displayed"*

application form to conduct activities covered by this policy. Applications forms are available from Council's Customer Service Centre.

## 5.6 Renewal of Permit

The permit must be renewed on an annual basis before the arrival of the 'Renewal Date'.

It is the permit holder's responsibility to ensure the renewal of the permit before the arrival of the 'renewal date'.

If the renewal is not made by this date, the activity is to cease until the permit is re-approved.

## 5.7 Rental Fees

Application and Rental Fees will be charged in accordance with Council's current Fees and Charges Schedule, which is reviewed by Council on an annual basis.

Note 1 Payment of Rental Fees will only be required following the approval of the application.

Note 2 Payment must be made in full before a permit can be issued.

## 5.8 Modification or Early Termination of a Permit

Should Council consider it within the public interest to do so, Council may terminate or cancel a permit to use a footpath, plaza or public area or have the agreed conditions of the permit modified at any time in order to maintain optimal pedestrian movement patterns or preserve the amenity of the area.

Council may also terminate a permit at any time if all or part of the permit area is required for road construction.

In any of the above circumstances, reasonable notice shall be given before the change becomes effective.

## 5.9 Breaches of Consent

Council may terminate a permit for breaches of the agreed conditions of the permit or the requirements of this policy. Repeated breaches will result in termination of the permit agreement.

Breaches of consent include but are not limited to:

- non-payment of rental fee;
- encroachment beyond permitted outdoor dining area and footpath activity area; and
- non-compliance with the approved permit and the controls set out in this Policy

## 5.10 Council Contact

Persons making enquires regarding this Policy are advised to contact Ku-ring-gai Council's Customer Service Centre on 9424 0888.

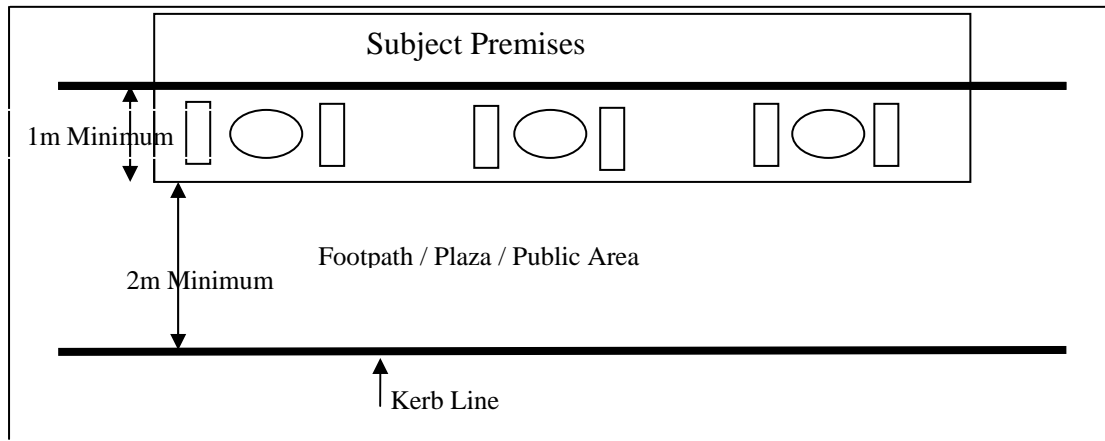
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## Appendices

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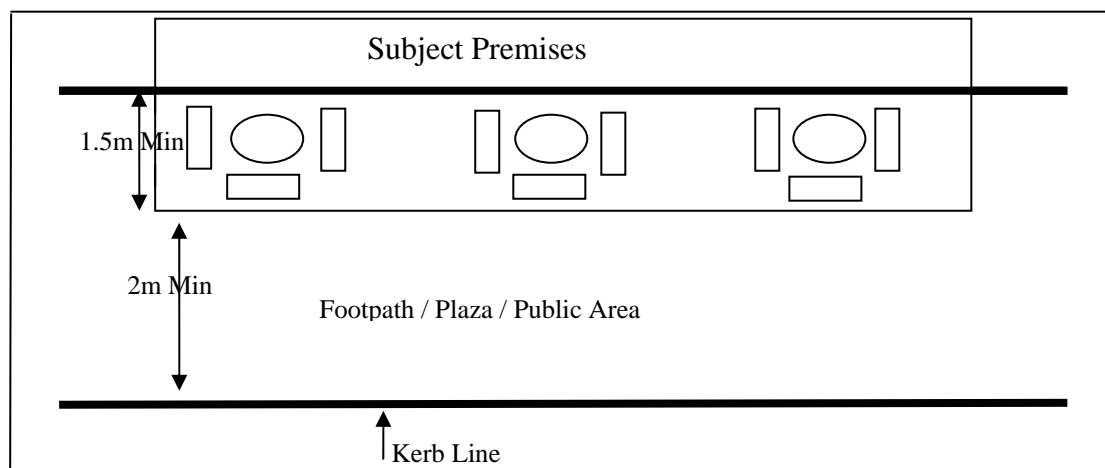
### Appendix A: Examples for the layout of outdoor dining areas in Ku-ring-gai.

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**Diagram 1:** Example of outdoor dining area adjacent to respective indoor premises

- Alignment and minimum clearance for pedestrian traffic
- Nominal dimensions for furniture layout with 2 chairs per table



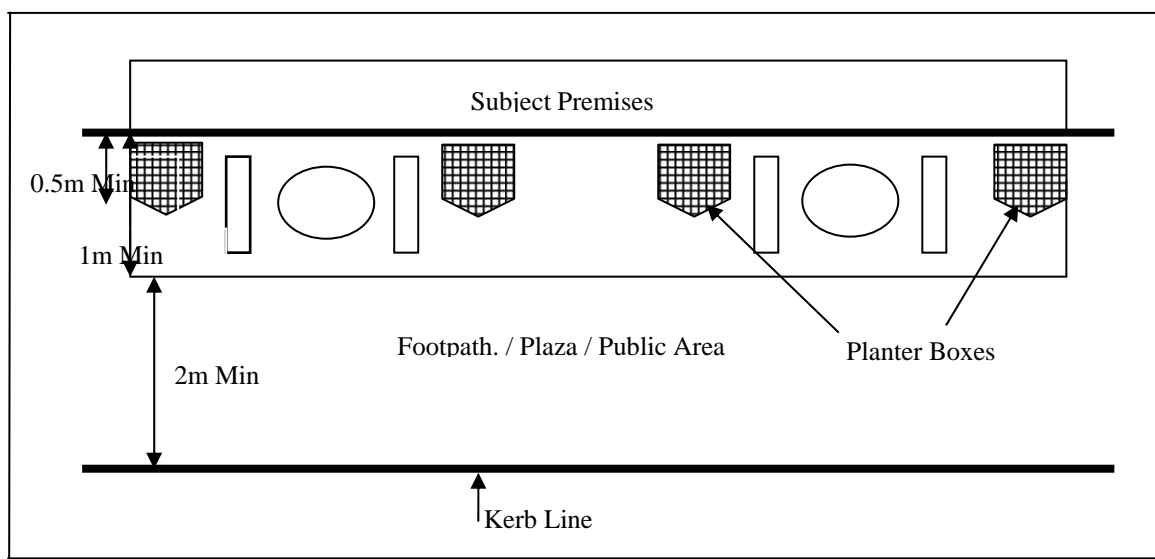
**Diagram 2:** Example of outdoor dining area adjacent to respective indoor premises

- Alignment and minimum clearance for pedestrian traffic
- Nominal dimensions for furniture layout with 3 chairs per table

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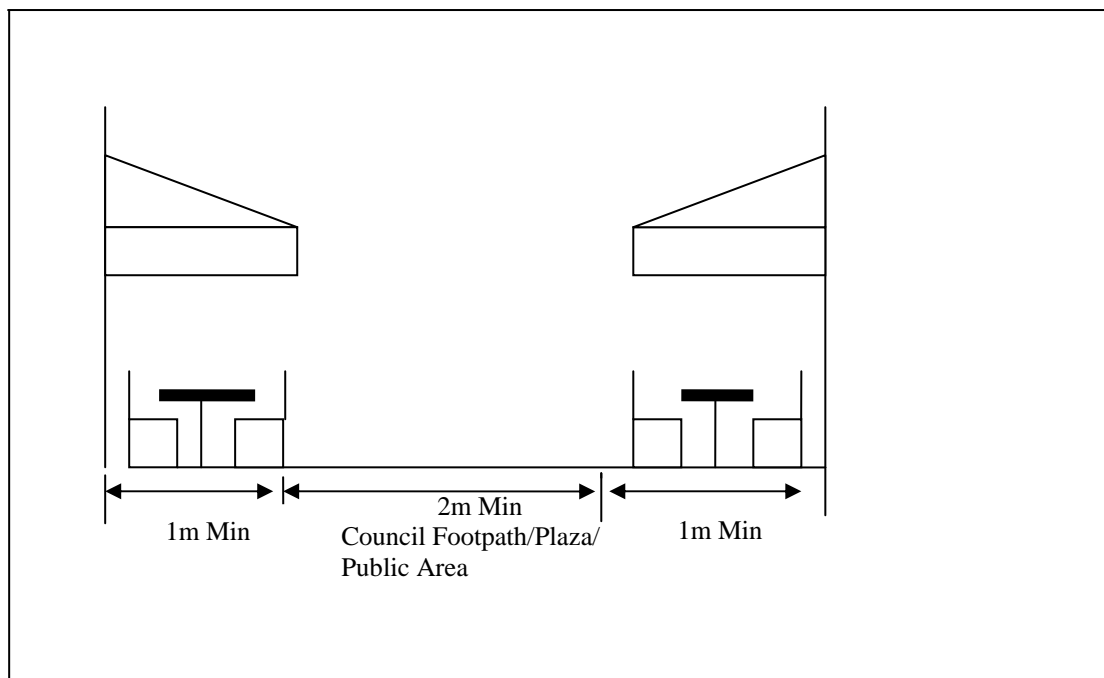
## Appendix A

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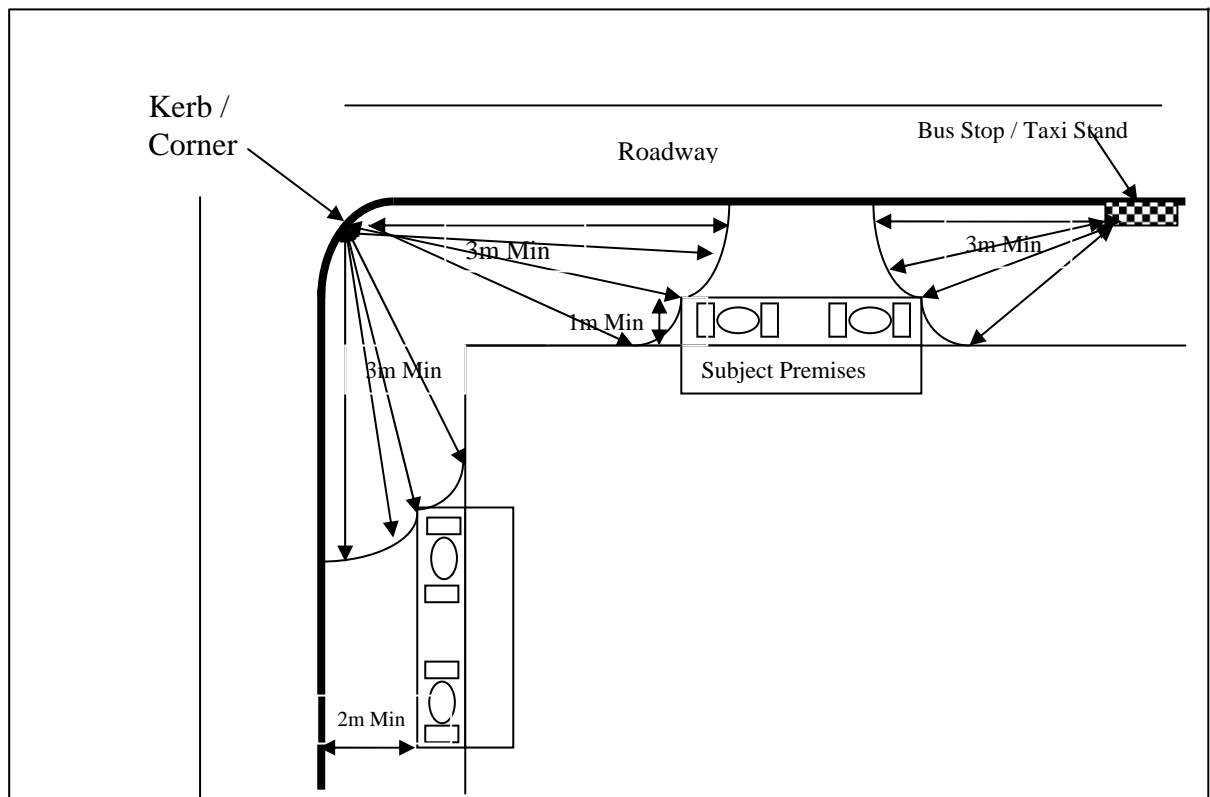
**Diagram 3:** Example of outdoor dining area adjacent to respective indoor premises

- Alignment and minimum clearance for pedestrian traffic
- Nominal layout for furniture layout with the inclusion of planter boxes



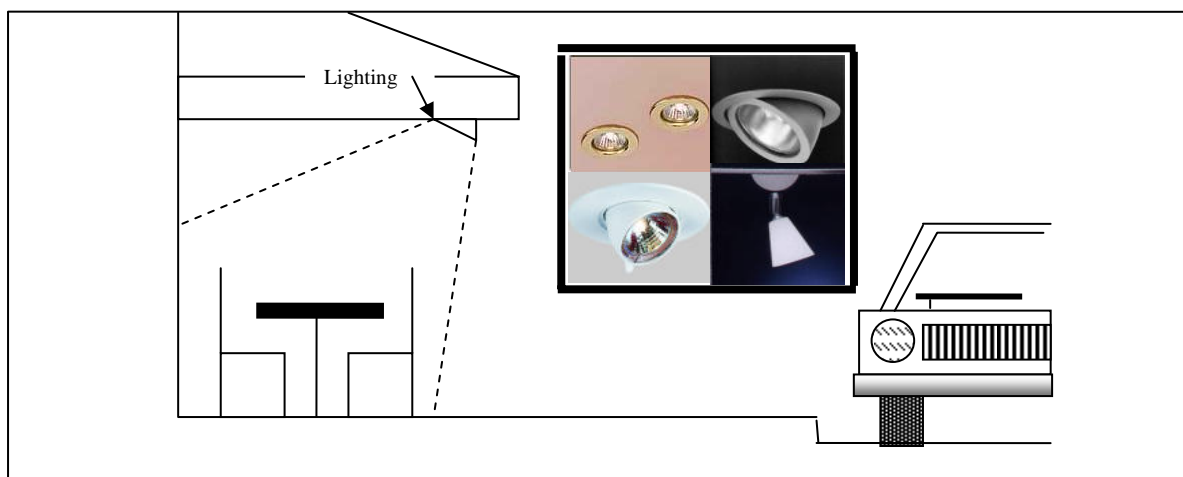
**Diagram 4:** Example of outdoor dining areas located within Council owned plaza / public area, adjacent to the respective indoor premises

## Appendix A



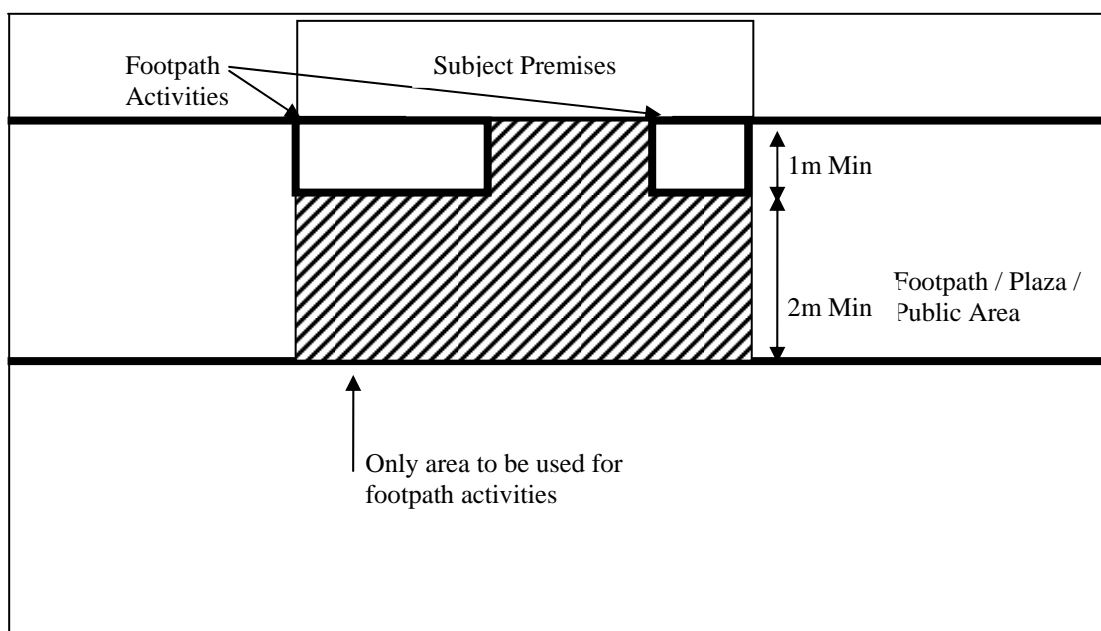
**Diagram 5:** Example of outdoor dining area adjacent to the kerb close to an intersection

- Alignment, nominal dimensions and minimum clearance for pedestrian traffic



**Diagram 6:** Lighting of outdoor dining areas when positioned adjacent to roadways

- Lighting to be in the form of down lights
- Lighting must be directed away from the roadway



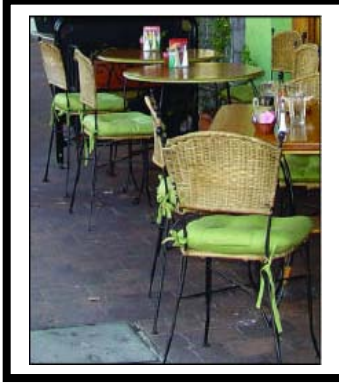

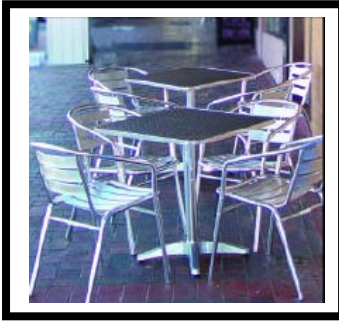



**Diagram 7:** Location of footpath activities adjacent to respective indoor premises

- Alignment and minimum clearance for pedestrian traffic
- Nominal dimensions for the positioning of footpath activities







## Appendix B: Recommended Outdoor Dining Furniture and Footpath Activities

The following images provide a guideline to applicants on the recommended types of Outdoor Dining Furniture and footpath activity items for submission with their application.

Permissible	Reason	Prohibited	Reason
	<ul style="list-style-type: none"> <li>No-reflective</li> <li>Easily cleaned</li> <li>Does not easily show dirt/ grime</li> <li>Easily removed for storage</li> </ul>		<ul style="list-style-type: none"> <li>Intended for domestic purposes</li> <li>Plastic</li> <li>White</li> </ul>
	<ul style="list-style-type: none"> <li>Commercial Grade</li> <li>Attractive</li> </ul>		<ul style="list-style-type: none"> <li>Low grade plastic</li> <li>Intended for domestic purposes</li> <li>Not easily maintained</li> <li>Poor aesthetic quality</li> </ul>
	<ul style="list-style-type: none"> <li>Strong</li> <li>Easily Maintainable</li> <li>Polished Aluminium</li> <li>Single colour and style</li> </ul>		<ul style="list-style-type: none"> <li>Intended for domestic purposes</li> <li>Plastic</li> <li>White</li> <li>Poor aesthetic quality</li> </ul>

**Table 1: Chairs and tables**

## Appendix B

Permissible	Reason	Prohibited	Reason
	<ul style="list-style-type: none"> <li>▪ Market-Style</li> <li>▪ Designed for commercial purposes</li> <li>▪ Moveable,</li> <li>▪ secure anchoring</li> <li>▪ Attractive</li> </ul>		<ul style="list-style-type: none"> <li>▪ Beach Umbrella</li> <li>▪ Intended for domestic purposes</li> <li>▪ Poor aesthetic quality</li> <li>▪ Low quality</li> </ul>
	<ul style="list-style-type: none"> <li>▪ Third Party Advertising associated with products sold by the business</li> <li>▪ Single advertiser</li> </ul>		<ul style="list-style-type: none"> <li>▪ Third Party Advertising not associated with products sold by the business</li> </ul>
	<ul style="list-style-type: none"> <li>▪ Third party advertising situated on furniture</li> </ul>		<ul style="list-style-type: none"> <li>▪ A-frame</li> <li>▪ Detract from aesthetic quality</li> <li>▪ Dangerous</li> </ul>

**Table 2: Umbrellas and Advertising**



## Appendix B








Permissible	Reason	Prohibited	Reason
	<ul style="list-style-type: none"> <li>Stand designed to suit particular product</li> <li>Safe, rounded edges</li> <li>Easily moveable</li> <li>Weather Resistant</li> </ul>		<ul style="list-style-type: none"> <li>Stand not designed to suit a particular product</li> <li>Sharp, dangerous edges and corners</li> </ul>
	<ul style="list-style-type: none"> <li>Goods specifically designed for display on the ground</li> </ul>		<ul style="list-style-type: none"> <li>Whitegoods</li> <li>Not intended for outdoor display purposes</li> </ul>
	<ul style="list-style-type: none"> <li>Fruit stored 750mm above the footpath</li> <li>Custom made stands for the product</li> </ul>		<ul style="list-style-type: none"> <li>Fruit displayed in cardboard boxes</li> <li>Display not custom made for a specific purpose</li> </ul>
			<ul style="list-style-type: none"> <li>Brochures not adequately secured</li> <li>May create litter</li> </ul>

Table 3: The display of goods on footpaths



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## **BUSHLAND, CATCHMENTS & NATURAL AREAS REFERENCE GROUP - MINUTES OF 20 JUNE 2005**

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### **EXECUTIVE SUMMARY**

**PURPOSE OF REPORT:**

To bring to the attention of Council the proceedings from the Bushland, Catchments and Natural Areas Reference Group meeting held on Monday, 20 June 2005.

**BACKGROUND:**

The role of the Bushland Catchments and Natural Areas Reference Group is to provide resident and industry expert advice and feedback to Council on matters relevant to bushland, catchments and natural areas.

**COMMENTS:**

The meeting discussed development of the Biodiversity Strategy and the review and development of the Bushland Plan of Management.

**RECOMMENDATION:**

That the Minutes of the Bushland, Catchments and Natural Areas Reference Group meeting held on 20 June 2005 be received and noted.

## **PURPOSE OF REPORT**

To bring to the attention of Council the proceedings from the Bushland, Catchments and Natural Areas Reference Group meeting held on Monday 20 June 2005.

## **BACKGROUND**

The role of the Bushland Catchments and natural Areas Reference Group is to provide resident and industry expert advice and feedback to Council on matters relevant to bushland, catchments and natural areas.

## **COMMENTS**

At its meeting of 20 June 2005, the Reference Group focussed on several major items of discussion. These included the development of a Biodiversity Strategy and the Bushland Plan of Management.

Discussion on the development of the Biodiversity Strategy (BC&NARG7) focussed at the identification of the most significant issues and challenges as seen by the Reference Group for the future with regards to biodiversity. Outputs from this discussion have informed the development of an issues and discussion paper for the Strategy that will be further considered by the Reference Group.

The Reference Group also considered the review and development of the Bushland Plan of Management (BC&NARG8) and was informed of Council's resolution to submit an application for an environmental levy to the Minister. That application has subsequently been approved and reported to Council.

## **CONSULTATION**

The Reference Group is itself a consultative forum representing the interests of residents, user groups and industry experts.

## **FINANCIAL CONSIDERATIONS**

There are no direct financial considerations related to this report.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Consultation with other departments has not occurred in the development of this report.

## **SUMMARY**

The Reference Group considered several items of business at its 20 June 2005 meeting. No items from this meeting require specific consideration by Council as all items discussed will be the subject of further consideration prior to recommendation to Council.

## **RECOMMENDATION**

That the Minutes of the Bushland Catchments & Natural Areas Reference Group Meeting of 20 June 2005 be received and noted.

Peter Davies  
**Manager Bushland Catchments & Natural Areas**

Steven Head  
**Director Open Space**

**Attachments:      Minutes of 20 June 2005 - 517115**

## Bushland Catchments & Natural Areas Reference Group

**Monday 20 June 2005**

**Level 3 Ante Room 7.00 – 9.00 pm**

**Attendees:**

Members	Councillors	Staff
<a href="#">Julia Robinson</a> <a href="#">Nancy Pallin</a> <a href="#">Margaret Booth</a> <a href="#">Neroli Lock</a> <a href="#">Steven Shortis</a> <a href="#">James Rennie</a> <a href="#">Angelo Baldo</a>	<a href="#">Cr. E. Malicki (Chair)</a> <a href="#">Cr. A. Andrew</a> <a href="#">Cr. L. Bennett</a>	Steven Head - Director Open Space Peter Davies - Manager Natural Areas & Bushland

Apologies
<a href="#">Cr. G. Innes</a> <a href="#">Cr. M. Shelley</a> <a href="#">David Robinson</a> <a href="#">Mark Taylor</a> <a href="#">Chris McIntosh</a>

**Declaration of Pecuniary Interests:**

No pecuniary interests were declared.

**Confirmation of previous Minutes:**

Minutes of the previous meeting were accepted.

**Business arising from the previous meeting**

**BC&NARG3** – No comments were received on the environmental research proposals.

**BC&NARG4** - No meeting was held to discuss the Environmental Levy as no date was nominated by Reference Group members.

**General Business**

**BC&NARG7**

**Biodiversity Strategy**

A workshop was held to discuss issues and future biodiversity planning. In particular, problems and challenges were discussed including:

- Managing fire risk – compartmentalisation, frequency, increases to APZ with no useful management strategy for biodiversity management in zones – high priority issue.
- Climate change – unknown impact
- Air quality
- Development – where, to what extent
- Interface issues – clearing, encroachment, dumping, hazard management, volunteer recruitment and support
- Loss of canopy – impact on climate, air climate
- Smaller lot sizes and increase of hard surface areas preventing areas where trees can be planted
- Increased use of bushland areas for recreation. Will increase value of bushland, also impacts from use
- What is viable in terms of reserve size / quality
- Connectivity
- Level of expenditure / resourcing for biodiversity management
- Opportunities for other means of resourcing biodiversity maintenance eg enhanced landscape requirements for development in “corridors”
- Precinct planning controls, requires a sound environmental basis so as to be defensible
- Current landscaping trends
- Resources priorities
  - Consolidating sensitive areas through acquisition
  - Ongoing community education
    - More active and direct targeting of programs including new populations eg new residents kit, representative emblems
  - Managing access and minimising impact

The attached document has been prepared as a working discussion paper. It is intended that this will be updated and fed into the planning and consultation process for the Biodiversity Strategy.

### **BC&NARG8 Bushland Plan of Management**

An update on the Plan of Management was given with the expectation that a consultant will be appointed by the end of June, 2005.

### **BC&NARG9 Environmental Levy**

Council resolved on 14 June to support the application for the Levy to the Minister of Local Government for his determination. Staff reported that a reply was likely prior to the end of the financial year.

### **Next Meeting**

15 August 2005 – Level 3 Ante Room

Meeting Closed at 9.45 pm

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## ST IVES TOWN CENTRE PLANNING - TRAFFIC OPTIONS

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To report to Council on the traffic implications associated with the proposed redevelopment of the St Ives Town Centre associated with the Stage 1 and proposed Stage 2 redevelopment of St Ives.

**BACKGROUND:**

At Council's meeting of 19 July 2005, Council considered a report on the St Ives Town Centre planning and one of the resolutions to come out of the report was that a report on the traffic implications of the staff recommendations be brought to Council in August 2005.

**COMMENTS:**

A Traffic Study has been carried out for the St Ives area taking into consideration the likely traffic generations from Stage 1 and Stage 2 redevelopment of St Ives.

The study indicated that improvements are required at several intersections in the area to improve traffic flow and cater for the likely future needs of the area.

**RECOMMENDATION:**

That Council adopts the findings of the traffic study and incorporates the proposed changes in the Development Contribution Plan for Stage 2 redevelopment of the St Ives town centre.

## **PURPOSE OF REPORT**

To report to Council on the traffic implications associated with the proposed redevelopment of the St Ives Town Centre associated with the Stage 1 and proposed Stage 2 redevelopment of St Ives.

## **BACKGROUND**

At Council's meeting of 19 July 2005, Council considered a report on the St Ives Town Centre planning and one of the resolutions to come out of the report was that a report on the traffic implications of the staff recommendations be brought to Council in August 2005.

A traffic and parking study was commissioned to assess the current traffic and parking conditions and develop options to best manage future traffic generation through the St Ives Centre, associated with the Stage 2 Residential Development Strategy. The study also modelled the impact on the road network likely to be generated from the residential redevelopment under LEP 194 and LEP 200.

## **COMMENTS**

### **Present Situation**

Based on existing 2005 traffic conditions, the study found that intersections such as Mona Vale Road/Link Road, Link Road/Killeaton Street and Killeaton Street/Cowan Road experience excessive delays during certain peak traffic times. Delays are also experienced at the intersection of Cowan Road and Mona Vale Road.

The study also found that parking and traffic around the St Ives Village shopping centre is congested because there are insufficient car parking spaces and motorists are regularly observed circling the car parks to look for parking spaces. The parking for the St Ives Village shopping centre was calculated to be 150 to 200 parking spaces short of the required number of parking spaces based on the current floor area and demand.

### **Traffic implications associated with LEP 194 residential redevelopment**

With the inclusion of all the proposed residential development under LEP 194 and 200, traffic modelling was undertaken to determine what the traffic generation from the new residential developments will have on the existing network. The major finding of this part of the traffic modelling was that the intersection of Memorial Avenue and Mona Vale Road will become critical and extensive delays will be experienced unless new treatments are carried out to improve traffic flow at this intersection.

Under the current Section 94 plans, developers are only required to contribute funding for traffic improvements based on what additional traffic the sites contribute to the existing flow. This essentially equates to about 10% increase in traffic and therefore the balance of funds required for any improvements identified by the study will need to be funded by Council.

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Some funding can be obtained from the existing Section 94 plan for minor traffic works but there was not sufficient funding available from Council to fund the type of work required for traffic improvements in the shopping centre and this will need to be taken into consideration when preparing the new development contributions plan under the Environmental Planning Assessment Amendment (Development Contributions) Act 2005 No 19.

It should be noted that while traffic through St Ives is considered to be congested at times during the peak traffic conditions, the area does not experience delays as excessive as those experienced around North Ryde where traffic generated by the Macquarie Business Centre regularly causes morning peak traffic to bank back to West Gordon.

If no improvements were to be made to the intersections with Mona Vale Road, extensive delays would be experienced when all redevelopment works are complete for Stage 1 (ie LEP 194 and 200 sites).

Consequently, the traffic study recommended several options to deal with the likely traffic generation increases from both Stage 1 and Stage 2 redevelopment of the town centre. This was taken into consideration when developing the appropriate planning options for St Ives.

**Proposed Planning Options**

Council at its meeting of 19 July 2005 resolved to adopt the following planning options:

- (i) *Council adopt the hybrid retail and commercial option as shown in Attachment D of the report to guide future development of retail and commercial activity in St Ives as amended.*
- (ii) *Council adopts the recommendation of the retail consultant that there be a range of 3,500 to 5,000sqm retail increase on the east side of Mona Vale Road. The lower figure adopted in view of the impacts on Stanley Street and the Stanley Street/Mona Vale Road intersection.*
- (iii) *The St Ives Shopping Village be increased by a maximum of 10,000 square metres to 28,000 square metres of net retail floor area including the strip shops on Mona Vale Road.*

**Attachment A** shows the revised planning controls and the associated likely yields. The traffic consultant was requested to revise the traffic modelling to take into account these changes.

The traffic options suggested in the traffic study were considered to assist in focusing traffic to its specific uses. Forcing traffic to use the side streets and the limited parking has caused congestion in these areas. With the programming of the traffic signals on Mona Vale Road to favour the flow on Mona Vale Road, limited time is given to the side streets. Hence, a direct access into the shopping centre would reduce the volume of traffic in the side streets.

Admittedly, any additional traffic signals on Mona Vale Road would require the Roads and Traffic Authority's approval and traffic modelling would need to demonstrate improvements in the flow of traffic along Mona Vale Road. Hence, the new proposed traffic signals on Mona Vale Road at the St Ives Village Shopping Centre as suggested would also require the proposed changes at Memorial



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Avenue and Rosedale Road to be implemented for the system to work and not impact on traffic flow along Mona Vale Road.

**Traffic Options to overcome issues associated with increased traffic from Stage 1 and 2 redevelopment of St Ives.**

Council presented a series of traffic options for community comment at the Festival on the Green and at various other forums.

The 5 suggested traffic improvements as shown in Attachment D are:

**1. New intersection with Mona Vale Road and the St Ives Village Shopping Centre.**

This involves the addition of a new set of traffic signals with a right turn bay from Mona Vale Road into the shopping centre. The purpose of this new intersection is to have traffic enter the shopping centre directly off Mona Vale Road and free up congestion at intersections with Mona Vale Road at Cowan Road and at Memorial Avenue.

This new intersection will need to be assessed by the Roads and Traffic Authority to ensure that peak traffic flows along Mona Vale Road are not adversely delayed by the new proposed intersection.

It is intended that the shopping centre traffic will be directed to a new underground car park in the shopping centre and traffic will also be allowed to exit the shopping centre onto Mona Vale Road in both directions.

Traffic modelling for this intersection was based on an increased net retail floor area of 10,000 square metres and additional residential development of approximately 480 new dwellings and shows a satisfactory level of service.

**2. Improvements to Memorial Avenue and Mona Vale Road including the closure or partial closure of Rosedale Road.**

With the additional traffic expected by the residential development in St Ives and the likely expansion of the shopping centre, it will be necessary to improve the capacity of the intersection of Mona Vale Road and Memorial Avenue. With the traffic likely to be generated from residential development under LEP 194, the modelling indicated poor levels of service at this intersection. Improvements to this intersection could be achieved by either the closure or partial closure of Rosedale Road between Porters Lane and Mona Vale Road. The closure will then allow for two (2) right turn lanes from Memorial Avenue into Mona Vale Road and the removal of the pedestrian phase from the southern side of the intersection.

This will increase the capacity of the intersection because the traffic coming from Rosedale Road will be no longer using this intersection and the focus will be on traffic from Memorial Avenue. Also, the removal of the pedestrian phase on the southern side of the intersection will allow free flow out of Memorial Avenue into Mona Vale Road.

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The modelling indicated that direct access from Memorial Avenue to Rosedale Road could be maintained as this will not increase the number of signal phases.

The modelling indicated that the right turn lane from Mona Vale Road into Rosedale Road should be banned and traffic will need to travel to Stanley Street for access into this area of St Ives.

Traffic wishing to go to the north will be able to use Porters Lane and then onto Mona Vale Road. Traffic wishing to travel south will be able to access Mona Vale Road via the slip lane adjacent to Memorial Park. This will also be used to access the shopping centre through the new intersection with Mona Vale Road.

### **3. Closure of Village Green Parade and Undergrounding of Car Park**

The survey of residents indicated that the major concerns with the St Ives shopping area were traffic and parking issues. The car parking for the shopping centre is deficient by approximately 200 car parking spaces and any expansion of the shopping centre will need to incorporate more car parking spaces. The undergrounding of the car park will assist in directing traffic to various exits at either the new traffic signals at Mona Vale Road or at Memorial Avenue.

The closure of Village Green Parade will allow for a pedestrian only environment and better entrance to the St Ives Village Green. Access to the centre will be by ramps with “in” only from Cowan Road and both entry and exit from Memorial Avenue.

As new residential development will be incorporated in the Stage 2 redevelopment, different access points will be created for the residential developments to keep this separated from the shopping centre and community facilities parking. The study indicated that the likely increase in parking that could be accommodated with the revised traffic arrangements would be approximately 1800 car parking spaces which is an increase of 750 spaces from the existing arrangement.

### **4. Improvements to Killeaton Street and Link Road intersections.**

The current intersection of Link Road and Mona Vale Road is heavily congested during all peak traffic conditions. While it might be desirable to close off the right turn opening in Mona Vale Road into Killeaton Street, this would involve the addition of a second right turn lane in Mona Vale Road. The traffic modelling has showed that this would not achieve increased capacity at this intersection and therefore the cost involved in creating another right turn bay would not be warranted.

The traffic study is proposing to make Killeaton Street between Mona Vale Road and Link Road one-way for west bound traffic. Traffic proposing to travel north would be required to use the intersection of Link Road and Mona Vale Road with the creation of a double left turn lane. This treatment does not create additional pressure on the intersection as very little traffic uses the left turn lane to head north. This treatment is intended to avoid the traffic conflicts at both Link Road and Mona Vale Road.

A new kerb landscaped blister arrangement will be constructed to direct traffic away from this section of Killeaton Street.

**5. Installation of new traffic signals at Killeaton Street and Cowan Road and deletion of pedestrian signals.**

This will improve access into and out of Cowan Road and will take pressure off the intersection of Memorial Avenue and Mona Vale Road.

This will also involve the removal of the signalised pedestrian crossing in Killeaton Street and relocation of the crossing to the intersection of Killeaton Street and Cowan Road.

Other minor changes may be proposed but this will be dependant on what preferred option is chosen and the likely traffic generation in Shinfield Avenue or Stanley Street.

A copy of the draft traffic modelling report is attached to this report as **Attachment B**.

The report is nearing completion but further assessment of the parking demands is still required. However, as Council required that the matter be reported to Council in August 2005, a copy of the draft report is attached to this report.

The traffic modelling carried out by the traffic consultant showed that there are expected to be improvements to each of the intersections if these works were to be carried out.

If no improvement works were done, then extensive delays would be experienced in side streets such as Memorial Avenue, Cowan Road and Stanley Street.

The preferred planning arrangement was found to be the hybrid option which allowed for expansion of retail on both sides of Mona Vale Road together with additional residential development in the precinct shown in Attachment A.

The traffic consultant was requested to undertake further modelling based on the likely controls as adopted by Council at its meeting of 19 July 2005.

The amended proposal reduced the retail on the Stanley Street side from 7000 square metres to 5,500 square metres but proposed more residential development in all precincts from 813 units to 929 units. Whilst Council resolved to have a lower retail area on the Stanley Street side, the additional residential changed the traffic patterns for the peak traffic times. Consequently, the modelling showed more traffic in the AM peak and marginally less traffic in the PM and Saturday peaks.

The modelling showed that this option reduces the average vehicle delays at Stanley Street in the PM peaks but does not change projected intersection service levels.

**Likely Future Traffic Implications**

If Council was to not undertake any improvements to the intersections, then there will be extensive delays experienced at several intersections with the likely future impacts of increased traffic from LEP 194 sites. Any additional traffic from Stage 2 works would make things significantly worse.

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The likely impact for the partial closure of Rosedale Road would mean that traffic wishing to enter this section of St Ives would be diverted to Stanley Street and hence a longer route. In reality, residents wishing to access this area are likely to change their traffic patterns and enter the area through other parts of the road network. The current right turn bay at Mona Vale Road and Rosedale Road is not an extensively used right turn bay and its deletion is not considered to be significant.

The traffic report indicates that the hybrid option is possibly the best option for traffic management but there will be a need to extend the right turn bay in Mona Vale Road into Stanley Street to accommodate additional traffic into this area.

The right turn bay into the St Ives Shopping Village will need to be approximately 80 metres long and a localised road widening will be required to accommodate this change. Also, the preferred location for the entrance to the Shopping Village will need to be located near the existing medical centre and Council's current car park to allow for an appropriate length of the right turn bay and good sight distance for turning traffic. Sufficient on site storage capacity will also be required to accommodate traffic at the signals until it can be dispersed.

The traffic study took into consideration future traffic growths expected along Mona Vale Road from outlying areas. **Attachment C** is a copy of a letter from the Traffic Consultant relating future traffic growth.

With any expansion of the shopping centre and changes to the shopping centre there will be an expected increase in traffic generation but in time the growth patterns level out and the shopping centre tends to cater for the surrounding catchment.

## CONSULTATION

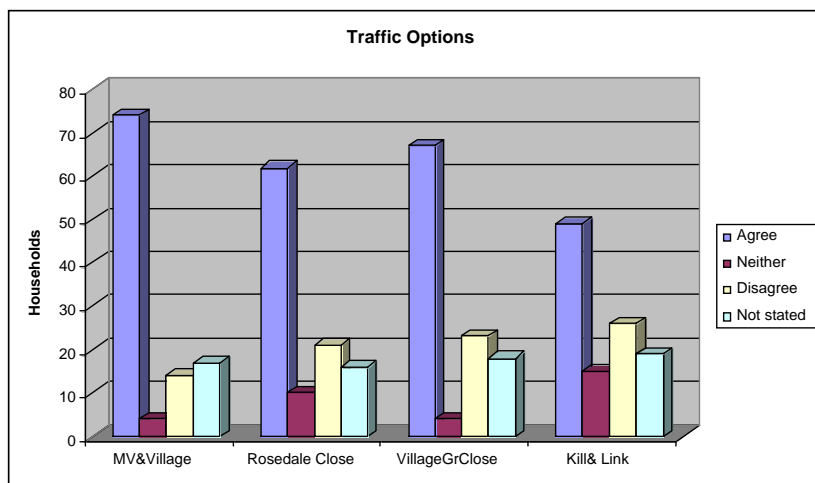
An initial survey was carried out of all residents in the St Ives area and of the 2400 responses, one of the major problems identified by the residents of St Ives, related to current problems with the traffic and parking in St Ives town centre area.

Further consultation was carried out with focus groups and following the development of options, a number of residents who agreed to participate in further consultation were invited to comment on the traffic options and a survey was distributed at the Festival on the Green with details of the proposed traffic options handed to residents. Attached, as **Attachment D**, is a copy of the flyer presented to residents at the Festival.

The survey form was handed out and people were asked to agree/neither/disagree with each traffic option. The results as shown in the chart below, indicate that all options received strong support from the majority of respondents.

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## FINANCIAL CONSIDERATIONS

The likely cost of the proposed improvements are identified as follows, however, it should be stressed that the estimates are very preliminary as design details are not known:

- |  |                         |
|--|-------------------------|
| 1. New intersection with Mona Vale Road and the St Ives Village Shopping Centre.                                 | \$850,000 to \$1million |
| 2. Improvements to Memorial Avenue and Mona Vale Road including the closure or partial closure of Rosedale Road. | \$350,000               |
| 3. Closure of Village Green Parade and Undergrounding of Car Park.   | \$400,000<br>\$9million |
| 4. Improvements to Killeaton Street and Link Road intersection.  | \$600,000               |
| 5. New traffic signals at Cowan and Killeaton Street and removal of signalised crossing.                         | \$250,000 to \$300,000  |

As Council would not have sufficient funds to undertake these works it will be necessary to incorporate these works in a Development Contributions Plan or a Planning Agreement.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation has taken place with the Planning and Environment Department on the traffic study and the proposed options for improvements.

## SUMMARY

A traffic study of the St Ives area has been undertaken in association with the retail and residential planning for Stage 2 redevelopment of St Ives.

The study found that the existing facilities are deficient in car parking and several intersections are not operating well under existing traffic demands. With the likely traffic being generated from LEP 194 and 200 sites, there will be added pressure on some intersections and improvements will be required.

Traffic modelling was undertaken to determine the likely levels of service associated with existing and future development and found that there was a need to incorporate improvements to several intersections in the study area. Those improvements are indicated above in this report.

For increased retail and residential redevelopment of the area, several modifications will need to be made to intersections along Mona Vale Road to provide for more efficient traffic flow for both peak traffic and shopping centre traffic.

As there will be a requirement for significant funding for these recommended improvement works, Council will need to develop a Development Contributions Plan to accompany the Stage 2 proposed redevelopment as Council will not have sufficient funding for these works. Also, the changes to the EPA Act will now allow for Planning Agreements and this could be seen as an appropriate vehicle to permit these traffic improvements to be implemented.

## RECOMMENDATION

That Council adopts the findings of the traffic study and incorporates the proposed changes in the Development Contribution Plan for Stage 2 redevelopment of the St Ives town centre.

Greg Piconi  
Director Technical Services

**Attachments:**

- A. Revised planning controls and likely yields - 522597**
- B. Draft Traffic Report from Transport and Urban Planning, August 2005 - 522598**
- C. Copy of letter from Transport and Urban Planning relating to future growth patterns, 13 July 2005 - 512142**
- D. Copy of flyer presented to residents at the Festival on the Green, June 2005 - 522608**

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## CAPITAL WORKS PROGRAM FOR TRAFFIC FACILITIES 2005 TO 2010

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### EXECUTIVE SUMMARY

<b>PURPOSE OF REPORT:</b>	To seek Council approval for the capital works program for traffic facilities for 2005 to 2010.
<b>BACKGROUND:</b>	On 12 October 2004, Council adopted the 2004-2005 Traffic Facilities Program and a draft program for 2005-2010. The program has been revised and updated to reflect changes in project criteria and the availability of Roads and Traffic Authority Traffic Management Program grants.
<b>COMMENTS:</b>	<p>Council has received advice from the RTA of grant offers totalling \$269,000 under its Traffic Management Program. The 2005-2006 program is based on available funds from Council's Management Plan and carryover funding to take full advantage of the RTA grants.</p> <p>The draft 2006-2009 program will be submitted to the RTA for funding consideration and revised annually as the funding situation is determined.</p>
<b>RECOMMENDATION:</b>	That Council adopts the 2005-06 Traffic Facilities Program and the draft 2006-2010 Program.

## PURPOSE OF REPORT

To seek Council approval for the capital works program for traffic facilities for 2005 to 2010.

## BACKGROUND

On 1 July 2003, Council adopted a priority ranking system for traffic facilities on Council controlled roads.

Prior to adopting the ranking criteria, Council had relied on various RTA grant allocations based on resident requests to determine the annual traffic facilities program. Detailed design and consultation often did not commence until receipt of the RTA grants, resulting in many project delays and deferments.

In order to streamline the process, Council has adopted a prioritised five year rolling program of works to enable earlier planning and resident consultation to take place prior to the receipt of RTA grant funding.

The value of the RTA Traffic Management Program grants varies considerably from year to year and are not advised until after the State Budget is announced in July. Consequently, Council can not allow for its matching share of the RTA Traffic Management Program grants in its Management Plan or select a Traffic Facilities Program with any certainty. In 2003-2004, Council was offered \$47,000 and no funds at all in 2004/2005. Council has been offered \$269,000 for 2005-2006 which must be matched on a 50/50 basis.

Council now submits a prioritised list of approved projects to the RTA for funding. Because the RTA uses its own criteria to select projects, the grant offers are not always those at the top of Council's own priority list. Therefore, the total value of the list of projects submitted to the RTA should be several times the likely value of the annual grant offers.

On 12 October 2004, Council adopted the 2004-2005 Traffic Facilities Program and the draft 2005-2009 Program. Regular annual revision of the rolling program is necessary.

Following further resident consultation, some projects were amended, deferred or deleted. These projects have been reviewed and where appropriate, included in the proposed 2005-2010 Traffic Facilities Program together with additional projects approved by the Ku-ring-gai Traffic Committee in the past year.

## COMMENTS

The projects listed in the proposed 2005-2006 and 2006-2007 Traffic Facilities Programs are not the highest ranking projects using Council's ranking system. The 2005-2006 Traffic Facilities Program is based on the acceptance of the RTA grant offers to take advantage of the 50% funding



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available. The projects in the 2006-2007 program have been given a higher priority because they qualify for the National Blackspot Program and may attract 100% funding grants.

The projects in the balance of the draft 2006-2010 Traffic Facilities Program are ranked in Council's priority order and assume an ongoing funding allocation of \$150,000 per annum in future Council management plans. No allowance has been made for future funding grants from the RTA because the size and number of these grants, if any, cannot be predicted. It will therefore be necessary to revise the Traffic Facilities Program annually beyond the current year as the funding situation is determined.

The 2006/2010 program will be submitted to the RTA as Council's nominated projects for funding under the various RTA program areas.

## **CONSULTATION**

Consultation has taken place on projects considered by the KTC, but further consultation will be required during the detailed design stage when projects are selected for funding.

## **FINANCIAL CONSIDERATIONS**

The RTA has offered Council \$269,000 under the 2005-2006 Traffic Management Program including \$100,000 for cycleways

Council's 2005-2009 Management Plan includes \$147,100 for traffic facilities for projects approved by the Ku-ring-gai Traffic Committee but not yet funded. An amount of \$100,000 for the cycleways has been approved by Council in the 2005-2006 Footpath Program. A further sum of \$21,100 is required to match the RTA grants of \$269,000. These funds can be made available from funds carried forward from the 2004/2005 Traffic Facilities Program.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Finance and Business Development have been consulted with regard to available funding and carryover amounts for uncompleted projects.

## **SUMMARY**

On 12 October 2004 Council adopted the 2004-2005 Traffic facilities Program and a draft program for 2005-2009. The program has been revised and updated to reflect changes in project criteria and the availability of RTA Traffic Management Program grants.

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Council has received advice from the RTA of grants for various traffic facilities projects totalling \$269,000. The 2005-2006 program is based on available funds from Council's Management Plan and carryover funding to take full advantage of the RTA grants.

The draft 2006-2010 program will be submitted to the RTA for funding consideration and revised annually as the funding situation is determined.

**RECOMMENDATION**

That Council adopts the 2005-06 Traffic Facilities Program and the draft 2006 to 2010 Program.

Roger Guerin  
**Manager Design & Projects**

Greg Piconi  
**Director Technical Services**

**Attachments:      2005-2006 Traffic Facilities Program &  
Draft 2006-2010 Traffic Facilities Program - 522350**

## 2005-2006 TRAFFIC FACILITIES PROGRAM

No	Prog Year	Location	At	Treatment	Current Est	Cum Est	Score	Comment	RTA Grant	RTA Project Type	
1	2005-06	LADY GAME DR	BOWES AVE	IMPROVEMENTS TO PED REFUGE	12,000	12,000	40	50/50 RTA FUNDING AVAILABLE	6,000	17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
2	2005-06	CLEVELAND ST	STUART ST	ROUNDAABOUT & PED FACILITY	60,000	72,000	61	50/50 RTA FUNDING AVAILABLE	30,000	16301	ACCIDENT BLACKSPOT TREATMENTS
3	2005-06	PENTECOST AVE	BANNOCKBURN RD	ROUNDAABOUT WITH PEDESTRIAN CROSSING ON E. APPROACH	60,000	132,000	52	50/50 RTA FUNDING AVAILABLE	30,000	16301	ACCIDENT BLACKSPOT TREATMENTS
4	2005-06	STATION ST	KING EDWARD ST	GUARD RAIL	16,000	148,000	26	50/50 RTA FUNDING AVAILABLE	8,000	16303	MASS ACTION TREATMENTS
5	2005-06	BURNS RD	BEDFORD RD AND ELLALONG RD	REPLACE GUARD RAIL	30,000	178,000	35	50/50 RTA FUNDING AVAILABLE	15,000	16303	MASS ACTION TREATMENTS
6	2005-06	EASTERN ARTERIAL RD	NR CLARKE PL	GUARD RAIL	36,000	214,000	45	50/50 RTA FUNDING AVAILABLE	18,000	16303	MASS ACTION TREATMENTS
7	2005-06	THE COMENARRA PWY	JORDAN RD - STAINSBY CL	GUARD RAIL	114,000	328,000	31	50/50 RTA FUNDING AVAILABLE	57,000	16303	MASS ACTION TREATMENTS
8	2005-06	BEACONSFIELD PDE	PACIFIC HWY	MEDIAN ISLAND/REFUGE	4,000	332,000	29	50/50 RTA FUNDING AVAILABLE	2,000	17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
9	2005-06	WONIORA AVE	COONANBARRA RD	MEDIAN ISLAND	6,000	338,000	33	50/50 RTA FUNDING AVAILABLE	3,000	17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES

## DRAFT 2006-2010 TRAFFIC FACILITIES PROGRAM

10	2006-07	PENTECOST AVE	MERIVALE RD	MEDIAN ISLANDS/ CHANNELISATION	70,000	408,000	67	NOMINATED FOR 06-07 100% BLACK SPOT GRANT		16309	NATIONAL BLACKSPOT PROGRAMME
11	2006-07	LINK RD	KILLEATON ST	REALIGN MEDIAN/ONE WAY FLOW WESTBOUND IN KILLEATON	65,000	473,000	53	NOMINATED FOR 06-07 100% BLACK SPOT GRANT		16309	NATIONAL BLACKSPOT PROGRAMME
12	2007-08	BANNOCKBURN RD	RUSHALL ST	ROUNDAABOUT & PED FACILITY	50,300	523,300	79			16301	ACCIDENT BLACKSPOT TREATMENTS
13	2007-08	MAXWELL ST	GEOFFREY ST	INTERSECTION IMPROVEMENTS	10,000	533,300	75			16301	ACCIDENT BLACKSPOT TREATMENTS
14	2007-08	SPENCER RD	CALVERT AVE	INTERSECTION IMPROVEMENTS – FURTHER INVESTIGATION REQUIRED	60,000	593,300	71			16301	ACCIDENT BLACKSPOT TREATMENTS
15	2007-08	BANNOCKBURN RD	SELWYN ST	ROUNDAABOUT &/OR CHANNELISATION	81,800	675,100	63			16301	ACCIDENT BLACKSPOT TREATMENTS
16	2008-09	YARRABUNG RD	CATHERINE ST / COLLEGE CR	ROUNDAABOUT &/OR CHANNELISATION	61,400	736,500	61			16301	ACCIDENT BLACKSPOT TREATMENTS
17	2008-09	EASTERN ARTERIAL RD	BARRA BRUI CR	INTERSECTION IMPROVEMENTS – FURTHER INVESTIGATION REQUIRED	30,000	766,500	56			16301	ACCIDENT BLACKSPOT TREATMENTS
18	2009-10	CLEVELAND ST	BILLYARD AVE	INTERSECTION IMPROVEMENTS – FURTHER INVESTIGATION REQUIRED	70,000	836,500	55			16301	ACCIDENT BLACKSPOT TREATMENTS
19	2009-10	MELBOURNE RD	WELLINGTON RD	INTERSECTION IMPROVEMENTS – FURTHER INVESTIGATION REQUIRED	80,000	916,500	55			16301	ACCIDENT BLACKSPOT TREATMENTS
20		POWELL ST	KARRANGA ST	CORRECT ADVERSE CROSSFALL	80,000	996,500	52			16301	ACCIDENT BLACKSPOT TREATMENTS
21		CARNARVON RD	ARCHBOLD RD	CONSTRUCT MEDIAN AT INTERSECTION	8,000	1,004,500	47			16306	LOCAL AREA SAFETY

## 2005-2006 TRAFFIC FACILITIES PROGRAM

No	Prog Year	Location	At	Treatment	Current Est	Cum Est	Score	Comment	RTA Grant	RTA Project Type	
22		WESTBOURNE RD	ORTONA RD	PEDESTRIAN REFUGE AND KERB RAMPS	35,000	1,039,500	47			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
23		ROBERT ST	WERONA AVE	PED REFUGE & KERB BLISTERS AT STATION	12,600	1,052,100	45			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
24		ADDISON AVE	SCHOOL	WOMBAT CROSSING	20,500	1,072,600	44			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
25		MOORE AVE	ADDISON AV	PED REFUGE	15,300	1,087,900	43			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
26		THE BROADWAY	FOX VALLEY RD	KERB BLISTER ISLAND	11,500	1,099,400	43			16306	LOCAL AREA SAFETY
27		WOODLANDS AVE	ARCHBOLD RD	CONSTRUCT MEDIAN AT INTERSECTION	8,000	1,107,400	43			16306	LOCAL AREA SAFETY
28		BURNS RD	BEDFORD AVE – COWAN CK	CORNER ARROW MARKER SIGNS	2,000	1,109,400	42			16306	LOCAL AREA SAFETY
29		BOBBIN HEAD RD	CREATIVE ARTS HIGH SCHOOL	PEDESTRIAN REFUGE	10,000	1,119,400	40			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
30		ARCHBOLD RD	ROSEVILLE AVE – WOODLANDS RD	REPLACE PEDESTRIAN FENCE	63,000	1,182,400	39			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
31		KILLEATON ST	ACRON RD	IMPROVE GEOMETRY FOR BUSES	10,800	1,193,200	39			16306	LOCAL AREA SAFETY
32		BENT ST	POLDING RD	INTERSECTION TREATMENT	64,800	1,258,000	36			16306	LOCAL AREA SAFETY
33		BURNS RD	ELLALONG RD – BEDFORD AVE	CORNER ARROW MARKER SIGNS	2,000	1,260,000	35			16306	LOCAL AREA SAFETY
34		THE COMENARRA PWY	BROWNS RD – COUPS CK	GUARD RAIL	40,000	1,300,000	35			16303	MASS ACTION TREATMENTS
35		THE COMENARRA PWY	COUPS CK - BROWNS RD	GUARD RAIL	40,000	1,340,000	35			16303	MASS ACTION TREATMENTS
36		STUART ST	COONANBARRA RD	PEDESTRIAN REFUGE	6,000	1,346,000	33			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
37		ADA AVE	PACIFIC HWY	REMOVE FLAT-TOP THRESHOLD	15,000	1,361,000	32			16306	LOCAL AREA SAFETY
38		EASTERN ARTERIAL RD	SOUTH OF ROCKY CREEK	INVESTIGATE CURVE SAFETY	102,300	1,463,300	31			16306	LOCAL AREA SAFETY
39		JUNCTION RD	GROSVENOR ST	IMPROVE ROUNDABOUT	51,200	1,514,500	29			16301	ACCIDENT BLACKSPOT TREATMENTS
40		BOUNDARY ST	OPP ARCHER ST	FOOTPATH AND RAMP AT TRAFFIC SIGNALS	40,000	1,554,500	28			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
41		KOOLA AVE	KILLARA HIGH	PEDESTRIAN FENCING	24,000	1,578,500	27			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
42		MONTEITH ST	KISSING PT RD – MONTROSE ST	FOOTPATH	30,000	1,608,500	21			17401	LOCAL GOVERNMENT PEDESTRIAN FACILITIES
43		WARRAGAL RD	CURVE NEAR NO 30	IMPROVE CROSSFALL AND SAFETY	40,000	1,648,500	19			16306	LOCAL AREA SAFETY

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## 2005 TO 2006 RTA PROGRAM FUNDING

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### EXECUTIVE SUMMARY

<b>PURPOSE OF REPORT:</b>	To approve Council's allocation of the 2005/2006 Roads and Traffic Authority Program Funding.
<b>BACKGROUND:</b>	On 24 August 2004 Council resolved to determine its project nominations for the financial year 2005/2006 in the RTA program areas. By the attachment to the letter dated 8 June 2005, the RTA advised Council's component of the 2005/2006 State Roads Budget totaling \$940,200
<b>COMMENTS:</b>	The grants are provided annually by the RTA and formal advice of acceptance is required by 1 October 2005. Some program items require an equal contribution from Council. These funds are available in the 2005/2006 Management Plan and funds carried forward from 2004/2005.
<b>RECOMMENDATION:</b>	That Council accepts the grants totalling \$269,000 under the Traffic Management Program and the grant of \$38,000 under the Road Safety Program.

## PURPOSE OF REPORT

To approve Council's allocation of the 2005/2006 Roads and Traffic Authority Program Funding.

## BACKGROUND

At the Ordinary Meeting of 24 August 2004, Council resolved to determine its project nominations for the financial year 2005/2006 in the RTA program areas. The approved priority list was submitted to the RTA on 26 August 2004. By letter dated 8 June 2005, the RTA advised Council's component of the 2005/2006 State Roads Budget. The total program allocation is \$940,200, made up as follows:

<b>Traffic Management</b>		\$269,000	Funded 50/50
<b>Road Safety Services</b>		\$38,000	Funded 50/50
<b>Regional Roads</b>	Repair Program	\$103,200	Funded 50/50
	Block Grant Traffic Facilities	\$270,000	Funded 50/50
	Block Grant Roads	\$178,000	Fully funded by RTA
	Block Grant Ex 3x3	\$82,000	Fully funded by RTA
<b>Total Allocation</b>		<b>\$940,200</b>	

Under the current Memorandum of Understanding, the RTA requires advice of acceptance of the grants by 1 October 2005.

Council has previously resolved to accept the Repair Program grant, the Block Grant and the Ex 3 x 3 Grant but did not accept the Traffic Facilities Block Grant because it did not provide sufficient funds for the requirements of this service. Consequently, the RTA will be required to provide the service for traffic facilities work.

## COMMENTS

### TRAFFIC MANAGEMENT

The RTA has offered the following grants under the Traffic Management Section of its 2005/2006 Program Funding:

<b>Location</b>		<b>Suburb</b>	<b>Treatment</b>	<b>Grant</b>
<b>Lady Game Drive</b>	Near Bowes Avenue	Killara	Reconstruct pedestrian refuge and provide kerb blisters	\$6,000
<b>Cleveland Street</b>	At Stuart Street	Wahroonga	Roundabout (1 Lane)	\$30,000

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10 August 2005

<b>Location</b>		<b>Suburb</b>	<b>Treatment</b>	<b>Grant</b>
<b>Pentecost Avenue</b>	At Bannockburn Road	Pymble	Roundabout (1 Lane)	\$30,000
<b>Station Street</b>	King Edward Street to No.1A, east side	Pymble	Guardrail with terminal ends	8,000
<b>Burns Road</b>	Bedford Avenue to Ellalong Rd West of Ellalong Rd Opposite Bedford Avenue and Ellalong Rd	Turramurra	Guardrail with terminal ends	\$15,000
<b>Eastern Arterial Road</b>	Before Clarke Place	Killara	Guardrail with terminal ends	\$18,000
<b>The Comenarra Parkway</b>	Stainsby Close to Jordan Road	South Turramurra	Guardrail with terminal ends	\$57,000
<b>Ryde Rd</b>	South from Yanko Rd	West Pymble	Widen existing cycleway. footway behind guardrail.	\$50,000
<b>Kissing Point Rd</b>	The Comenarra P'way to Pacific Hwy	Turramurra	Shoulder widening North from existing.	\$50,000
<b>Beaconsfield Parade</b>	At Pacific Highway	Lindfield	Median island with pedestrian provision	\$2,000
<b>Woniora Avenue</b>	At Coonanbarra Road	Wahroonga	Median island at intersection	\$3,000
<b>TOTAL</b>				<b>\$269,000</b>

These Traffic Management grants must be matched by Council on a 50/50 basis. On 19 July 2005 Council adopted the 2005/2006 New Footpath Program which included funding for Council's 50% share of the two cycleway projects on Ryde Road and Kissing Point Road.

All the above Traffic Management projects are included in the list of projects approved by Council and submitted to the RTA on 26 August 2004, but they do not include Council's highest priority projects. In order to take advantage of the funds on offer, the RTA nominated projects listed above (other than the cycleways) will be given a higher priority in the proposed 2005/2006 New Traffic Facilities Program.

A five-year Rolling Traffic Facilities Program is the subject of a separate report to Council.

## ROAD SAFETY SERVICES

This program helps fund the salary and administration costs for Council's Road Safety Officer and must be matched by Council on a dollar for dollar basis. The RTA has allocated \$38,000 and Council's \$38,000 share has been allowed for in the Technical Services portion of the 2005/2006 Annual Budget. Acceptance of this grant is recommended.

## REGIONAL ROADS

At its ordinary meeting of 27 April 2005, Council resolved to accept the Regional Road Repair Program Grant of \$103,200.

Council resolved on 14 June 2005 to accept the \$178,000 Roads component and the \$82,000 Ex 3x3 component of the Regional Roads Block Grant but not the \$270,000 Traffic Facilities component. By accepting this component, Council would be accepting full responsibility for the maintenance of all road markings and signage on both regional and local roads. Council has contended that the grant offered is inadequate, that the existing infrastructure is still degraded and that the RTA should upgrade the facilities before Council accepts responsibility for their maintenance. Also, Council would need to employ staff to undertake this work and also invest in suitable equipment.

A copy of letter from the RTA advising of the grants is **attached**.

## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

On 19 March 2005 the RTA advised Council of the approved Regional Road REPAIR grants for the 2005/2006 financial year, but no advice of the other programs is received until after the State Budget is announced in July. Consequently, Council can not allow for its matching share of the Traffic Management grants in its Management Plan with any certainty. In 2003/2004 Council was offered only \$47,000 under the Traffic Management Program and no funds in 2004/2005. Council has been offered \$269,000 for 2005/2006.

The 2005/2006 Management Plan includes \$147,100 for traffic facilities for projects approved by the Ku-ring-gai Traffic Committee but not yet funded. An amount of \$100,000 for the cycleways was approved by Council in the 2005/2006 Footpath Program. The balance of \$21,100 is available from funds carried forward from the 2004/2005 Traffic Facilities Program.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The Finance and Business Section has been consulted in relation to the funding of the program.



## **SUMMARY**

On 24 August 2004 Council resolved to determine its project nominations for the financial year 2005/2006 in the RTA program areas. The approved list was submitted to the RTA on 26 August 2004. By letter dated 8 June 2005, the RTA advised Council's component of the 2005/2006 State Roads Budget totaling \$940,200.

The grants are provided annually by the RTA and formal advice of acceptance is required by 1st October 2005.

It is recommended that Council accept the RTA Traffic Management grants of \$269,000 and \$38,000 under the Road Safety for Ku-ring-gai Road Safety Program. Council's equal share can be funded from the 2005/2006 Management Plan with some funds carried forward from the 2004/2005 Capital Works Program.

Acceptance of the other grants has been dealt with previously by Council.

## **RECOMMENDATION**

That Council accepts the grants totalling \$269,000 under the Traffic Management Program and that Council accepts the grant of \$38,000 under the Road Safety Program.

Roger Guerin  
**Manager Design & Projects**

Greg Piconi  
**Director Technical Services**

**Attachments: Letter from RTA dated 8 June 2005 confirming funding allocations 2005 to 2006 - 503444.**

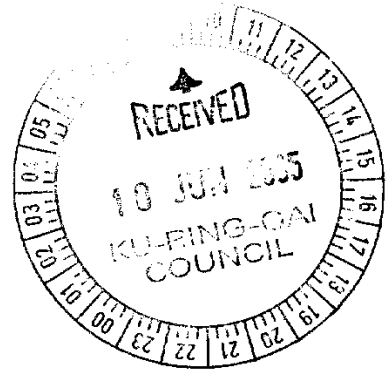


Our Reference: 238 5415  
Contact: John Gill  
Telephone: 8814 2110

The General Manager  
Ku-ring-gai Council  
DX 8703  
Gordon

Attention: Roger Guerin  
Manager Design & Projects

SUBJECT: 2005\_2006 Program Funding



Dear Sir/Madam

I am pleased to confirm funding allocations to Councils for 2005\_2006 following the release of the NSW State Budget. These amounts are shown in the attached table for all projects to be undertaken by Councils. Projects to be undertaken by the RTA are not included in the list.

The funding comprises Block Grant and REPAIR Program funding allocations to assist Council manage its Regional Roads. Also in keeping with the Minister's previous year's announcement there is a Block Grant allocation equivalent to what Council received previously under the 3x3 Council Determined Program. The 3x3 funds are to be used at Council's discretion for works on Regional Roads.

A copy of the 2005\_2006 Regional Road Block Grant Agreement was sent to all Sydney Councils 10 May 2005 and applies to all funds for works accepted for the Block Grant components.

The funding listed in the attached table includes the provision of various Local Road initiatives for both road safety and amenity related projects. The table also includes funding allocations under the National Blackspot Programme for which Council has already received advice under a separate letter around the 9 March 2005.

Individual program managers will contact council with regards to details of specific work and any special arrangements that might apply.

Council Funding and Project Acceptance:

The funds are provided in accordance with the Authority's document "Arrangements with Councils for Road Management" and require Council's formal acceptance of both the funding allocations and commitment to the works. Under the current Memorandum of Understanding (MOU) with Council the advice of the acceptance and commitment to the work(s) is required by 1 October 2005. Failure to comply might be interpreted that the work(s) will not be proceeding and the funds could be withdrawn and re-allocated.



Claim for Payments:

Please note that payments to Council will follow the same format as last year, namely, Council has only to submit a claim for payment using the Recipient Created Tax Invoice (R.C.T.I) and not a Tax Invoice. However, claims for payment for works covered by the *Regional Road Block Grant Agreement* and the *Traffic Route Lighting Subsidy*, are not required. For the *Block Grant* the Authority will make quarterly payments to Council during the 2005\_2006 financial year and for the *Traffic Route Lighting Subsidy* the Authority will make this payment automatically to Council at the end of the 2005\_2006 financial year.

The information on the attached advice contains RTA's Project Number, Program Position, Project Description and the Authority's contribution. In your submission of claims please include the project number on the claim form.

Project Completion:

Council is reminded that in line with the Memorandum of Understanding the State funded works should be targeted for completion no later than mid May 2006. However, projects with Program Position number commencing with 16\_\_ should be undertaken as a matter of urgency. These projects are safety related and any delay could expose Council to litigation should an accident occur that could otherwise have been prevented. Desirably the works should be completed in the 2005 calendar year.

Please note that the advice of funds now contained on the attached sheet is for the value of work which does not include GST. The 10% GST component will be added when the RTA makes payment.

A copy of the Memorandum of Understanding (MOU), which includes the Program Management Cycle, Key Requirements under the MOU and Project Pro-formas is attached and is available on the RTA Internet Web Site [www.rta.nsw.gov.au/localcouncils.htm](http://www.rta.nsw.gov.au/localcouncils.htm)

Yours faithfully



John Gill  
Council Liaison & Regional Projects Manager

8 - JUN 2005

# KU-RING-GAI COUNCIL

## 2005\_2006 Program Funding

ONLY for Projects undertaken by Council.  
Does NOT include projects undertaken by RTA

### Traffic Management Section: Contact ken Moon 8814 2965

PROJECT	PROGRAM POSITION	PROJECT DESCRIPTION	RTA ALLOCATION
S/01418	16208	Refuge:Lady Game Dr @ Public Sch,Killara <b>Funded 50/50</b>	\$6,000
S/01419	16301	Roundabout:Cleveland St/Stuart St,Wahnga <b>Funded 50/50</b>	\$30,000
S/01420	16301	Rndabt:Pentecost Av/Bannockburn Rd,Pymbl <b>Funded 50/50</b>	\$30,000
S/01421	16308	Guardrail: Station/King Edward St,Pymble <b>Funded 50/50</b>	\$8,000
S/01422	16308	Guardrail: Burns Rd, Turramurra <b>Funded 50/50</b>	\$15,000
S/00959	16308	Eastern Arterial Rd nr Clarke Pl-G'rail <b>Funded 50/50</b>	\$18,000
S/00958	16308	Comenarra Pky bt Jordan/Stainsby-G'rail <b>Funded 50/50</b>	\$57,000
T/00993	17304	Cycleway widening - Ryde Rd, West Pymple <b>Funded 50/50</b>	\$50,000
T/01698	17304	Cycleway - Kissing Point Rd, Turramurra <b>Funded 50/50</b>	\$50,000
T/01695	17401	Median:Beaconsfield Pde,Pacific Hy,Lnflld <b>Funded 50/50</b>	\$2,000
T/01696	17401	Median:Woniara Av,Coonanbarra Rd,Wah'nga <b>Funded 50/50</b>	\$3,000
<b>TOTAL</b>			<b>\$269,000</b>

### Road Safety: Contact Paul Murray 8814 2361

PROJECT	PROGRAM POSITION	PROJECT DESCRIPTION	RTA ALLOCATION
082797	16106	KU-RING-GAI LGA ROAD SAFETY PROGRAM <b>Funded 50/50</b>	\$38,000
<b>TOTAL</b>			<b>\$38,000</b>

### Regional Roads: Contact John Gill 8814 2110

PROJECT	PROGRAM POSITION	PROJECT DESCRIPTION	RTA ALLOCATION
A/01904/05/E	12602	<b>REPAIR Rehab</b> Eastern Road Turramurra between Brentwood Ave and Hastings St	\$103,200
098484	17504	Block Grant <b>TRAFFIC FACILITIES</b>	\$270,000
A/04866	12601	Block Grant <b>ROADS</b>	\$178,000
A/04869	12604	Block Grant <b>Ex 3x3</b>	\$82,000
<b>TOTAL</b>			<b>\$633,200</b>

**TOTAL Allocation**

**\$940,200**

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## 2004 TO 2008 MANAGEMENT PLAN, 4TH QUARTER REVIEW FOR THE YEAR ENDED 30 JUNE 2005

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### EXECUTIVE SUMMARY

<b>PURPOSE OF REPORT:</b>	To report to Council the year end status of Key Performance Indicators as contained in Council's 2004 to 2008 Management Plan and resolutions of Council not implemented during the 2004/05 financial year.
<b>BACKGROUND:</b>	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.
<b>COMMENTS:</b>	A status report for all Objectives, Actions and Key Performance Indicators contained in the 2004 to 2008 Management Plan is attached.
<b>RECOMMENDATION:</b>	The 2004 to 2008 Management Plan status report be received and noted.

## PURPOSE OF REPORT

To report to Council the year end status of Key Performance Indicators as contained in Council's 2004 to 2008 Management Plan and resolutions of Council not implemented during the 2004/05 financial year.

## 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 2004 to 2008 Management Plan was adopted by Council on 22 June 2004.

The resulting plan contained six principal activities, namely:

- Civic Leadership
- Integrated Planning
- Community Development
- Natural Environment
- Built Environment
- Council's Corporate Services

Each of Council's six principal activities contained a series of Objectives, Actions and Key Performance Indicators which provided detail on how Council planned to achieve desired outcomes for each of the principal activities and how performance would be measured.

Additionally, Council's Management Plan contained a key performance indicator as follows:

"Annual report to Council on resolutions which have not been implemented together with accompanying explanations".

Details of resolutions which have not been completed in the 2004/2005 financial year are outlined in this report.

## 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 options available under the heading 'status code details' are as follows:

Status Code	Definition
Completed	KPI has been fully carried out in accordance with the Management Plan.
Deferred	KPI has been placed on hold. This status code is only to be used where deferral has resulted from a Council resolution, a change in Government Legislation, or similar significant circumstance.
Not Achieved	KPI has not been completed as required in the Management Plan.

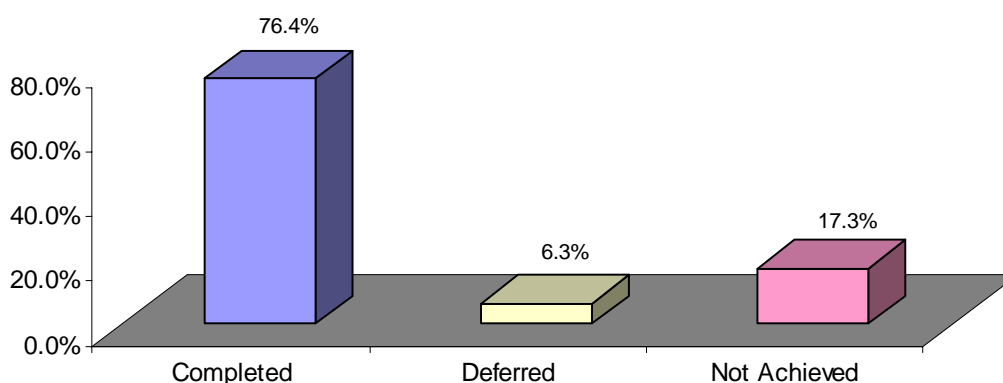
All Key Performance Indicators are categorised by one of the above three status codes to illustrate performance against the Management Plan.

## Analysis of Results

Council's 2004-2008 Management Plan contains 127 KPI's. The following table shows Council's overall KPI achievement results for the year ended 30 June 2005.

Status	Achievement	Percentage
Completed	97/127	76.4%
Deferred	8/127	6.3%
Not Achieved	22/127	17.3%

**Total Council @ 30 June 2005**



Discounting those KPI's categorised as deferred, the adjusted results for 2004/2005 are as follows:

Status	Achievement	Percentage
Completed	97/119	81.5%
Not Achieved	22/119	18.5%

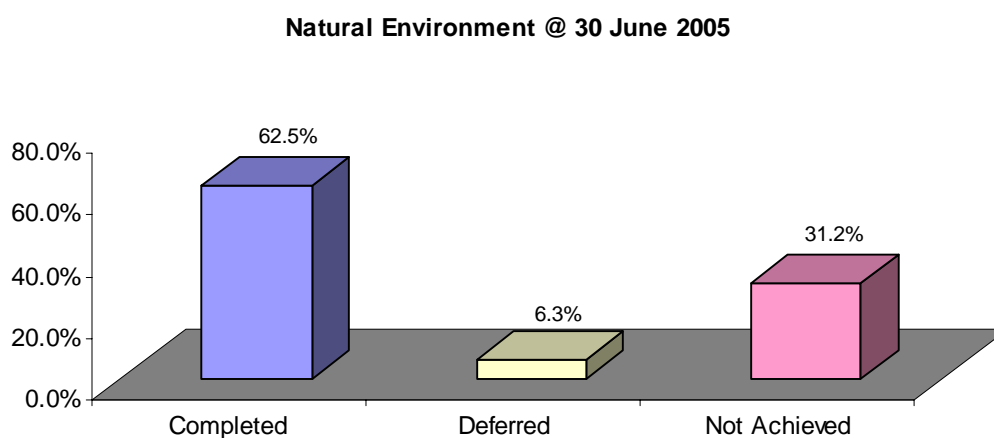
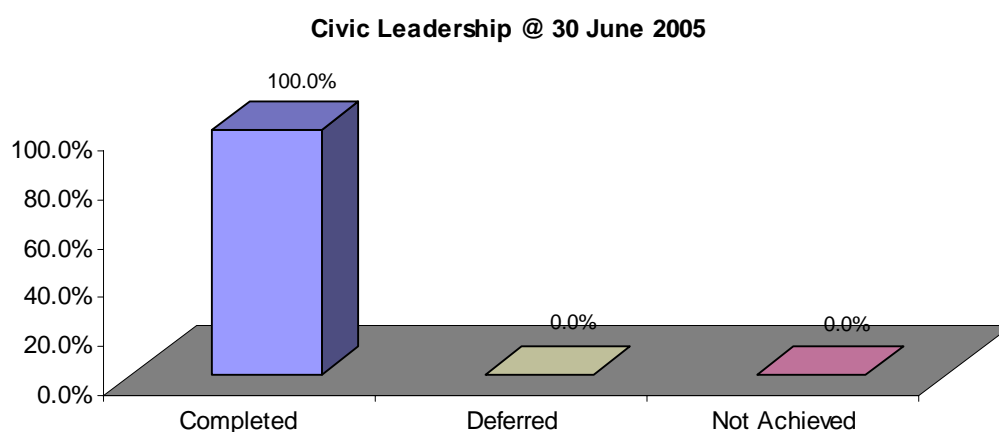
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The following table provides an analysis by Principal Activity for the year ended 30 June 2005.

Principal Activity	Total	Completed	Deferred	Not Achieved
Built Environment	20	80.0%	5.0%	15.0%
Civic Leadership	5	100.0%	0.0%	0.0%
Community Development	25	80.0%	8.0%	12.0%
Council's Corporate Services	15	86.6%	6.7%	6.7%
Financial Sustainability	19	84.2%	10.5%	5.3%
Integrated Planning	27	63.0%	3.7%	33.3%
Natural Environment	16	62.5%	6.3%	31.2%
<b>Total</b>	<b>127</b>	<b>76.4%</b>	<b>6.3%</b>	<b>17.3%</b>

This is represented graphically below:

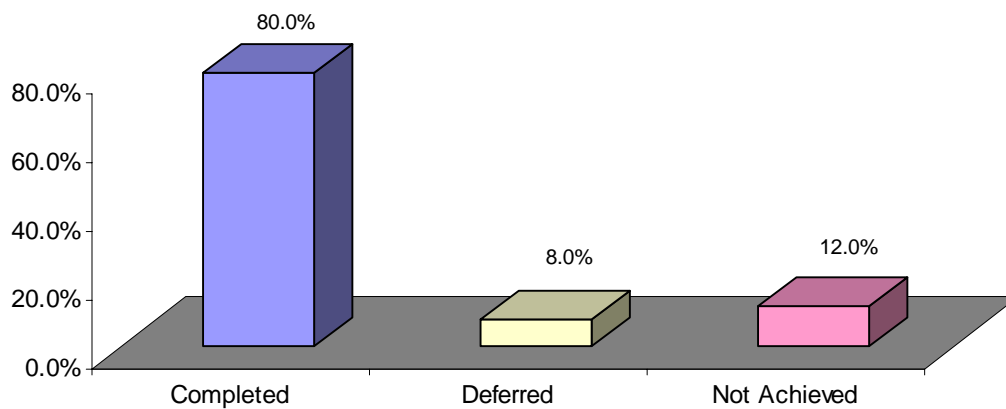




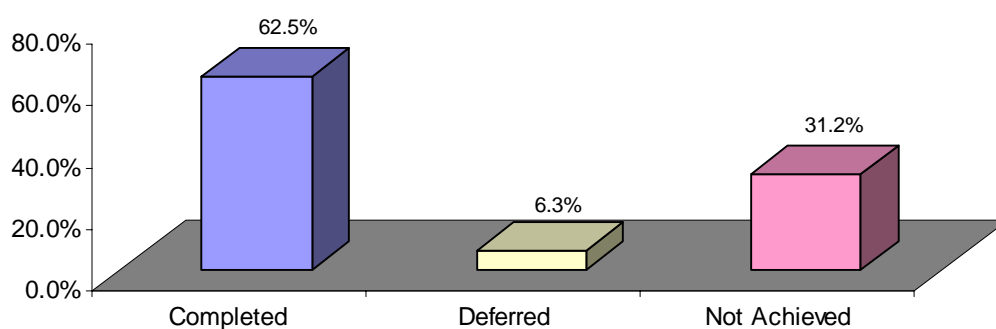
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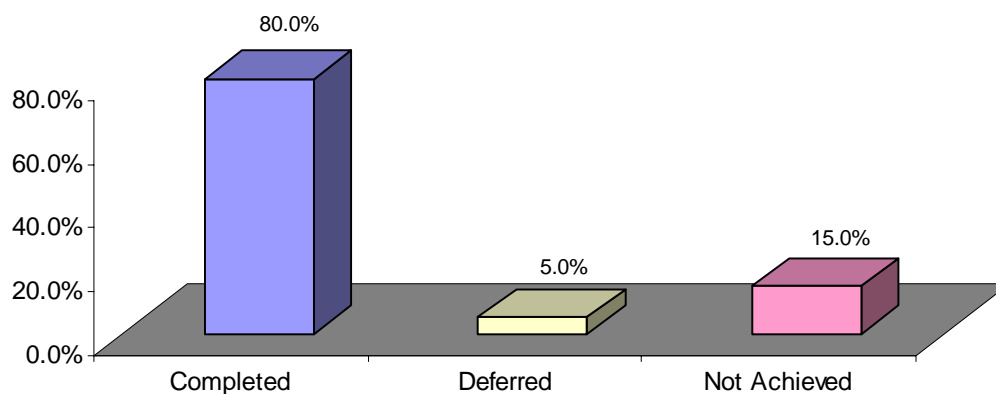
**Community Development @ 30 June 2005**



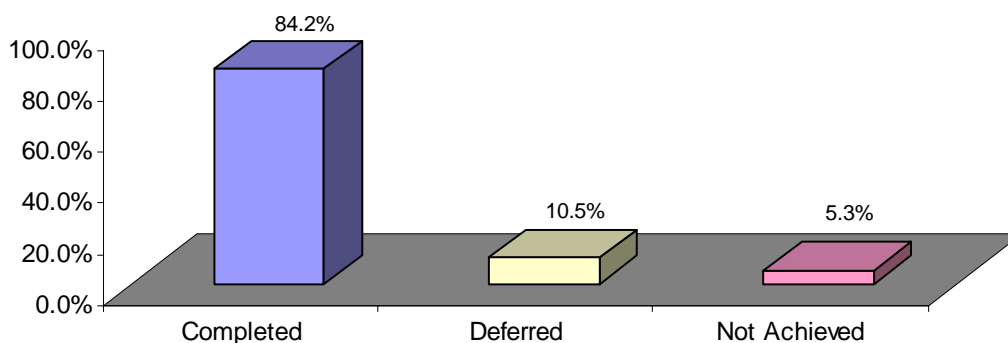
**Natural Environment @ 30 June 2005**



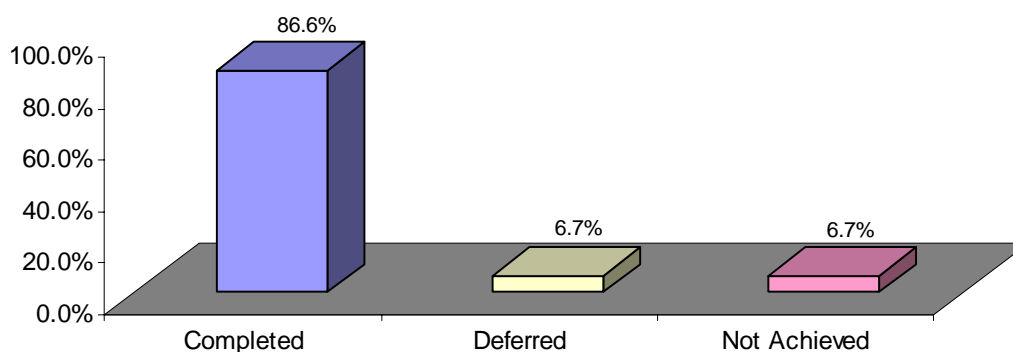
**Built Environment @ 30 June 2005**



**Financial Sustainability @ 30 June 2005**



**Council's Corporate Services @ 30 June 2005**



## Explanation of Unachieved Key Performance Indicators

The following section outlines those Key Performance Indicators that were not fully completed as at 30 June, together with an update of current status regarding these matters.

### Integrated Planning

**Objective 1.** Ku-ring-gai will be a vibrant place while maintaining its unique character, natural environment and heritage.

KPI 1. Prepare Local Environmental Plans for Urban Conservation Areas.

*Due 4th Quarter*

*Responsible Officer Director Planning and Environment*

Comment: DIPNR has issued a letter to all Councils indicating that UCAs will not be supported until position of government on UCAs is resolved. The State Government has not indicated likely timing.

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- KPI 2. Review potential Heritage items and develop heritage inventory sheets.  
*Due 4th Quarter*  
*Responsible Officer Director Planning and Environment*

Comment: Consultants have been engaged. Information circulated to Councillors by memo advising that work will be completed by January 2006.

- Objective 2.** Housing, transport, open space and community facilities will meet the needs of a changing community while protecting heritage and the natural environment.

- KPI 2. Develop Draft Drainage Reserves Plan of Management.  
*Due 4th Quarter*  
*Responsible Officer Director Planning and Environment*  
*and Director Technical Services.*

Comment: The development of this plan is not anticipated prior to the 3rd quarter of the 2005/06 Management Plan given current priorities.

- KPI 3. Develop Draft Pathways Plan of Management.  
*Due 3rd Quarter*  
*Responsible Officer Director Planning and Environment*  
*and Director Technical Services*

Comment: Project has not yet commenced due to other priorities. Project will commence in the 1st quarter of the 2005/06 Management Plan.

- KPI 4. Develop Draft Miscellaneous Lands Plan of Management.  
*Due 2nd Quarter*  
*Responsible Officer Director Open Space*  
*and Director Planning and Environment*

Comment: The development of this plan is not anticipated prior to the 3rd quarter of the 2005/2006 Management Plan given current priorities.

- KPI 11. Complete integrated plans for Turramurra Centre.  
*Due 4th Quarter*  
*Responsible Officer Director Planning and Environment*

Comment: First phase of consultation complete. Issues conference with Councillors held early June 2005. Land use options workshop held with Councillors on 21 July. Exhibition of options commences 10 August.

- KPI 12. Complete integrated Plans for Pymble Centre.  
*Due 4th Quarter*  
*Responsible Officer Director Planning and Environment*

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Comment: Consultation phase including survey has commenced.

KPI 13. Complete integrated Plans for Gordon Centre.

*Due 4th Quarter*

*Responsible Officer Director Planning and Environment*

Comment: Initial consultation phase has commenced.

KPI 15. Review of Development Control Plan No.38 (having regard to the special value of precincts).

*Due 4th Quarter*

*Responsible Officer Director Planning and Environment*

Comment: Series of staff, Councillor and stakeholder workshops held last year. Workshop feedback preparation underway. Review will be reported to Council in September 2005. A memo was sent to all Councillors in July advising of the current status of this matter.

**Community Development**

**Objective 4.** To provide programs that represent value for money and are financially sustainable.

KPI 1. Pool feasibility study complete and timeframe adopted for works program.

*Due 2nd Quarter*

*Responsible Officer Director Open Space*

Comment: Pool feasibility study brief proposed to Councillors at a workshop in February. A Consultant has been engaged; Consultations and studies have been undertaken and initial workshop held with Councillors in early May. Initial site assessments have been undertaken and consultant is scheduled to brief Councillors on 31 August 2005, regarding facility mix and preferred sites.

**Objective 6.** To provide quality open space, sufficient to meet the needs of the community.

KPI 5. Concept design, costing and community consultation undertaken for North Turramurra recreation.

*Due 1st Quarter*

*Responsible Officer Director Open Space*

Comment: Brief has been completed and appropriate consultant will be selected. Project working group established through Parks, Sport & Recreation Reference Group. Work is on-going with the sub-group of the Reference Group and further reporting to Council is expected during the 1<sup>st</sup> quarter of the 2005/06 Management Plan.

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KPI 6. Queen Elizabeth Reserve rehabilitated and restored for use.

*Due 4th Quarter  
Responsible Officer Director Open Space*

Comment: Consultant engaged. Concept plans developed. Approval to tender the work granted by Council in April. Preferred tenderer will be reported to Council during August 05.

**Natural Environment**

**Objective 1.** To understand and manage our natural environment to ensure that it is preserved and enhanced for current and future generations.

KPI 1. A draft biodiversity strategy completed.

*Due 3rd Quarter  
Responsible Officer Director Open Space  
and Director Planning and Environment*

Comment: Internal working group established. Draft objectives developed subject to further refinement in response to community consultation. Inventory of data currently prepared and a workshop has been undertaken with the Bushland Catchment & Natural Areas Reference Group. Strategy will be developed concurrently with the preparation of the Bushland Plan of Management, scheduled for completion in October 2005.

KPI 2. Draft biodiversity development controls completed.

*Due 4th Quarter  
Responsible Officer Director Planning and Environment*

Comment: Awaiting adoption of biodiversity strategy, expected October 2005. Controls will be developed as a key action from the strategy and will be inserted into relevant planning instruments as opportunities arise. The strategy will inform the comprehensive LEP and subsequent DCPs.

KPI 5. A new draft Bushland Plan of Management completed.

*Due 3rd Quarter  
Responsible Officer Director Open Space*

Comment: A consultant has been engaged and background work on this plan has begun. It is an Agenda item for the August meeting of the Bushcare and Natural Environment Reference Group.

KPI 6. Development control plan for waste management completed.

*Due 3rd Quarter  
Responsible Officer Director Planning and Environment  
and Director Technical Services*

Comment: Will be undertaken as part of the preparation of a comprehensive DCP.

**Objective 2.** The community and Council have access to adequate and comprehensive information on the environment and their impacts to facilitate positive behaviour change.

KPI 2. Comprehensive environmental education strategy completed.

*Due 2nd Quarter  
Responsible Officer Director Planning and Environment*

Comment: A report will be prepared by December 2005, in line with reallocated resources within the Sustainability section.

### **Built Environment**

**Objective 2.** To ensure development assessment is consistent with Council's policies and codes and provides an efficient and effective service.

KPI 1. Public education of the role of Council Compliance Officers, Private Certifiers and Principal Certifying Authorities.

*Due 2nd Quarter  
Responsible Officer Director Development and Regulation*

Comment: The support of the Building Professionals Board has been sought in the development and dissemination of an educational program about the reform of the building certification system in NSW. An information session for councillors is planned to be held by end of August 2005. This will be followed by a public education program commencing in September 2005.

KPI 2. Development of a Compliance Policy.

*Due 4th Quarter  
Responsible Officer Director Development and Regulation*

Comment: Establishment of project team delayed due to lack of resources. Project team now established and completion expected by September 2005. Project team sourcing various models from other Councils to use as a basis for Ku-ring-gai's Compliance Policy.

KPI 6. Review standard development consent conditions.

*Due 2nd Quarter  
Responsible Officer Director Development and Regulation*

Comment: Review rescheduled to align with implementation of 'Proclaim'. Staged review in progress. Completion anticipated by September 2005.

### **Financial Sustainability**

**Objective 2.** To continuously explore opportunities to maximise the financial return and Community benefit from Council's commercial property holdings.

KPI 2. Development application for Suakin Street Depot assessed.

*Due 2nd Quarter  
Responsible Officer Director Development and Regulation  
and Director Technical Services*

Comment: A pre DA meeting has been held and the DA plans were submitted in late July 2005. Amendments have been made following the outcome of the pre DA meeting. Independent planner to be engaged to assess DA.

### **Council's Corporate Services**

**Objective 2.** To ensure that Council's information is protected, developed and maintained effectively and efficiently.

KPI 1. A data integration strategy and data quality management guidelines are developed.

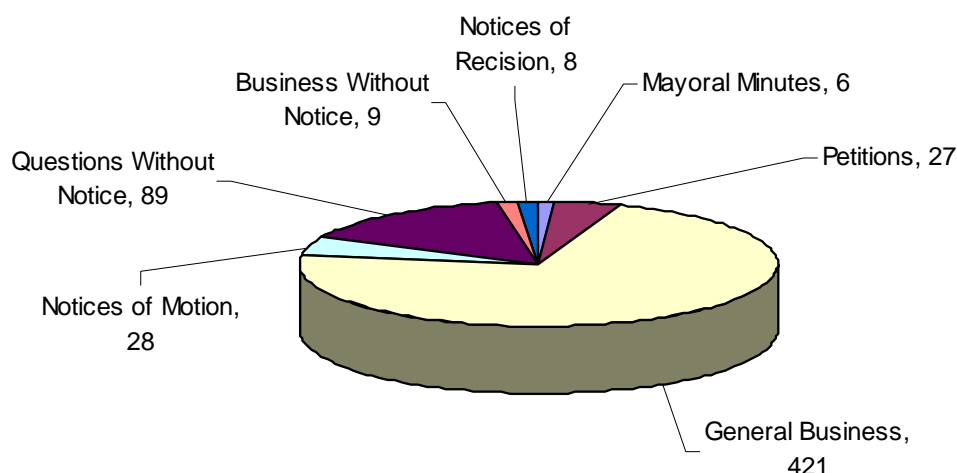
*Due 2nd Quarter  
Responsible Officer Director Finance and Business*

Comment: Data integration strategy is being addressed in the short term with incremental fixes on particular data processing issues (eg: Payroll to Finance). A longer term strategy is being developed to look at an integrated offering from Technology one using the new Connectivity Intelligence technology. The strategy will be developed for review by the General Manager and Directors in the 1st quarter of 2005/2006.

### **Council Resolutions**

For the financial year 2004/2005 there was a total of 588 resolutions made by Council.

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Council Business Type	Total	Completed	Not Completed
Mayoral Minutes	6	6	0
Petitions	27	27	0
General Business	421	415	6
Notices of Motion	28	24	4
Questions Without Notice*	89	86	3
Business Without Notice	9	9	0
Notices of Recision	8	8	0
<b>Total</b>	<b>588</b>	<b>575</b>	<b>13</b>

\*Note: of the 89 questions without notice, 46 required further action from the General Manager and/or directors across Council.

Following is a breakdown of those resolutions that have not yet been finalised as at 30 June 2005:

**OMC71 Proposed Easement and Connection To Drainage System Over A Pedestrian Pathway To Benefit 27 Margaret Street, Roseville**  
General Business

*Meeting Date 08/03/2005*

*Responsible Officer: Director Technical Services*

Comment: Investigation of residents using pathway for drainage ie. 27, 29 and 31 Margaret St. Residents consulted and then notified of scheme and costs and advised of apportionment process. In principle agreement sought and currently awaiting responses.

**OMC92 Title Bushland Walks For Older People**  
Notice of Motion from Cr Hall



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*Meeting Date 22/03/2005*  
*Responsible Officer: Director Open Space*

Comment: Currently developing program. Recommendation consistent with track and trail performance standards. Due for completion during the 2<sup>nd</sup> quarter of the 2005/2006 Management Plan.

**OMC132      8 West Street, Pymble - Relocation Of Council Drainage Easement And Stormwater Pipeline**  
General Business

*Meeting Date 26/04/2005*  
*Responsible Officer: Director Technical Services*

Comment: Timeline set in resolution tracking not achievable for scope and extent of works on site. Land cleared and drainage works commenced approximately 19 July 2005. Council contacted to inspect difficulty with sewer main under council drainage system. Easement location, terms etc are subject to installation of drainage line and survey outside of Council's control.

**OMC133      15 Pearson Avenue, Gordon - Relocation of Drainage Easement and Stormwater Pipeline**  
General Business

*Meeting Date 26/04/2005*  
*Responsible Officer: Director Technical Services*

Comment: Legal Documents signed. Clarification sent to applicant for information regarding linen plan. Council not yet contacted regarding drainage construction work.

**OMC184      Confirmation of Inspections Committee Minutes of 14 May 2005**  
General Business

*Meeting Date 24/05/2005*  
*Responsible Officer: Director Development & Regulation*

Comment: Completed on 2 August 2005.

**OMC201      Policy on Removal of Asbestos during Building Demolitions**  
Question Without Notice by Cr Innes

*Meeting Date 24/05/2005*  
*Responsible Officer: Director Development and Regulation*

Comment: This is part of Council's standard conditions and will be included in standard conditions review to be completed in 2nd quarter of 2005/2006.

**OMC213      17 Highbridge Rd, Killara – Connection to Council Stormwater Pipeline & Easement**

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11 August 2005

General Business

*Meeting Date 14/06/2005*

*Responsible Officer: Director Technical Services*

Comment: Email sent to Fox & Staniland on 7 July 2005 requesting to draft terms in accordance with resolution. Awaiting contact.

**OMC214      Raising the Profile of Our Planning for Town Centres**  
Notice of Motion by Cr Malicki

*Meeting Date 14/06/2005*

*Responsible Officer: Director Planning and Environment*

Comment: Part of Turramurra and St Ives town Centre. Process started for centre wide information for brief. This process is to continue for all Centres.

**OMC216      11 Woniara Ave, Preparation & Exhibition of Draft LEP to Rezone to Residential 2[d3] under KPSO**  
Notice of Motion by Crs Ebbeck & Cross

*Meeting Date 14/06/2005*

*Responsible Officer: Director Planning and Environment*

Comment: Section 62 Consultation currently being processed following State Government Consultation. Will be exhibited in 1st quarter of 2005/2006.

**OMC253      Recycling Building Materials Requirements**  
Question Without Notice by Cr Shelley

*Meeting Date 28/06/2005*

*Responsible Officer: Director Development & Regulation*

Comment: This is part of Council's standard conditions and will be included in standard conditions review to be completed in 2nd quarter of 2005/2006.

**OMC258      Review of Notification Signs**  
Question Without Notice by Cr Bennett

*Meeting Date 28/06/2005*

*Responsible Officer: Director Development & Regulation*

Comment: Alternate sign design comparison being sourced from other Councils. Review due for completion during 2nd quarter of 2005/2006 Management Plan.

**OMC477      RTA 40km/h High Pedestrian Activity Program (Vide KTC23)**  
General Business

*Meeting Date 12/10/2004*

*Responsible Officer: Director Technical Services*

Comment: Discussions have been held with Ku-ring-gai Traffic Committee and advertising/Consultation to start in 2nd quarter of 2005/2006 Management Plan.

**OMC502      Sustainability Project**  
Notice of Motion from Cr Malicki

*Meeting Date 12/10/2004*

*Responsible Officer: Director Planning and Environment*

Comment: Pending further discussion and Council decision.

## **CONSULTATION**

Not Applicable.

## **FINANCIAL CONSIDERATIONS**

The requirements outlined in the Management Plan 2004 to 2008 were 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 in the attached report.

## **SUMMARY**

### **General Managers Comments**

The 2004 to 2008 Management Plan contained 127 Key Performance Indicators of which 97 were completed, 8 were deferred and 22 remain to be finalised.

Discounting those Key Performance Indicators categorised as deferred, completion rate for the year was 81.5%.

A total of 588 Council resolutions were made during the year, of which 13 are still be finalised.

A total of 89 questions without notice were tabled, of which 46 required further action from the General Manager or Directors across Council.

## **RECOMMENDATION**

That the 2004 to 2008 Management Plan status report be received and noted.

John McKee  
**Director Finance and Business**

Brian Bell  
**General Manager**

**Attachments:      Principal Activity Report for the year ended 30 June 2005 - 522775**

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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End Year Progress Report

## Civic Leadership

Ku-ring-gai Council will work to ensure that its affairs are conducted in an open and transparent manner.

Council will effectively consult with the community to ensure that it provides quality services which reflect the expectations of ratepayers and represent best value.

Council stakeholders will be informed of matters coming before Council ensure that the communities input is considered in the organisations decision making process.

<i>Expenditure Budget 2004/2005:</i>	<i>\$575,500</i>
<i>Revenue Budget 2004/2005:</i>	<i>\$500</i>
<i>General (Net) Funding:</i>	<i>\$575,000</i>

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### *Civic Leadership Cont...*

#### Objective 01

To provide community leadership that is; Efficient, Effective, Transparent, Participative, and Accountable.

#### Actions

- 01 Assess the level & mix of services provided to the community.
- 02 Review Council's organisational structure and relevant policies.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Council's organisational structure and relevant policies reviewed and adopted.	1st Quarter	- General Manager
<b>COMPLETED</b> <i>Adopted.</i>			
02	Council's Code of Meeting Practice reviewed and adopted.	3rd Quarter	- General Manager
<b>COMPLETED</b> <i>Code of meeting practice adopted at Council meeting held 10 May 2005.</i>			
03	Council's Code of Conduct reviewed and adopted.	3rd Quarter	- General Manager
<b>COMPLETED</b> <i>Adopted by Council on 24 May 2005.</i>			
04	Through the Management Plan process, review the implementation of Council's principal activities.	Each Quarter	- General Manager
<b>COMPLETED</b> <i>1st Quarter reported on 23 November 2004. 2nd Quarter reported on 15 February 2005. 3rd Quarter reported on 24 May 2005. 4th Quarter reported on 23 August 2005.</i>			
05	Establish the resource allocation and financial framework for Council's operations.	2nd Quarter	- General Manager
<b>COMPLETED</b> <i>10 Year Financial Model adopted by Council 14 December 2004.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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End Year Progress Report

## Integrated Planning

Ku-ring-gai has local centres that need to be revitalised to cater for the changing needs of the community.

Improved integration of Council's planning will improve the vitality of local communities and the sustainability of the area.

<i>Expenditure Budget 2004/2005:</i>	<i>\$1,922,800</i>
<i>Revenue Budget 2004/2005:</i>	<i>\$319,500</i>
<i>General (Net) Funding:</i>	<i>\$1,603,300</i>

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### Integrated Planning Cont...

#### Objective 01

Ku-ring-gai will be a vibrant place while maintaining its unique character, natural environment and heritage.

#### Actions

01 Prepare plans for urban conservation areas.

02 Review potential heritage items.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Prepare Local Environmental Plans for Urban Conservation Areas.	4th Quarter	- Director Planning and Environment
<b>NOT ACHIEVED</b> <i>DIPNR has issued a letter to all Councils indicating that UCAs will not be supported until position of government on UCAs is resolved. The State Government has not indicated likely timing.</i>			
02	Review potential Heritage items and develop heritage inventory sheets.	4th Quarter	- Director Planning and Environment
<b>NOT ACHIEVED</b> <i>Consultants have been engaged. Information circulated to Councillors by memo advising that work will be completed by January 2006.</i>			



# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### Integrated Planning Cont...

#### Objective 02

Housing, transport, open space and community facilities will meet the needs of a changing community while protecting heritage and the natural environment.

#### Actions

- 01 Prepare Draft Plans of Management for Community Lands.
- 02 Implement Stage 1 of the Residential Development Strategy by preparing plans, including former special area plans, under Local Environmental Plan 194.
- 03 Develop an integrated plan for the St Ives Centre.
- 04 Implement Stage 2 of the Residential Development Strategy by preparing plans for major commercial centres.
- 05 Establish an integrated framework for progressing sustainability into Council's activities.
- 06 Revise key planning documents to make them more effective and to respond to legislative change.
- 07 Identify opportunities for transport integration.
- 08 Adopt plans for traffic management and other forms of transport.
- 09 Lobby Federal and State government to gain support for intersection upgrades and for placement of the F3 to Sydney orbital link away from Ku-ring-gai.
- 10 Commence development of an Accessibility Development Control Plan.
- 11 Progress negotiations concerning the abandoned freeway corridor lands in Wahroonga and Turramurra.
- 12 Progress rezoning of abandoned corridor lands in South Turramurra and Wahroonga.
- 13 Advocate for improvement of access within local railway stations.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Develop Draft Urban Parks Plan of Management.	1st Quarter	- Director Open Space - Director Planning and Environment
<b>COMPLETED</b> <i>Report referred to Council for exhibition of draft plan on 8th March 2005. Draft Plan Of Management reported to Council in April 05 to go on public exhibition. Public exhibition closes 8 August 05. Anticipate final report to Council September 05.</i>			
02	Develop Draft Drainage Reserves Plan of Management	4th Quarter	- Director Planning and Environment - Director Technical Services
<b>NOT ACHIEVED</b> <i>The development of this plan is not anticipated prior to the 3rd quarter of the 2005/06 Management Plan given current priorities.</i>			
03	Develop Draft Pathways Plan of Management	3rd Quarter	- Director Planning and Environment - Director Technical Services
<b>NOT ACHIEVED</b> <i>Project has not yet commenced due to other priorities. Project will commence in the 1st quarter of the 2005/06 Management Plan.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

04	Develop Draft Miscellaneous Lands Plan of Management	2nd Quarter	<ul style="list-style-type: none"> <li>- Director Open Space</li> <li>- Director Planning and Environment</li> </ul>
<b>NOT ACHIEVED</b> <i>The development of this plan is not anticipated prior to the 3rd quarter of the 2005/2006 Management Plan given current priorities.</i>			
05	Develop Draft Strata Unit, Tryon Road Plan of Management	1st Quarter	<ul style="list-style-type: none"> <li>- Director Community Services</li> <li>- Director Planning and Environment</li> </ul>
<b>COMPLETED</b> <i>Public notification including Public Hearing held. Plan of Management adopted by Council.</i>			
06	Complete design concepts for that part of Special Area 1 (Roseville) rezoned under LEP 194.	2nd Quarter	<ul style="list-style-type: none"> <li>- Director Planning and Environment</li> </ul>
<b>COMPLETED</b>			
07	Complete design concept for former Special Area 6 (Wahroonga).	2nd Quarter	<ul style="list-style-type: none"> <li>- Director Planning and Environment</li> </ul>
<b>COMPLETED</b>			
08	Complete design concept for former Special Area 7 (St Ives).	2nd Quarter	<ul style="list-style-type: none"> <li>- Director Planning and Environment</li> </ul>
<b>COMPLETED</b>			
09	Finalise Development Control Plan (DCP 55) for the Railway/Pacific Highway corridor and St Ives Centre.	1st Quarter	<ul style="list-style-type: none"> <li>- Director Planning and Environment</li> </ul>
<b>COMPLETED</b> <i>Draft exhibited August-September 2004 and reported to Council 23 November 2004, adopted 14 December 2004.</i>			
10	Develop a place based integrated planning approach to St Ives centre and environs.	4th Quarter	<ul style="list-style-type: none"> <li>- Director Community Services</li> <li>- Director Open Space</li> <li>- Director Planning and Environment</li> <li>- Director Technical Services</li> </ul>
<b>COMPLETED</b> <i>A proposed plan was submitted to Council for consideration at the end of June to the Planning Committee. St Ives Town Centre planning report was submitted to Council on 19 July 2005.</i>			
11	Complete integrated plans for Turramurra Centre.	4th Quarter	<ul style="list-style-type: none"> <li>- Director Planning and Environment</li> </ul>
<b>NOT ACHIEVED</b> <i>First phase of consultation complete. Issues conference with Councillors held early June 2005. Land use options workshop held with Councillors on 21 July. Exhibition of options commences 10 August.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

12	Complete integrated Plans for Pymble Centre.	4th Quarter	- Director Planning and Environment
<b>NOT ACHIEVED</b> <i>Consultation phase including survey has commenced.</i>			
13	Complete integrated Plans for Gordon Centre	4th Quarter	- Director Planning and Environment
<b>NOT ACHIEVED</b> <i>Initial consultation phase has commenced.</i>			
14	Progress Plans for Lindfield and Roseville.	4th Quarter	- Director Planning and Environment
<b>COMPLETED</b> <i>Draft project plans being developed for these centres.</i>			
15	Review of Development Control Plan No.38 (having regard to the special value of precincts) .	4th Quarter	- Director Planning and Environment
<b>NOT ACHIEVED</b> <i>Series of staff, Councillor and stakeholder workshops held last year. Workshop feedback preparation underway. Review will be reported to Council in September 2005. A memo was sent to all Councillors in July advising of the current status of this matter.</i>			
16	Coordinate assessment of rezoning applications (eg. UTS site). As required		- Director Planning and Environment
<b>COMPLETED</b> <i>Completed for the UTS rezoning application and preliminary exhibition finalised and reported to Council. LEP201, 202 and 204 completed.</i>			
17	Revise existing planning documents to respond to new government policy and legislation.	As required	- Director Development and Regulation - Director Planning and Environment
<b>COMPLETED</b> <i>DCP55 completion December 2004. DCP47 reviewed and amended in line with BASIX for exhibition. DCP56 in progress. DCP55 workshops with Councillors, stakeholders and Council staff completed. Process will be ongoing with release of new standard LEP template.</i>			
18	Traffic and parking study completed for St Ives centre.	2nd Quarter	- Director Technical Services
<b>COMPLETED</b> <i>Traffic consultant has been engaged and traffic modelling completed in June 2005 for the various options. The outcomes of the study were reported to Council on 19 July 2005.</i>			
19	Review Council's car parks to assess needs and provisions.	2nd Quarter	- Director Technical Services
<b>COMPLETED</b> <i>Survey of Council's car parks completed and report on utilisation included in Property Portfolio Review. This matter was discussed at the Councillors workshop in February 2005. Further investigation on number and car park requirements to be assessed in Traffic studies for each centre.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

- 20 Prepare an integrated transport plan (including bus, pedestrian routes and cycleways) that encourage use of public transport. 3rd Quarter - Director Technical Services

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### **COMPLETED**

*Letters sent to various government departments and public transport companies seeking future plans and needs. Matter reported to the April 2005 Traffic Committee and subsequently adopted by Council.*

- 21 Complete an open space strategy. 3rd Quarter - Director Open Space

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### **COMPLETED**

*Strategy completed. Working party established and received copy of draft document for discussion at the Parks, Sports & Recreation Reference Group's February meeting and the Bushland, Catchment and Natural Areas Reference group February meeting. Draft strategy reported to Council April 05 to place on public exhibition.*

- 22 Finalise tree preservation order. 4th Quarter - Director Open Space

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### **DEFERRED**

*Memo completed, presented and endorsed by Planning Committee in March 2005, concerning process for progressing TPO review, including public consultation, feedback to Planning Committee and timeline for finalisation of draft TPO. Report to Council confirming this process and revising the timeframe was endorsed by Council in March. First three public consultation forums were completed late April. Survey component has been drafted to be undertaken in August.*

- 23 Report on options for progressing undergrounding of powerlines and cables. 2nd Quarter - Director Technical Services

### **COMPLETED**

*Reported to Council in September 2004. Further report to be submitted in February 2005 on costs of undergrounding in Business Centres.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### *Integrated Planning Cont...*

#### Objective 03

Stakeholders including residents, community groups, government agencies and the development sector will be actively engaged in the planning process.

#### Actions

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Facilitate business centres input into planning processes through ongoing consultation.	As required	- Director Planning and Environment
<hr/>			
<b>COMPLETED</b>			
<i>Manager Research &amp; Co-ordination has consulted with businesses in St Ives, Turramurra and Gordon.</i>			
02	Develop community involvement strategies for all of the above projects.	As required	- Director Community Services - Director Development and Regulation - Director Finance and Business - Director Open Space - Director Planning and Environment - Director Technical Services - General Manager

#### **COMPLETED**

*Comprehensive community consultation has been undertaken for St Ives, Turramurra and Gordon Town Centres. Methodology has included broad survey sent to more than 27,000 households, together with other consultation instruments to determine needs, aspirations and values. Work has been incorporated into each phase of this planning work.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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End Year Progress Report

## Community Development

Ku-ring-gai is characterised by an articulate and resourceful community that values a safe and healthy environment and promotes a sense of place through a number of established community networks.

<i>Expenditure Budget 2004/2005:</i>	<i>\$10,377,700</i>
<i>Revenue Budget 2004/2005:</i>	<i>\$3,270,800</i>
<i>General (Net) Funding:</i>	<i>\$7,106,900</i>

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### Community Development Cont...

#### Objective 01

To contribute to a sustainable, safe, healthy and vibrant community through the provision of integrated services and programs.

#### Actions

- 01 Improve access and use of Council's community services, open space and recreation areas.
- 02 Review existing services and identify the demand for increased childcare services.
- 03 Improve community safety.
- 04 Increase the participation in community based volunteer programs.
- 05 Provide improved co-ordination of family support services through the Family First Program.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	2004-2008 Social Plan developed.	2nd Quarter	- Director Community Services
<b>DEFERRED</b> <i>Draft report completed, has now been referred to Community Development Committee for review before going on public exhibition. Plan yet to be submitted to the Department of Local Government.</i>			
02	Coordination of family support services through the Family First program is improved.	4th Quarter	- Director Community Services
<b>COMPLETED</b> <i>Project completed, report submitted to Families First Directorate.</i>			
03	Opportunities to increase childcare places examined.	2nd Quarter	- Director Community Services
<b>COMPLETED</b> <i>Children's Services in Ku-ring-gai Study updated and completed.</i>			
04	2004-2005 Childcare Services Policy developed.	1st Quarter	- Director Community Services
<b>COMPLETED</b> <i>Policy adopted by Council.</i>			
05	Community safety issues paper developed.	2nd Quarter	- Director Community Services
<b>COMPLETED</b> <i>Safety issues paper considered at Council's Community Development Committee meeting with findings to be incorporated in the Community Plan 2004-2009.</i>			
06	Quarterly communications on open space programs and plans prepared and distributed.	1st Quarter	- Director Open Space
<b>COMPLETED</b> <i>280 registered subscribers on database to receive "Out in the Open" email newsletter. Summer edition sent January 2005, Autumn edition sent in March 2005. Quarterly Bushcare Newsletter circulated to all registered Bushcare Members and Councillors. Four quarterly newsletter completed &amp; issued.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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## End Year Progress Report

07 Council's Bushcare strategy implemented. 2nd Quarter - Director Open Space

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### **COMPLETED**

*Draft Bushcare strategy has been completed and is being implemented. Consultation on this strategy has involved public comment and specific input from the Ku-ring-gai Bushcare Association. The Strategy will be reviewed by the Bushland, Catchment and Natural Areas Reference Group along with implementation plan for the Streetcare program and Parkcare program.*

08 A 'adopt-a-park' and 'streetcare' program developed. 3rd Quarter - Director Open Space

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### **COMPLETED**

*Program identification has been included as part of the Draft Bushcare strategy in open Space strategy. Several pilot programs now underway. Resourcing for program identified in Environmental Levy proposal.*



# Ku-ring-gai Council's Principal Activities 2004 to 2008

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## End Year Progress Report

### *Community Development Cont...*

#### Objective 02

To provide a library service that addresses the information, cultural and recreation needs of the community.

#### Actions

01 Increase the use of Council's library services.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Review of library services completed and recommendations implemented.	1st Quarter	- Director Community Services
<b>COMPLETED</b>			
<i>Review completed, recommendations continue to be implemented according to available budget.</i>			
02	New library management software system implemented.	2nd Quarter	- Director Community Services

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#### **COMPLETED**

*Spydus Software went live in November 2004.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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## End Year Progress Report

### *Community Development Cont...*

#### Objective 03

To offer a stimulating environment for artistic and creative expressions through an ongoing program of art courses, workshops and events.

#### Actions

01 Improve access and use of Council's community services, open space and recreation areas.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	New arts centre program developed.	1st Quarter	- Director Community Services

#### **COMPLETED**

*Program developed and implemented with new courses introduced in current semester.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### *Community Development Cont...*

#### Objective 04

To provide programs that represent value for money and are financially sustainable.

#### Actions

01 Improve access and use of Council's community services, open space and recreation areas.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Pool feasibility study complete and timeframe adopted for works program.	2nd Quarter	- Director Open Space
<b>NOT ACHIEVED</b>			
<i>Pool feasibility study brief proposed to Councillors at a workshop in February. A Consultant has been engaged; Consultations and studies have been undertaken and initial workshop held with Councillors in early May. Initial site assessments have been undertaken and consultant is scheduled to brief Councillors on 31 August 2005, regarding facility mix and preferred sites.</i>			
02	Tennis court marketing plan completed.	3rd Quarter	- Director Open Space
<b>COMPLETED</b>			
<i>Preliminary identification of marketing opportunities have been identified to coincide with regular administrative functions of the tennis court business unit. Coach/stakeholder meetings undertaken as part of the first phase of implementation.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### *Community Development Cont...*

#### Objective 05

To develop community pride and identity through cultural planning, community celebrations and cultural awareness programs.

#### Actions

- 01 Present cultural celebrations and special events that encourage community participation and create a sense of well-being.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	2004-2009 Cultural Plan developed.	2nd Quarter	- Director Community Services
<hr/>			
<b>COMPLETED</b>			
<i>Cultural Plan exhibition period completed and Plan adopted by Council.</i>			
02	Community festival held.	4th Quarter	- Director Community Services
<hr/>			
<b>COMPLETED</b>			
<i>Festival on the Green was held on 19 June 2005</i>			
03	Art Express exhibited.	4th Quarter	- Director Community Services
<hr/>			
<b>COMPLETED</b>			
<i>Exhibition opened June 2005.</i>			
04	Special events to celebrate and acknowledge specific community groups and music events are explored and fostered.	4th Quarter	- Director Community Services
<hr/>			
<b>COMPLETED</b>			
<i>A range of celebrations have been held during specific weeks including Seniors Week, Children's Week and Youth Week.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### Community Development Cont...

#### Objective 06

To provide quality open space, sufficient to meet the needs of the community.

#### Actions

- 01 Present cultural celebrations and special events that encourage community participation and create a sense of well-being.
- 02 Improve access and use of Council's community services, open space and recreation areas.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Resident use, needs and satisfaction of recreation and open space services benchmarked.	3rd Quarter	- Director Open Space
<b>COMPLETED</b> <i>Community environmental survey completed and data is currently being analysed. Briefing for Councillors occurred in November 2004 and in March 2005. Draft Open Space Strategy identifies a range of measures, activities and priorities following a review of existing practices, policies and community consultation.</i>			
02	Report to Council on the options for conducting a community survey to determine satisfaction, needs, aspiration and values.	1st Quarter	- Director Community Services - Director Open Space
<b>COMPLETED</b> <i>Information from the consultations undertaken as part of the development of the Community Plan and Environmental Survey have presented a number of options for future consultation processes. Report considered by Council on 14 December 2004 in relation to future options for community consultation. This followed a briefing on the outcomes of the environmental survey, community plan and options for consultation in November 2004.</i>			
03	A 'Sports in Ku-ring-gai' strategy commenced.	1st Quarter	- Director Open Space
<b>COMPLETED</b> <i>Draft project brief completed and distributed to the Parks, Sport &amp; Recreation Reference Group Working Party in January 2005. To be discussed at Parks, Sport &amp; Recreation Reference Group April &amp; June meetings. Anticipate final draft strategy reported to Council September 2005 for public exhibition in October 2005. KPI included in 2005/06 Management Plan.</i>			
04	Complete master plans for district parks.	4th Quarter	- Director Open Space
<b>COMPLETED</b> <i>Report to Council meeting of 19 July 2005 confirmed dates and projects for park program, including forward design of major parks. Further reporting is scheduled to Council in September to add detail to these timeframes.</i>			
05	Concept design, costing and community consultation undertaken for North Turramurra recreation.	1st Quarter	- Director Open Space
<b>NOT ACHIEVED</b> <i>Brief has been completed and appropriate consultant will be selected. Project working group established through Parks, Sport &amp; Recreation Reference Group. Work is on-going with the sub-group of the Reference Group and further reporting to Council is expected during the 1st quarter 2005/06 Management Plan.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

06 Queen Elizabeth Reserve rehabilitated and restored for use. 4th Quarter - Director Open Space

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### **NOT ACHIEVED**

*Consultant engaged. Concept plans developed. Approval to tender the work granted by Council in April. Preferred tenderer approved by Council on 9 August 2005.*

07 Sports and parks capital works programs completed. 4th Quarter - Director Open Space

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### **COMPLETED**

*Playground capital works 90% completed. Planning/approval process/documentation & design for sportsground projects 80% completed. Barra Brui Oval reconstruction and stormwater harvesting project ground works to be completed and oval reopened for summer 05/06 season. Tennis court works commenced in April 2005 with completion expected by June 2005. Parks/off leash area upgrade at Westbrook oval completed.*

08 Conservation management plan for St Ives Showground 3rd Quarter - Director Open Space completed.

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### **DEFERRED**

*Awaiting determination of grant funding application to undertake a heritage study to assist with prioritising the tasks identified in the implementation of the conservation plan for the showground prior to reporting to Council. Grant approval subsequently notified to Council in April. Works to commence in first quarter of 2005/06 financial year. Brief prepared for specialist consultants to be invited to submit fee proposal.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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End Year Progress Report

## Natural Environment

Ku-ring-gai has a unique environment with a significant urban interface with the natural environment.

The community and Council have an adverse impact on the sustainability of the area through urban development and human interaction.

<i>Expenditure Budget 2004/2005:</i>	<i>\$16,972,300</i>
<i>Revenue Budget 2004/2005:</i>	<i>\$9,269,800</i>
<i>General (Net) Funding:</i>	<i>\$7,702,500</i>

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### Natural Environment Cont...

#### Objective 01

To understand and manage our natural environment to ensure that it is preserved and enhanced for current and future generations.

#### Actions

- 01 Preserve the existing areas of natural habitat.
- 02 Reduce our disposal of waste to landfill.
- 03 Implement initiatives to reduce greenhouse gas emissions.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	A draft biodiversity strategy completed.	3rd Quarter	- Director Open Space - Director Planning and Environment

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#### **NOT ACHIEVED**

*Internal working group established. Draft objectives developed subject to further refinement in response to community consultation. Inventory of data currently prepared and a workshop has been undertaken with the Bushland Catchment & Natural Areas Reference Group. Strategy will be developed concurrently with the preparation of the Bushland Plan of Management, scheduled for completion in October 2005.*

02	Draft biodiversity development controls completed.	4th Quarter	- Director Planning and Environment
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#### **NOT ACHIEVED**

*Awaiting adoption of biodiversity strategy, expected October 2005. Controls will be developed as a key action from the strategy and will be inserted into relevant planning instruments as opportunities arise. The strategy will inform the comprehensive LEP and subsequent DCPs.*

03	Review program on implementation of Cities for Climate Protection Program (milestone 5).	2nd Quarter	- Director Planning and Environment
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#### **COMPLETED**

*On 22nd March, Council joined the Cities for Climate Protection Plus TM program as a continuation to the recently completed Cities for Climate Protection program. Participation in this program will give Council the opportunity to access exclusive funding opportunities and information sharing with other participating councils.*

04	The pilot Energy Smart Homes Project to reduce green gas emissions and raise community awareness is implemented.	1st Quarter	- Director Planning and Environment
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#### **COMPLETED**

*Council undertook a pilot education program with the Sustainable Energy Development Authority on reducing residential energy consumption within Ku-ring-gai. 228 community members participated in the program through either undertaking a home audit or the online audit. Over 1,300 lifetime tonnes of greenhouse gases have been abated through community action as part of this program.*

05	A new draft Bushland Plan of Management completed.	3rd Quarter	- Director Open Space
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#### **NOT ACHIEVED**

*A consultant has been engaged and background work on this plan has begun. It is an Agenda item for the August meeting of the Bushcare and Natural Environment Reference Group.*



# Ku-ring-gai Council's Principal Activities 2004 to 2008

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## End Year Progress Report

- |    |  |             |   |
|----|--|-------------|---|
| 06 | Development control plan for waste management completed. | 3rd Quarter | <ul style="list-style-type: none"><li>- Director Planning and Environment</li><li>- Director Technical Services</li></ul> |
|----|--|-------------|---|
- 

### **NOT ACHIEVED**

*Will be undertaken as part of the preparation of a comprehensive DCP.*

- |    |  |             |   |
|----|--|-------------|---|
| 07 | Hazard reduction program to manage fuel loads completed. | 4th Quarter | <ul style="list-style-type: none"><li>- Director Open Space</li></ul> |
|----|--|-------------|---|
- 

### **COMPLETED**

*Fire hazard reduction burns completed, with 7.13 ha burnt, 14 fire trails covering 14.25km receiving maintenance works and 2 more receiving major upgrading works. 16 fire breaks were maintained at 5.15km and 3 new fire breaks were established at 1.2km. 694 general enquiries were received and actioned.*

- |    |  |             |   |
|----|--|-------------|---|
| 08 | A local catchment plan for the Lane Cove River is completed. | 2nd Quarter | <ul style="list-style-type: none"><li>- Director Open Space</li><li>- Director Technical Services</li></ul> |
|----|--|-------------|---|
- 

### **DEFERRED**

*Modified timetable for completion was adopted by Council on 9 November. Draft reports received and project to be finalised September 2005.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### *Natural Environment Cont...*

#### Objective 02

The community and Council have access to adequate and comprehensive information on the environment and their impacts to facilitate positive behaviour change.

#### Actions

01 Improve community perceptions on environmental reporting; participation and education.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Comprehensive State of the Environment Report prepared.	2nd Quarter	- Director Planning and Environment
	<b>COMPLETED</b> <i>Included in Council's Annual Report.</i>		
02	Comprehensive environmental education strategy completed.	2nd Quarter	- Director Planning and Environment
	<b>NOT ACHIEVED</b> <i>A report will be prepared by December 2005, in line with reallocated resources within the Sustainability section.</i>		
03	Education program on the new waste and recycling system implemented.	2nd Quarter	- Director Technical Services
	<b>COMPLETED</b> <i>Brochures delivered to all residents with new waste containers. Further education program to be developed with schools.</i>		

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### Natural Environment Cont...

#### Objective 03

To apply Council's resources in the most effective and efficient manner to contribute to protecting and managing our natural environment.

#### Actions

01 Prepare a funding strategy to address environmental pressures.

02 Improve the condition of our riparian systems.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Options for remediation of St Ives Green Waste Site reported.	2nd Quarter	- Director Technical Services
<b>COMPLETED</b> <i>Advice received from landscape companies on suitability of material for re-use. The material was found to be unsuitable and costs of removing the decomposed material too high. Hence, spray irrigation process may need to be continued. Reported to Council in June 2005.</i>			
02	Existing environmental monitoring program evaluated to assist the management of our natural assets.	3rd Quarter	- Director Open Space
<b>COMPLETED</b> <i>Review of all monitoring programs undertaken and reported through Bushland, Catchments &amp; Natural Areas Reference Group in February. Revision of weedmapping undertaken and new monitoring program being implemented. Additional monitoring assessing condition of riparian health was undertaken in collaboration with Macquarie University. Further work to occur as part of the scheduled review of the riparian policy.</i>			
03	New waste and recycling contract implemented.	2nd Quarter	- Director Technical Services
<b>COMPLETED</b> <i>New contract completed and signed. All new recycling bins have been delivered. All greenwaste bins delivered in early November with the majority of old rapid rail bins collected by mid November 2004.</i>			
04	Support by community, Council and Minister for Local Government for a environmental funding strategy.	2nd Quarter	- Director Finance and Business - Director Open Space
<b>COMPLETED</b> <i>Environmental levy developed, adopted by Council and approved by Minister for Local Government for a period of 7 years.</i>			
05	Mapping of the condition of all riparian systems completed.	3rd Quarter	- Director Open Space
<b>COMPLETED</b> <i>Condition of all riparian streams mapped according to the Rapid Riparian Assessment methodology developed in 2004 in partnership with Macquarie University.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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End Year Progress Report

## Built Environment

Ku-ring-gai has an ageing infrastructure that requires significant funding to be sustainable and meet the needs of the community.

Pressure is being placed on the built environment by increased development and the need for Council to manage appropriate forms of development that are sympathetic to the area.

There is an ongoing need to ensure a reliable, consistent, effective and efficient development assessment and regulation service.

<i>Expenditure Budget 2004/2005:</i>	<i>\$16,471,300</i>
<i>Revenue Budget 2004/2005:</i>	<i>\$9,580,700</i>
<i>General (Net) Funding:</i>	<i>\$6,890,600</i>

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### ***Built Environment Cont...***

#### **Objective 01**

Management of our assets (roads, drains, footpaths, buildings, open space) that meet current and future uses and needs within resources available.

#### **Actions**

- 01 Develop five year rolling programs for roads and footpaths that targets 12 kilometres of road and 2.5 kilometres of new footpath.
- 02 Develop five year programs for upgrading sportsfields, sporting facilities and playgrounds.
- 03 Develop a program for road treatments adjacent to bushland which enhances the quality of water into the natural environment.
- 04 Development and implementation of a new Asset Management System.
- 05 Develop a program for replacement and improvements for Council buildings in accordance with Council's ranking criteria.
- 06 Finalise catchment analysis of the Cowan Creek and Middle Harbour catchments and commence analysis of the Lane Cove River catchment.
- 07 Develop a program for improvements for areas within the Cowan Creek and Middle Harbour catchments in accordance with Council's ranking criteria.
- 08 Assess opportunities for irrigation of Council's Parks and Reserves that utilise Council's stormwater drainage system.
- 09 Develop service standards against all major asset classes.

#### **Key Performance Indicators:**

<b><u>No:</u></b>	<b><u>Details</u></b>	<b><u>DueDate</u></b>	<b><u>Responsible Officer</u></b>
01	An adopted five year rolling program for roads and footpaths.	1st Quarter	- Director Technical Services
<hr/>			
	<b>COMPLETED</b>		
	<i>Adopted by Council in August 2004. Infrastructure roadworks now complete.</i>		
02	Complete road and footpath and program within 10% of time and cost estimates.	4th Quarter	- Director Technical Services
	<b>COMPLETED</b>		
	<i>All roadworks have been completed and majority of the footpath works have been completed. A memo was sent to Councillors in May 2005 advising of works completed to date.</i>		
	<i>All works completed within time and budget.</i>		
03	An adopted program for upgrading sportsfield and playgrounds.	1st Quarter	- Director Open Space
<hr/>			
	<b>COMPLETED</b>		

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

- |    |  |             |                       |
|----|--|-------------|-----------------------|
| 04 | Complete annual program for upgrading sportsfield and playgrounds within 10% of cost and time estimates. | 4th Quarter | - Director Open Space |
|----|--|-------------|-----------------------|

### **COMPLETED**

*Yearly capital works program scheduled and on track. Playgrounds 90% completed. Barra Brui oval scheduled for reopening summer 05/06. Bicentennial Park & Echo Point works progressing. Sportsground projects are currently behind schedule due to design complexities and consultation processes. Both projects will be in construction phase prior to the end of the financial year. Off leash works completed. Tennis court program construction work completed June 2005.*

- |    |  |             |  |
|----|--|-------------|--|
| 05 | An adopted ten year rolling replacement program for operational plant. | 2nd Quarter | - Director Open Space<br>- Director Technical Services |
|----|--|-------------|--|

### **COMPLETED**

*A memorandum was sent to all Councillors on 15 May 2005 advising of the ten year rolling program for operational plant.*

- |    |  |             |  |
|----|--|-------------|--|
| 06 | Target an average of 70% utilisation of operational plant. | 2nd Quarter | - Director Open Space<br>- Director Technical Services |
|----|--|-------------|--|

### **COMPLETED**

*A memorandum was sent to Councillors on 15 May 2005 advising of the utilisation rates for the operational plant with an average utilisation rate above 70%.*

- |    |   |             |                               |
|----|---|-------------|-------------------------------|
| 07 | An adopted seven year building maintenance program for all major Council buildings. | 1st Quarter | - Director Technical Services |
|----|---|-------------|-------------------------------|

### **COMPLETED**

*Program adopted by Council in September 2004.*

- |    |  |             |                               |
|----|--|-------------|-------------------------------|
| 08 | An adopted program for replacement of Council buildings and a mechanism for funding new buildings. | 1st Quarter | - Director Technical Services |
|----|--|-------------|-------------------------------|

### **COMPLETED**

*Report on Council's buildings has been completed and was discussed at Councillors Workshop in February 2005. The program for replacement could not be developed until Stage 2 Town Centre Masterplans have been finalised and Council determines what it wants to do with each property holding in the town centres.*

- |    |   |             |                               |
|----|---|-------------|-------------------------------|
| 09 | An adopted program for improvements to the drainage system in both Cowan Creek and Middle Harbour catchments. | 1st Quarter | - Director Technical Services |
|----|---|-------------|-------------------------------|

### **COMPLETED**

*Reported to Council in November 2004 and program adopted by Council.*

- |    |   |             |  |
|----|---|-------------|--|
| 10 | Report on the outcome of the analysis of the Lane Cove River catchment. | 3rd Quarter | - Director Open Space<br>- Director Technical Services |
|----|---|-------------|--|

### **DEFERRED**

*Modified timetable for completion was adopted by Council on 9 November. Draft reports received and project to be finalised September 2005.*

- |    |  |             |  |
|----|--|-------------|--|
| 11 | Report on a list of projects that incorporate utilising stormwater for irrigation of Council's parks and reserves. | 2nd Quarter | - Director Open Space<br>- Director Technical Services |
|----|--|-------------|--|

### **COMPLETED**

*Areas identified in program reported to Council in November 2004. Key sites have been identified for works as part of the proposed Environmental Levy and Sportsfields capital works program.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### Built Environment Cont...

#### Objective 02

To ensure development assessment is consistent with Council's policies and codes and provides an efficient and effective service.

#### Actions

- 01 Reduce costs in Land and Environment Court appeals to less than \$1.4 million.
- 02 Ensure appeals are well managed and deemed refusal appeal numbers reduced to less than 50.
- 03 Reduce Development Applications backlog from 850 to 550.
- 04 Establish SEPP 65 design review panel.
- 05 Co-ordinate responses to Development Applications for targeted sites.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Public education of the role of Council Compliance Officers, Private Certifiers and Principal Certifying Authorities.	2nd Quarter	- Director Development and Regulation
<b>NOT ACHIEVED</b> <i>The support of the Building Professionals Board has been sought in the development and dissemination of an educational program about the reform of the building certification system in NSW. An information session for councillors is planned to be held by end of August 2005. This will be followed by a public education program commencing in September 2005.</i>			
02	Development of a Compliance Policy.	4th Quarter	- Director Development and Regulation
<b>NOT ACHIEVED</b> <i>Establishment of project team delayed due to lack of resources. Project team now established and completion expected by September 2005. Project team sourcing various models from other Councils to use as a basis for Ku-ring-gai's Compliance Policy.</i>			
03	Appeal success rates in full hearings to be not less than 40%.	4th Quarter	- Director Development and Regulation
<b>COMPLETED</b> <i>Land and Environment Court's new Practice Directions have required a change in the way "success" is measured. As at June 2005, 55% of applications subject of appeal, underwent amendments before being approved by the Court whilst 8% were refused by the Court, and 19% were discontinued. The success rate 63%.</i>			
04	Reduce backlog of outstanding DAs from 850 to 550.	4th Quarter	- Director Development and Regulation
<b>COMPLETED</b> <i>Outstanding Development Applications reduced to 536 as at 4th Quarter.</i>			
05	Establish SEPP 65 design review panel.	1st Quarter	- Director Development and Regulation - Director Planning and Environment
<b>COMPLETED</b> <i>Proposal to establish panel was adopted by Council on 14 December 2004. A letter has been sent to the Department. Awaiting Minister's decision and confirmation of appointments.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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## End Year Progress Report

06	Review standard development consent conditions.	2nd Quarter	- Director Development and Regulation
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### **NOT ACHIEVED**

*Review rescheduled to align with implementation of 'Proclaim'. Staged review in progress. Completion anticipated by September 2005.*



# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### ***Built Environment Cont...***

#### **Objective 03**

To provide multi purpose accessible facilities for community use.

#### **Actions**

- 01 Undertake community facilities improvement program.
- 02 Promote halls and meeting rooms to increase use rates.
- 03 Finalise lease and licence agreements

#### **Key Performance Indicators:**

<b><u>No:</u></b>	<b><u>Details</u></b>	<b><u>DueDate</u></b>	<b><u>Responsible Officer</u></b>
01	Community Facilities Improvement Program completed and reported to Council.	2nd Quarter	- Director Community Services
	<b>COMPLETED</b> <i>Improvements identified and included in the Building Maintenance Program.</i>		
02	Halls and Meeting Rooms Marketing Plan implemented.	2nd Quarter	- Director Community Services
	<b>COMPLETED</b> <i>Marketing Plan developed and implemented.</i>		
03	Lease and licence agreements finalised and executed as they fall due.	4th Quarter	- Director Community Services
	<b>COMPLETED</b> <i>One lease renewed and 16 options to renew leases/licences reported to Council.</i>		

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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End Year Progress Report

## Financial Sustainability

Ku-ring-gai is a largely developed Council with an ageing infrastructure and a heavy reliance on rating revenue as a proportion of total income.

Council has an annual budget of \$69 million, of which \$9 million is committed to capital and project works.

Council's financial strategies are governed by a 10 year financial model which is reviewed by Council each year. The aim of the model is to increase Council's commitment to asset renewal while simultaneously reducing debt.

<b><i>Expenditure Budget 2004/2005:</i></b>	<b><i>\$3,530,800</i></b>
<b><i>Revenue Budget 2004/2005:</i></b>	<b><i>\$3,950,500</i></b>
<b><i>General (Net) Funding:</i></b>	<b><i>-\$419,700</i></b>

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### *Financial Sustainability Cont...*

#### Objective 01

To ensure the financial sustainability of Council which allows for efficient service delivery and the effective management of Council's assets, now and in future years.

#### Actions

- 01 New financial software systems will be implemented.
- 02 Reduce Council's debt.
- 03 A 10 year financial model setting the parameters for Council's Financial Framework will be adopted.
- 04 Produce statutory documents in accordance with legislative requirements.
- 05 Develop a policy for long term financial sustainability.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	New financial software system is implemented.	1st Quarter	- Director Finance and Business
<hr/>			
<b>COMPLETED</b>			
<i>Finance One go-live 1 July 2004, Business One go-live 16 August 2004.</i>			
02	Council's debt reduced from \$11.9 million to \$11.3 million.	4th Quarter	- Director Finance and Business
<hr/>			
<b>COMPLETED</b>			
<i>Council's debt reduced to \$11,295,000 at year end.</i>			
03	10-Year Financial Model reviewed and adopted by Council.	2nd Quarter	- Director Finance and Business
<hr/>			
<b>COMPLETED</b>			
<i>Report adopted by Council 14 December 2004.</i>			
04	Requirements contained in Council's 10 year financial model are implemented.	4th Quarter	- Director Finance and Business
<hr/>			
<b>COMPLETED</b>			
<i>Requirements of 10 year model have been complied with.</i>			
05	\$1,566,000 committed to works of 'direct community benefit.	4th Quarter	- Director Finance and Business
<hr/>			
<b>COMPLETED</b>			
<i>\$1,556,000 allocated to Works of Direct Community Benefit in original budget adopted by Council 22 June 2004.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

- |    |   |             |   |
|----|---|-------------|---|
| 06 | Report on increasing funds for works including drainage, buildings, roads, and environmental initiatives as a percentage of Council's overall budget. | 2nd Quarter | <ul style="list-style-type: none"> <li>- Director Finance and Business</li> <li>- Director Open Space</li> <li>- Director Technical Services</li> </ul> |
|----|---|-------------|---|

### **COMPLETED**

*Included in 10 Year Financial Model report adopted by Council on 14 December 2004. Environmental projects have been factored into the development of the Special Rate Variation which has been adopted by the Minister for Local Government.*

- |    |  |             |   |
|----|--|-------------|---|
| 07 | Council's investment returns to meet or exceed the average bank bill rate. | 4th Quarter | <ul style="list-style-type: none"> <li>- Director Finance and Business</li> </ul> |
|----|--|-------------|---|

### **COMPLETED**

*Earnings above benchmark achieved July - June 2005. Interest earned for the year totalled \$1,029,800. This compares favourably to full year budget of \$925,000.*

- |    |  |             |   |
|----|--|-------------|---|
| 08 | Balanced budget developed for public exhibition. | 4th Quarter | <ul style="list-style-type: none"> <li>- Director Finance and Business</li> </ul> |
|----|--|-------------|---|

### **COMPLETED**

*Balanced budget adopted by council on 14 June 2005.*

- |    |  |             |   |
|----|--|-------------|---|
| 09 | Annual Financial Statements adopted and submitted to the Department of Local Government. | 2nd Quarter | <ul style="list-style-type: none"> <li>- Director Finance and Business</li> </ul> |
|----|--|-------------|---|

### **COMPLETED**

*Annual Financial Statements adopted by Council on 12 October 2004.*

- |    |  |         |   |
|----|--|---------|---|
| 10 | Investment performance reported to Council on a monthly basis. | Monthly | <ul style="list-style-type: none"> <li>- Director Finance and Business</li> </ul> |
|----|--|---------|---|

### **COMPLETED**

*Investment reports adopted by Council July - June 2005. Earnings exceeded Bank Bill every month throughout the year.*

- |    |   |              |   |
|----|---|--------------|---|
| 11 | Council's Budget review reported to Council within two months of the end of each financial quarter. | Each Quarter | <ul style="list-style-type: none"> <li>- Director Finance and Business</li> </ul> |
|----|---|--------------|---|

### **COMPLETED**

*First quarter budget review adopted by Council 23 November 2004.  
Second quarter budget review adopted by Council 15 February 2005.  
Third quarter budget review adopted by Council on 24 May 2005.  
Review for quarter ended June 30 will be referred to Council on 23 August 2005.*

- |    |   |             |   |
|----|---|-------------|---|
| 12 | Notional rate return audited and submitted to Department of Local Government. | 2nd Quarter | <ul style="list-style-type: none"> <li>- Director Finance and Business</li> </ul> |
|----|---|-------------|---|

### **COMPLETED**

*Return completed and audited by Council's external auditors within required timeframe.*

- |    |   |             |   |
|----|---|-------------|---|
| 13 | Policy for long term financial framework adopted. | 2nd Quarter | <ul style="list-style-type: none"> <li>- Director Finance and Business</li> </ul> |
|----|---|-------------|---|

### **COMPLETED**

*10 Year financial Model adopted by Council 14 December 2004. Budget for 2005/2006 adopted by Council on 14 June 2005.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### Financial Sustainability Cont...

#### Objective 02

To continuously explore opportunities to maximise the financial return and Community benefit from Council's commercial property holdings.

#### Actions

- 01 A review of Council's car parks, buildings and land holdings.
- 02 Relevant approvals for the relocation of Council's depot will be obtained for both sites.
- 03 A review of classification for Council's land holdings.
- 04 Execute commercial leases/Licences as required.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Review of Council's car parks completed.	2nd Quarter	- Director Finance and Business - Director Technical Services
<b>COMPLETED</b> <i>Inspections of car park utilisation has been completed and reported to Councillor's workshop in February 2005. Further details of car parking requirements will be undertaken as part of the Town Centre studies.</i>			
02	Development application for Suakin Street Depot assessed.	2nd Quarter	- Director Development and Regulation - Director Technical Services
<b>NOT ACHIEVED</b> <i>A pre DA meeting has been held and the DA plans were submitted in late July 2005. Amendments have been made following the outcome of the pre DA meeting. Independent planner to be engaged to assess DA.</i>			
03	Master planning document for Carlotta Street site developed.	1st Quarter	- Director Planning and Environment - Director Technical Services
<b>COMPLETED</b> <i>Masterplan adopted in April 2005.</i>			
04	Contracts for sale of Carlotta Street prepared.	2nd Quarter	- Director Finance and Business - Director Technical Services
<b>COMPLETED</b> <i>Masterplan adopted by Council 4/4/2005. Amendments to KPSO to be completed prior to finalisation of contract for sale as reported to Council on 10 May 2005. Contract for sale has been prepared and selling agent engaged.</i>			
05	Marian Street Theatre Lease to be executed.	2nd Quarter	- Director Finance and Business
<b>DEFERRED</b> <i>Execution of lease dependant on assessment of associated development application.</i>			

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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## End Year Progress Report

06	Firs Estate Cottage Lease to be executed.	2nd Quarter	- Director Finance and Business
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### **DEFERRED**

*Successful applicant withdrew associated development application. At the ordinary meeting of Council 27/7/2004, Council resolved to undertake repairs and maintenance of the cottage prior to issuing new expression of interest. Repairs of cottage are in progress.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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End Year Progress Report

## Council's Corporate Services

Provision of a range of services which act as a focal point for the delivery of information and Customer Services.

Provision of internal services to support the organisation.

<b>Expenditure Budget 2004/2005:</b>	\$6,558,000
<b>Revenue Budget 2004/2005:</b>	\$17,425,500
<b>General (Net) Funding:</b>	<hr/> -\$10,687,500

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### *Council's Corporate Services Cont...*

#### Objective 01

To improve services to the community through the provision of timely and accurate information.

#### Actions

- 01 Produce statutory reports in accordance with legislative requirements.
- 02 Review corporate standards and procedures.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Financial software systems implemented.	1st Quarter	- Director Finance and Business
<b>COMPLETED</b> <i>Finance one implemented on 1 July 2004. Business One implemented on 16 August 2004.</i>			
02	Asset management system implemented.	4th Quarter	- Director Finance and Business
<b>DEFERRED</b> <i>Requirements specification completed. Remaining tasks on hold due to budget constraints. Internal timesheeting system has been developed which captures expenditure and revenue against each asset across Council.</i>			
03	Spydus automated library system implemented.	2nd Quarter	- Director Finance and Business
<b>COMPLETED</b> <i>Spydus system went live in November 2004.</i>			
04	Annual Report adopted and submitted to the Department of Local Government.	2nd Quarter	- Director Finance and Business
<b>COMPLETED</b> <i>Report adopted by Council 23 November 2004.</i>			
05	Management Plan adopted.	4th Quarter	- Director Finance and Business
<b>COMPLETED</b> <i>Management Plan 2005-2009, together with budget for 2005/06 adopted by Council on 14 June 2005.</i>			
06	Council's Land and Environment Court Costs reported to Council on a quarterly basis.	Each Quarter	- Director Finance and Business
<b>COMPLETED</b> <i>First quarter report adopted by Council 9 November 2004, second quarter report adopted by Council 1 February 2005. 3rd quarter adopted by Council on 24 May 2005. 4th quarter referred to Council on 23 August 2005.</i>			



# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

- |    |  |              |                   |
|----|--|--------------|-------------------|
| 07 | Management Plan progress reported to Council within two months of the end of each financial quarter. | Each Quarter | - General Manager |
|----|--|--------------|-------------------|

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**COMPLETED**

*Review of September quarter referred to Council 23 November 2004.  
Review of December quarter referred to Council 15 February 2005.  
Review of March quarter referred to Council on 24 May 2005.  
Review of June quarter referred to Council on 23 August 2005.*

- |    |  |             |                                 |
|----|--|-------------|---------------------------------|
| 08 | Report and analysis of NSW Department of Local Government Comparative data presented to Council. | 2nd Quarter | - Director Finance and Business |
|----|--|-------------|---------------------------------|

**COMPLETED**

*Report adopted by Council 24 August 2004.*

- |    |   |             |                                 |
|----|---|-------------|---------------------------------|
| 09 | Annual report to Council on resolutions which have not been implemented with accompanying explanations. | 4th Quarter | - Director Finance and Business |
|----|---|-------------|---------------------------------|

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**COMPLETED**

*Annual report of all resolutions which have not been implemented included as part of report to Council on 23 August 2005.*

- |    |   |         |                                 |
|----|---|---------|---------------------------------|
| 10 | Database of Council resolutions is kept up to date with responsible officers clearly nominated. | Ongoing | - Director Finance and Business |
|----|---|---------|---------------------------------|

**COMPLETED**

*Council resolutions updated on a weekly basis in TRIM. Councillors have been provided with a CD containing all Council reports & resolutions dating back to January 2003.*

- |    |   |             |                   |
|----|---|-------------|-------------------|
| 11 | Annual report to Council on progress made on codifying Council policies for distribution to staff as operational manuals. | 4th Quarter | - General Manager |
|----|---|-------------|-------------------|

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**COMPLETED**

*All council policies are developed and accessible to staff as required.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

## End Year Progress Report

### *Council's Corporate Services Cont...*

#### Objective 02

To ensure that Council's information is protected, developed and maintained effectively and efficiently.

#### Actions

- 01 Implement a fully integrated software system.
- 02 Development of an information management strategic plan.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	A data integration strategy and data quality management guidelines are developed.	2nd Quarter	- Director Finance and Business

#### **NOT ACHIEVED**

*Data integration strategy is being addressed in the short term with incremental fixes on particular data processing issues (eg: Payroll to Finance). A longer term strategy is being developed to look at an integrated offering from Technology one using the new Connectivity Intelligence technology. The strategy will be developed for review by the General Manager and Directors in the 1st quarter of 2005/2006.*

02	Development of an appropriate information management policy to ensure service levels can be met and maintained.	2nd Quarter	- Director Finance and Business
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#### **COMPLETED**

*Service level agreements for Information services have been developed and implemented.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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## End Year Progress Report

### *Council's Corporate Services Cont...*

#### Objective    03

To expand the provision of Customer Service.

#### Actions

- 01 Develop Corporate Customer Service Strategy.
- 02 Assess the potential to expand the provision of customer services across the council area.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Corporate Customer Service Strategy developed.	2nd Quarter	- Director Community Services

#### **COMPLETED**

*Strategy completed and implementation commenced.*

# Ku-ring-gai Council's Principal Activities 2004 to 2008

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## End Year Progress Report

### *Council's Corporate Services Cont...*

#### Objective 05

Provide communication services that support the dissemination and exchange of information within Council and the community.

#### Actions

- 01 Develop Corporate Communications Strategy.
- 02 Integrate councils Geographical Information Data to software systems across Council.

#### Key Performance Indicators:

<u>No:</u>	<u>Details</u>	<u>DueDate</u>	<u>Responsible Officer</u>
01	Corporate Communications Strategy developed.	2nd Quarter	- Director Community Services

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#### **COMPLETED**

*Strategy completed and implementation commenced.*

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## **49 TELEGRAPH ROAD, PYMBLE - ADDITIONS AND ALTERATIONS PLUS CARPORT AND DRIVEWAY**

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### **EXECUTIVE SUMMARY**

<b>PURPOSE OF REPORT:</b>	To respond to issues raised at the Council site inspection of 6 August 2005 and seek Council's determination of development application DA 642/05.
<b>BACKGROUND:</b>	<ul style="list-style-type: none"><li>• Application lodged 23 June 2005</li><li>• Report considered by Council at meeting 26 July 2005</li><li>• Consideration pending site inspection which took place on 6 August 2005</li></ul>
<b>COMMENTS:</b>	The issues raised at the site inspection are addressed in this report.
<b>RECOMMENDATION:</b>	Approval

## PURPOSE OF REPORT

To respond to issues raised at the Council site inspection 6 August 2005 and seek Council's determination of the development application.

## BACKGROUND

- Application lodged 23 June 2005
- Report considered by Council at meeting 26 July 2005
- Consideration pending site inspection which took place on 6 August 2005

## COMMENTS

### 1. Clarification of an alternative landscape treatment to *Camellia Sasanqua* to provide additional screening and greater privacy.

Council's Landscape Officer has advised that the use of *Camellia Sasanqua* as a screening plant would be appropriate for the site and would adequately screen the development from adjoining properties.

It should be noted that the proposed use of *Camellia Sasanqua* is in accordance with Appendix F of Council's Residential Design Manual (DCP 38) which recommends the use of the plants as a screening plants and identifies the species as capable of achieving a mature height of 4.5m. It should also be noted that **Condition No. 30** requires the following:

30. *Landscape works shall be carried out in accordance with Landscape Drawing No. 2A, prepared by Relle Mott Garden Design and dated April 2005 submitted with the Development Application, except as amended by the following:*

C. *The proposed Camelia Sasanqua shown to be installed between the carport and the eastern side boundary and in front of the carport, shall have a minimum pot size of 45 litres and minimum height of 1.2m at the time of planting.*

This condition is to ensure that screen planting will be in an advanced state at the time of planting. (Refer **Condition No. 30**)

### 2. Clarification of plans upon which the Heritage Impact Statement is based and whether any new documentation has been submitted as part of this application to address the heritage impact on the adjoining dwelling at No. 51 Telegraph Road, Pymble.

The application was accompanied by a heritage impact statement to address the impact of proposed works on the adjoining heritage item (No. 51 Telegraph Rd). The statement has been prepared by a recognised heritage consultant, Mr. David Beaver, who is included on the NSW Heritage Office's 'Heritage Consultants list'.

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The heritage impact statement, dated March 2005, reflects the original plans dated November 2004. The statement has not been reviewed to address the most recent amendments to the plans. The changes made to the plans are considered to be minor in nature and included the following:

- Deletion of the proposed timber deck to the rear of the site and adjacent to the existing swimming pool.
- The eastern (side) elevations was amended to show the correct location of the existing kitchen window and to indicate a fixed obscure glass window in the south-eastern corner of the meal room where a previous clear glazed panel was previous shown.
- The floor plans were amended to show the conversion of the existing garage to a family room.

The amendments corrected minor discrepancies in the original plans and addressed concerns raised by adjoining property owners. The amended plans do not warrant a revised heritage impact statement as the amendments would not constitute a greater impact to the adjoining heritage item.

The information provided in the heritage impact statement is sufficient enough to enable Council to make an informed decision on the heritage impacts of the proposal.

**3. Clarification that the Heritage Impact Statement has been undertaken by a recognised heritage consultant.**

The heritage impact statement was prepared by a recognised heritage consultant, Mr. David Beaver, who is included on the NSW Heritage Office's 'Heritage Consultants list'.

**4. Clarification of the possibility of reducing the height of the carport.**

The proposed carport incorporates a pitched roof to match the existing dwelling. The carport roof has a maximum height of 4.3m to the ridge with internal clearance of 2.2m. This is in accordance with the Australian Standard (AS 2890.6) for off street car parking.

The height of the carport roof is determined by its width (4.8m internally). The ridge height of 4.3m is required to ensure it has a pitch which is complimentary to the roof of the existing dwelling. Reducing either the internal clearance height or the ridge height of the proposed carport will impact on the visual appearance of the structure or will affect the ability of the proposal to comply with the Building Code of Australia.

**5. Clarification of whether the existing sandstone driveway can be recycled and confirmation that, if the sandstone is reused as part of a new driveway, will the site cover comply?**

The re-use of sandstone paving from the existing driveway would be appropriate on the site, however, the ability to achieve this may be restricted by the amount of sandstone material

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available on the site. A condition is recommended to require all materials of value to be re-used onsite or made available for recycling. (Refer Condition No. 31A)

**6. Clarification of the setback of existing buildings on the subject site and adjoining property at No. 51 Telegraph Road, with respect to the accuracy plans and information submitted to Council as part of Development Application No. 642/05.**

The plans submitted with the application are based on accurate survey information prepared by Mr. Rick Bartholomew, registered surveyor. The plans are representative of the true setback of existing structures from the street and property boundaries as verified through site inspections and comparison with aerial photos. The aerial photo (below) is included to allow Council to make further comparison between the plans submitted and the location of existing structures and adjoining dwellings.



**Front Setbacks  
(existing)**

**Site**

No. 49 - 27.5m(dwelling)  
- 23.0m(garage)

**Adjoining properties**

No. 47 - 10.5m  
No. 51 - 27.2m  
No. 53 - 15.5m

*Note: All measurements taken from aerial photos and Council's GIS system are approximate only.*

If Council is of a mind to approve the development application, the plans submitted to Council may be relied upon as being accurate.

**7. Clarification that all areas, including the garage and deck area at the rear, have been taken into account as part of the development assessment calculations.**

The development results in a total built upon area of 51.6% (564.2m<sup>2</sup>) of the site area. The built upon area calculation incorporates all driveway areas and hard paved surfaces as proposed as well as the existing and proposed building footprint. This includes the proposed rear terrace and meals room.



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The following areas have been included as built upon area:

Site Area = 1093.9m<sup>2</sup>

Driveway	=	49m <sup>2</sup>
Paths and Courtyard	=	129m <sup>2</sup>
Carport	=	31m <sup>2</sup>
Dwelling footprint	=	169m <sup>2</sup>
Extensions	=	65.5m <sup>2</sup>
Pool, spa & surrounds	=	120.7m <sup>2</sup>

Total BUA = 564.2m<sup>2</sup> (51.6%)

The development application is compliant with Clause 60C (Built Upon Area) of the Kuring-gai Planning Scheme Ordinance. This is also in accordance with s.5.2.7 of the Residential Design Manual (DCP 38) which requires a maximum built upon area of 52% for two storey development on sites with an area between 1000m<sup>2</sup> and 1199m<sup>2</sup>.

## SUMMARY

Section 79C of the Environmental Planning & Assessment Act 1979 has been considered and the proposal is acceptable in this regard. The plans and documentation provided to Council are prepared by appropriately qualified professionals and are considered to be accurate. The proposed development complies with the built upon area control and provides appropriate screen planting along side boundaries to minimise impacts to adjoining properties.

The proposal is therefore recommended for approval, subject to conditions.

## RECOMMENDATION

**THAT** the Council, as the consent authority, grant development consent to DA 642/05 for alterations and additions plus a carport to a dwelling on land at 49 Telegraph Road, Pymble, subject to the following conditions:

1. The development to be in accordance with Development Application 642/05 and Development Application plans prepared by **Fiona Mitchell - Architect**, reference number, **A01 (Rev A) to A08 (Rev A)**, dated **April 2005 as amended in Red (shown clouded)** and lodged with Council on **23 June 2005**.
2. All building works shall comply with the Building Code of Australia.
3. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.

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4. The approved building works shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
5. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
6. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the 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.
7. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

8. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
9. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
10. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
11. For the protection of the health and safety of occupants, workers and the environment, any person renovating or demolishing any building built before the 1970's should be aware that surfaces may be coated with lead-based paint. Lead dust is a hazardous substance. Persons are required to follow the attached recommended guidelines to prevent personal and environmental contamination.
12. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.

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13. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
14. The landscape works shall be completed prior to issue of final Certificate of Compliance and maintained in a satisfactory condition at all times.
15. Stormwater runoff from the alterations and additions located at the front of the site (including the proposed carport and driveway) shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
16. Stormwater runoff from the alterations and additions unable to drain to the street shall be piped to the existing site drainage system. No stormwater drainage system is to be connected to the Sydney Water sewer system. Where found, all illegal connections must be rectified to the satisfaction of Council and Sydney Water.
17. For stormwater control all paved areas are to be drained to the main drainage system. This may require the installation of suitable cut-off structures and/or barriers that direct runoff to the formal drainage system.
18. For stormwater control a 200mm wide grated drain with heavy duty removable galvanised grates is to be located within the property at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.
19. Where required, the adjustment of any 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 responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
20. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the 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 circulation is diverted on to the roadway, 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, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
21. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary

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erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. 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.

22. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 “Off-Street car parking”.
23. The proposed rear timber deck is to be spaced to permit stormwater to pass through and permeate into the ground below. Apart from the piers below the deck the entire surface area under the deck is to be unsealed so that stormwater is able to soak into this area. Any existing paving or sealing below the proposed deck is to be removed from the site. At the completion of works and prior to issue of the Occupation Certificate, a Certificate from the builder/installer is to be submitted to the Principal Certifying Authority indicating compliance with this condition.
24. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council’s Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council’s Tree Preservation Order.

25. 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.
26. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
27. The property shall support a minimum number of Seven (7) trees that will attain 13.0 metres in height on the site, to preserve the tree canopy of Ku-ring-gai, in accordance with Council’s policy of Tree Retention/Replenishment on Residential Allotments adopted 26 April 1988. The existing tree/s, and additional tree/s to be planted, shall be shown on the Landscape Plan/Site Plan. The plan shall be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.
28. To maintain suitable levels of privacy and amenity to adjoining properties, the side window proposed in the eastern elevation at the rear of the proposed meals room extension shall be deleted and replaced with solid materials to match the existing dwelling. Details of such shall

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be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.

29. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road) and to achieve compliance with Council's DCP No. 38, the proposed carport shall be relocated to have a minimum setback of 1.5m from the eastern (side) boundary of the site. The relocation of the proposed carport is to ensure adequate landscaping can be provided between the carport structure and the side boundary of the site.
30. Landscape works shall be carried out in accordance with Landscape Drawing No. 2A, prepared by Relle Mott Garden Design and dated April 2005 submitted with the Development Application, except as amended by the following:
  - A. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road), and soften the appearance of the proposed carport, screen planting shall be established between the carport and the eastern side boundary of the site.
  - B. In order to prevent overlooking of adjoining properties, screen planting shall be established between the rear terrace and the western side boundary of the site, as shown clouded in red on the plans.
  - C. The proposed *Camelia Sasanqua* shown to be installed between the carport and the eastern side boundary and in front of the carport, shall have a minimum pot size of 45 litres and minimum height of 1.2m at the time of planting.
  - D. The screen planting required by A. and B. of this condition shall utilise suitable plant species contained with Appendix F of Council's DCP No 38, shall be capable of attaining a minimum height of 3.0m and shall provide dense screening.

Details of the required amendments shall be shown on the amended landscape plans and submitted and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The screen planting shall be completed prior to the issue of the final Certificate of Compliance and be maintained in a satisfactory condition at all times.

31. External materials, finishes and colours are to match the existing dwelling and shall be sympathetic to the surrounding environment. Details of all external finishes and materials shall be provided to and approved by the Principal Certifying Authority, prior to the release of the Construction Certificate.
- 31A. All material of value for re-use either onsite or elsewhere, shall be separated and made available for recycling.

# **CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

32. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

33. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal 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 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work 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).
34. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
35. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
  - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.

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- d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
36. Prior to issue of the Construction Certificate footpath and driveway levels for any fully new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from 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" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

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 alignment levels fixed by Council may affect these. **Approval of this Development Application is for works wholly within the property. DA 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 application documents.**

The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. 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. Failure to submit this information may delay processing.

37. Development consent to DA 1417/04 shall be surrendered to Council under the provisions of Section 80A(1)(b) of the Environmental Planning and Assessment Act 1979. The provisions of Clause 97 of the Environmental Planning & Assessment Regulation 2000 are to be met prior to a Construction Certificate being issued. This condition is imposed to facilitate the orderly development of the site.
38. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a plan of the new drainage system components required for the approved development. The plan shall be prepared by a qualified civil/hydraulic engineer or licensed plumber. The new components of the property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence). Any new connection points to the public drainage system (eg kerb, table drains, pits, pipes) must be shown accurately on the plan.
39. Prior to issue of the Construction Certificate, the Applicant shall submit for the approval of the appointed Principal Certifying Authority, revised details which demonstrate the following:
  - A clear entrance width of the proposed double carport to be increased to a minimum 5.2m (currently 4.8m). This condition is imposed to ensure compliance with Figure 5.4 from

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AS/NZS 2890.1 (2004) - "Off-street car parking" and thus provide better vehicle manoeuvrability.

- Manoeuvring circles for the B85 design vehicle overlaid (drawn) on the site plans, which demonstrate that all vehicles using the carport can leave the site in a forward direction in a maximum of one (1) three-point turn. This condition has been imposed to ensure compliance with AS/NZS 2890.1 (2004) - "Off-street car parking", and may require some minor modifications to the driveway layout.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING**

40. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION**

41. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.
42. Prior to issue of an Occupation Certificate, the following works must be completed:
  - a. Construction of the new driveway crossing and layback in accordance with the levels and specifications issued by Council,
  - b. Removal of all redundant driveway crossings, pipe crossing and/or kerb laybacks. Full reinstatement of these areas to footway, and/or turfed verge and/or kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
  - c. Any sections of damaged grass verge are to be fully replaced with a non-friable turf of native variety to match existing.  
Any 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) must be fully repaired to the satisfaction of Council Engineers. This shall be at no cost to Council.
43. Prior to issue of an Occupation Certificate (and at the completion of works), the applicant shall submit certification from a consulting engineer or the installing plumbing contractor to the Principal Certifying Authority (PCA), that:
  - a. The components of the new drainage system have been installed in accordance with the Plumbing and Drainage code AS3500.3.2 and by a licensed plumbing contractor, and
  - b. The stormwater drainage works have been carried out in accordance with the approved Construction Certificate drainage plan and Councils Water Management DCP 47.



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44. Prior to issue of an Occupation Certificate, a high level overflow pipe is to be provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. This requirement is to collect stormwater overflow from the swimming pool surface only. A certificate from the installer, indicating compliance with this condition, must be submitted to the Principal Certifying Authority (PCA), prior to issue of an Occupation Certificate.

D Hoy  
**Development Assessment Officer**

S Cox  
**Team Leader**  
**Development Assessment - Central**

M Prendergast  
**Manager**  
**Development Assessment Services**

M Miocic  
**Director**  
**Development and Regulation**

**Attachments:**      **Attachment 1: Report to Council - 26 July 2005 - Part 522767**  
                         **Attachment 2: Minutes from site meeting - 6 August 2005 - Part 522767**  
                         **Attachment 3: Confidential Items - Floor Plans - 522773**

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	49 TELEGRAPH ROAD, PYMBLE - ADDITIONS AND ALTERATIONS PLUS CARPORT AND DRIVEWAY.
<b>WARD:</b>	St Ives
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	642/05
<b>SUBJECT LAND:</b>	49 Telegraph Road, Pymble
<b>APPLICANT:</b>	Mrs Marilena Allan
<b>OWNER:</b>	Mrs Marilena Allan
<b>DESIGNER:</b>	Fiona Mitchell Architects
<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, Development Control Plan No. 43 and Development Control Plan No. 47
<b>COMPLIANCE WITH CODES/POLICIES:</b>	Yes
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP 55
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	23 June 2005
<b>40 DAY PERIOD EXPIRED:</b>	2 August 2005
<b>PROPOSAL:</b>	Additions and alterations to the existing dwelling, construction of a carport and driveway.
<b>RECOMMENDATION:</b>	Approval

**DEVELOPMENT APPLICATION N<sup>o</sup>**

**PREMISES:**

**PROPOSAL:**

642/05

49 TELEGRAPH ROAD, PYMBLE  
ADDITIONS AND ALTERATIONS TO THE  
EXISTING DWELLING PLUS CARPORT  
AND DRIVEWAY

**APPLICANT:**

**OWNER:**

**DESIGNER**

MRS MARILENA ALLAN

MRS MARILENA ALLAN

FIONA MITCHELL ARCHITECTS

**PURPOSE FOR REPORT**

To consider DA 1417/05 for alterations and additions to a dwelling and construction of a detached double carport and new gravel driveway.

**EXECUTIVE SUMMARY**

Permissible Under:	Ku-ring-gai Planning Scheme Ordinance
Integrated Development:	No
Bushfire Prone Land:	No
Heritage Item:	No
In the vicinity of a Heritage Item	YES (No. 51 Telegraph Road)
Conservation Area:	No
Issues:	Streetscape, setbacks, visual impact, privacy, landscaping
Submissions	Two (2) submissions
Recommendation	Approval

**HISTORY**

**Previous Application - DA 1417/04**

This matter was previously considered (DA 1417/04). The previous development application was approved under delegated authority, subject to conditions which required the relocation of the carport to be set back a minimum of 1.5m from the eastern (side) boundary, the deletion of one side-facing window and additional screen planting.

The consent to DA 1417/04 issued on 6 June 2005 is the subject of Class 4 proceedings in the Land and Environment Court commenced by the owners of the adjoining property (No. 51 Telegraph Road).

**Current Application - DA 642/05**

This matter has been called to Council by Councillors Bennett and Hall who have requested the development application be referred to full Council for determination.

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**THE SITE AND SURROUNDING AREA**

Zoning:	Residential 2(c)
Visual Character Study Category:	1945-68
Lot & DP Number:	Lot 13 and Lot A DP 337947
Area:	1093.9m <sup>2</sup>
Side of Street:	Southern
Stormwater Drainage:	To the street
Required Setback:	12m (min), 14m(avg)
Heritage Affected:	No
Integrated Development:	No
Bush Fire Prone Land:	No

The site is comprised of two allotments, being Lot 13 and Lot A of DP 337947. The existing dwelling is situated towards the rear of Lot 13, approximately 27 metres back from Telegraph Road. The rear of the site includes a small irregular piece of land identified as Lot A within the subdivision. The existing pool and rear gardens are situated at the rear of the site on Lot A.

The site has a frontage of approximately 18.8m to Telegraph Road and a depth of 48.9m. It has a total area of 1093.9m<sup>2</sup>. The site is situated above street level, with a slight slope away from the street boundary to the front of the dwelling and a 10% grade from the front of the dwelling to the rear boundary. A substantial ridge runs across the rear of the site, with the adjoining property to the rear (No. 41 Hope Street) situated approximately 4m below the level of the rear of the subject site.

**Surrounding development**

The area is characterised by large, two storey, detached dwellings in an assortment of styles, situated on large lots and having setbacks from Telegraph Road, which significantly vary between properties. A large detached dwelling (No. 51 Telegraph Road) adjoins to the east of the site. No. 51 Telegraph Road is identified as being a local heritage item. It is set approximately 27 metres back from the street and situated in a formal garden setting. The adjoining dwelling (No. 47) is a large, two storey, dwelling that is set approximately 10 metres back from the Telegraph Road and well forward of the dwelling on the subject site. Dwellings to the south of the site in Hope Street are situated well below the site due to the natural topography of the locality, with a substantial ridge running along the rear of properties in this part of Telegraph Road. The rear of dwellings in Hope Street are readily visible from the rear of dwellings in Telegraph Road, although privacy is generally retained through significant boundary landscaping.

**THE PROPOSAL****Dwelling additions**

The proposed dwelling additions involves the construction of a new ground floor extension and elevated terrace to the rear of the dwelling. The proposed structure comprises a new meals room and is to be constructed of rendered brick work. It has a pitched roof with a maximum height of 6.5m to the ridge and dimensions of 4.76m x 4.5m.

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The proposed meals room would open onto a new elevated terrace which runs across the rear elevation of the dwelling, having dimensions 4.5m x 9.8m (allowing for stairs to be integrated along its western edge). The meals room and terrace are to be constructed over an existing concrete paved area at the rear of the dwelling. This area is to be retained as a large undercroft area below the terrace and new extensions.

Other changes to the dwelling include minor internal changes, the removal of an existing kitchen window and laundry door, installation of new windows to the existing garage at the front of the dwelling and its conversion into a family room.

**Carport**

The application involves the erection of a new double carport in front of the dwelling over part of the existing driveway and parking area and a small area of garden. The proposed carport is to be erected in front of the existing single car garage. The proposed structure is to have a hipped roof to match the existing dwelling, has dimensions 5.55m x 5.55m and is set back 1.0m from the side boundary with the adjoining property No. 51 Telegraph Road. The proposed carport is to be constructed of rendered brick and tile to match the existing dwelling and is situated 2.1m from the front of the dwelling. The carport is to be accessed by a 'T' shaped driveway. The northern elevation of the structure facing the street will be open to the street with the exception of the brick pillars. The site design has made allowance for gardens between the carport and the street boundary.

**Driveway**

The existing strip driveway is to be removed and a new driveway constructed. The proposed driveway has a width of 2.8m at the front boundary and a large 'T' shaped turning area in front of the dwelling measuring 9.0m x 4.85m. The proposed new driveway is to be constructed using a permeable gravel surface.

**CONSULTATION - COMMUNITY**

**DA 642/05**

The proposal was advertised and notified in accordance with the Ku-ring-gai Notification Policy. Submissions have been made by on or behalf of the following property owners:

- Mr. D and Mrs R McGovern, 51 Telegraph Road
- Miss G Russell, 39 Hope Street

Issues raised in the above submissions are as follows:

***Privacy as a result of proposed windows in the eastern and southern elevation of the proposed rear additions.***

Having had regard to the objections raised in response to this issue, and the location of the proposed window above the height of the rear of No. 51 Telegraph Road, it is appropriate to delete the side-facing window to the proposed meals room additions (refer **Condition No. 28**). This window is

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unnecessary and would overlook the rear deck and rear garden of the adjoining property to an unsatisfactory level. Other rear-facing windows have a lesser impact because of their orientation towards the rear of the property, the distances from the rear of other properties in Hope Street and existing screen planting along the boundaries of the site. The existing screen planting has not yet fully grown in places and, as such, additional trees are indicated on the landscape plans to replace trees which have died or have been removed along the rear and side boundaries of the property.

***Privacy as a result of the proposed rear terrace overlooking adjoining private areas.***

Concerns have been raised that the proposed rear terrace would overlook the rear of the adjoining properties, in particular No. 51 Telegraph Road. The provisions of Council's DCP state that:

*"first floor decks, balconies and roof top terraces are not permitted where they overlook... habitable rooms or private open space".*

The proposed rear additions and new elevated terrace are not a first floor element but rather are ground floor elements which are elevated due to the fall of the site at the rear of the property. It is agreed that there would be some overlooking as a result of one particular side-facing window, however, this window is to be deleted (refer **Condition No. 28**).

Other impacts as a result of the proposed works are more a function of the orientation of the lots in this part of Telegraph Road and Hope Street and the greatest impact would be to the very rear gardens of No. 51 and the rear gardens of No. 47. Such impact is not so significant so as to warrant refusal of the proposed additions, as sufficient screening exists along the boundaries of the site and new screening is proposed to levels which will substantially reduce any privacy impact. It should be noted that additional screen planting is to be provided in conjunction with the deletion of the side window to mitigate the greatest impacts.

***Privacy impacts resulting from the proposed swimming pool deck.***

The applicant has removed this element from the plans in response to the objections raised.

***Issues in relation to an existing spa pool and cabana. Specifically noise from this area of the site and lighting of the area.***

This matter does not relate to the subject DA. It has been investigated by Council's Compliance Officers to a satisfactory conclusion. It is noted that Council has engaged an acoustic consultant to assess the noise impacts as a result of the pool pump and spa unit and that noise attenuation measures may be required as a result. Issues relating to external lighting are currently being reviewed by Council's Compliance team.

***Survey plan details are inadequate.***

Sufficient survey information has been provided to enable Council to make a full assessment.

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***A valid heritage impact statement has not been provided***

A heritage impact statement has been provided which addresses the impact of proposed works on the adjoining heritage item (No. 51 Telegraph Rd). The statement is in support of the proposed additions and argues that the proposed works would have a satisfactory impact on the adjoining heritage item having regard for the setback of the carport from the street, the extent of existing landscaping and potential to establish further landscaping in front of the carport. The proposed rear extensions and terrace were not considered to have a detrimental impact on the heritage significance of the adjoining property.

The heritage impact statement reflects the original plans dated November 2004, submitted to Council under the previous application (DA 1417/04). The statement has not been reviewed to address changes made to the plans at the request of Council and following submissions from adjoining property owners. Changes made to the plans included the following:

- Deletion of the proposed deck to the south of the swimming pool and rear of the site.
- The eastern (side) elevations was amended to show the correct location of the existing kitchen window and to indicate a fixed obscure glass window in the south-eastern corner of the meal room where a previous clear glazed panel was previous shown.
- The floor plans were amended to show the conversion of the existing garage to a family room.

These changes are positive improvements which also correct minor discrepancies and address concerns raised by adjoining property owners. The proposed changes are not considered sufficient enough to warrant a revised heritage impact statement as the amendments would not constitute a greater impact to the adjoining heritage item.

The information provided in the heritage impact statement is sufficient enough to enable Council to make an informed decision on the proposed development application.

***Inaccurate representation of the proposed FSR, built upon area and soft landscaping.***

A comprehensive check of the quantum of FSR, built upon area and soft landscaping has been undertaken. This concludes that the quantum proposed in each respect is correct, compliant and satisfactory.

The proposed rear additions and terrace are to be constructed over existing hard paved surfaces and, as such, would not increase built upon areas at the rear and the new gravel driveway and double carport at the front of the site allows drainage to the street and would not have any effect on downstream properties. Soft landscaping is considered to be adequate to meet the provisions of Council's DCP and the increase to the FSR will not contribute to any additional building bulk when viewed from the street. Consequently, the proposed additions will not result in an overdevelopment of the site.

***The details provided in the Statement of Environmental Effects is insufficient.***

Sufficient information has been provided to enable Council to make a full assessment.

***Heritage impacts and the location and design of the proposed double carport.***

Concerns have been raised that the proposed carport will have a detrimental impact on the existing adjoining heritage item at No 51 Telegraph Road. The heritage item is listed as having local, architectural and municipal significance and a significant curtilage including existing gardens, front fence and garden lights. The adjoining site (No. 51) is well screened along its side boundaries, with the most prominent views of the site being from directly in front of the site.

The proposed carport is to be constructed adjoining the side boundary of the site in front of the front façade of the subject dwelling and also forward of the building line from No. 51. The carport is to be situated 1.0m from the boundary and landscaping details show screen planting to be established along the common boundary. The design, bulk and location of the proposed structure has no detrimental impact on the adjoining heritage item, having regard to existing dense screening. Notwithstanding, it has been required that the proposed carport be set a minimum of 1.5m from the common boundary to allow adequate screen planting to be provided independent of the adjoining property. Subject to adequate screening, the design of the structure will have no material impact on the adjoining heritage item.

**Previous development application - DA 1417/04**

Submissions have previously been made in relation to the previous development application by the following property owner:

- Mr. H Jensen, 41 Hope Street

Whilst Mr. Jensen did not make a submission in relation to the current DA, the concerns he raised to the previous DA have been addressed in the current DA, including through conditions.

**CONSULTATION - WITHIN COUNCIL**

**Engineering:**

Council's Development Engineer has raised no objection to the proposed development and has made the following comments:

*"The front of the site drains to the street and the rear of the site drains to the rear. To reduce the stormwater impact directed towards to the rear of the site, the applicant has proposed to:*

- *direct a portion of the alterations and additions to the street (carport and driveway),*
- *install a high level overflow on the existing swimming pool,*
- *install a permeable timber deck, and*
- *reinstate the driveway and paths with a semi-pervious gravel material.*

*Conditions to this effect have been included in the engineering conditions.*



*A perusal of the submitted drawings reveals the following:*

- *The doorway width of the proposed carport needs to be increased to comply with AS/NZS 2890.1 (2004) - "Off-street car parking".*
- *The turning bay needs minor modifications to ensure that vehicles can manoeuvre in accordance with AS/NZS 2890.1 (2004) - "Off-street car parking".*

*Conditions to this effect have been included in the engineering conditions."*

The proposal has been supported by Council's Engineers, subject to conditions (**refer Conditions Nos 15 to 23, 36, 38, 39, 42, 43 and 43).**

### **Landscape:**

Council's Landscape Development Officer has raised no objection to the proposed development and has made the following comments:

*"No objection is raised to the removal of 1 x Magnolia x soulangiana (Magnolia) - 3h x 3.5s located at the front of the existing dwelling."*

The landscape plans submitted with the development application indicate screen planting between the proposed carport and the eastern side boundary and in front of the carport to the street. The screen planting in this location is identified as being 14 x *Camelia Sasanqua*, which are capable of attaining a height of 3m. To ensure this planting is in an advanced state of growth at planting, a condition has been recommended to require the proposed plants to have a minimum pot size of 45 litres and minimum height of 1.2m (**refer Condition No. 30).**

The provision of screen planting along the western boundary adjacent to the proposed rear deck is insufficient to address issues of over looking to No. 47 Telegraph Road, and it is appropriate that additional screening be provided in this location. A condition has therefore been recommended to require additional screen planting to be established along the boundaries of the site (**refer Condition No. 30).**

The landscape plans submitted with the development application include significant screen planting to be established along the common boundary with No. 51 Telegraph Road to the east of the site. The landscape plan specifies plant species capable of attaining 5m-6m in height which would be suitable for this part of the site.

The landscape details submitted with the application are acceptable. Landscape conditions have been recommended to require compliance with the submitted landscape plan and to ensure appropriate screen planting is established (**refer Conditions Nos 24, 25, 26, 27 and 30).**

**Heritage:**

Council's Heritage Advisor has considered the proposal and has made the following comments:

*"There are several problems with the proposed design:*

- 1. No. 51 Telegraph Rd (adjoining) is a heritage item and the proposed carport would be situated forward [of the building line] and would cause some visual impacts.*
- 2. Streetscape – Telegraph Road is an important streetscape. Carports in front of the building line should not be considered appropriate.*

*Recommended options*

- 3. The existing garage could be extended sideways [in front of the dwelling] and the living spaces within the garage should be relocated to the rear of the site.*

*No objection is raised to the proposed alterations and additions."*

The primary impact as a result of the proposal, is the location of the proposed double carport in close proximity to the common boundary with No. 51 Telegraph Road. A statement of heritage impact has been submitted to address the impact of the proposed carport on the adjoining heritage item. The findings of that report are supported and the impact of the proposed carport considered to be acceptable for the following reasons:

- The proposed carport is situated well within the site, in excess of 16m from the street boundary. The position of the carport forward of the existing dwelling will not have a significant impact on the adjoining heritage item as dense screening along the common boundary already screens much of the adjoining dwelling and will also screen much of the proposed carport structure from view. The same dense boundary planting also obscures views of the heritage property from the street at present and serves as an important part of the curtilage to the heritage item.
- The location of the proposed carport a minimum of 1.0m from the common boundary restricts the ability to provide adequate landscaping within site between the side boundary and the carport structure. Should the vegetation on the adjoining property die or be removed, the roof and structure of the proposed carport would be visible from the adjoining property. It is therefore considered appropriate to require that the carport be set a minimum of 1.5m off the side boundary and to require that additional landscaping be provided between the carport and the side boundary. Such a set back would also be in accordance with Council's DCP requirements. **Condition No. 30** has been recommended to require details of the proposed landscaping to be provided prior to the release of the construction certificate.
- In relation to streetscape issues, the provision of a carport in front of the building would not normally be supported. However, in this case the proposed set back from the street is quiet generous, being greater than 16m and there is ample opportunity to provide a formal landscaped setting in keeping with the existing dwelling and similar to other dwellings in Telegraph Road. It should also be noted that the location of the carport is also significantly further away from the street than the adjoining dwelling on No. 47 Telegraph Road and that the structure would not be

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immediately visible from the street unless the passer-by looks directly into the site. For these reasons, the location of the proposed carport is not considered to be detrimental to the existing streetscape.

**STATUTORY PROVISIONS****STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – CONTAMINATED LANDS**

Given that the only known use of the site is for residential purposes, the land is unlikely to be contaminated and the provisions of SEPP 55 do not require any additional conditions to be imposed.

**KU-RING-GAI PLANNING SCHEME ORDINANCE & LEP 194****Permissibility**

The proposal is permissible within the Residential 2(c) zone.

**Aims and objectives for residential zones**

The development is considered to have satisfied the relevant aims and objectives for residential development as outlined by Schedule 9.

<b>COMPLIANCE TABLE</b>		
<b>Development standard</b>	<b>Proposals numeric compliance</b>	<b>Complies</b>
<b>Site Area:</b> 1093.9m <sup>2</sup>		
<b>Minimum size allotments</b> • Height: 8m (max)	6.5m	<b>YES</b>
<b>Built-upon areas</b> 60%(656.3m <sup>2</sup> )(max)	<51.6% (564.2m <sup>2</sup> )	<b>YES</b>

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

The site is located adjacent to a heritage listed residential dwelling at 51 Telegraph Road. The application is accompanied by a heritage impact statement which addresses the impact of the proposed works upon this listed building.

The primary impact of the proposed works on the adjoining heritage item is the proposed location of the double carport in close proximity to the common boundary with the adjoining property. This area of the site is well screen by existing vegetation and it unlikely that the proposed carport will have any adverse impact on this vegetation. However, it is appropriate that the proposed carport be independently screened along this common boundary and additional screen planting be established between the carport and the side boundary. Given the location of the carport in front of the existing dwelling it is also appropriate that significant plantings be established in front of the proposed structure.

Conditions have been recommended to achieve this. (refer Conditions 29 and 30).

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Subject to compliance with the conditions of consent the application meets with the controls of 61D – 61I of the KPSO (as amended).

**POLICY PROVISIONS****KU-RING-GAI RESIDENTIAL DESIGN MANUAL – DCP No. 38**

<b>COMPLIANCE TABLE</b>		
<b>Site Characteristics</b>		
<b>Site Area</b> = 1093.9m <sup>2</sup>		
The site is on the <b>low</b> side of the road for drainage purposes		
The site has a <b>land slope</b> more than 20° across the site = NO		
The <b>Visual Character</b> category for the site is 1945-68		
<b>Section 5: Design Elements</b>		
<b>Development control</b>	<b>Proposals numeric compliance</b>	<b>Complies</b>
<b>5.1 Streetscape:</b>		
<b>Building Setbacks (s.5.1.3)</b>		
<ul style="list-style-type: none"> <li>Front Setback: 14m (Ave) -75% front elevation 12m (min) – 25% front elevation</li> </ul>	16.2m (carport)	<b>YES</b>
<ul style="list-style-type: none"> <li>Side Setback: Ground Floor: 1.5m(min)</li> </ul>	East boundary: 2.0m (rear extension) West boundary: 2.1m (terrace) East boundary: 1.0m (carport)	<b>YES</b> <b>YES</b> <b>NO</b>
<b>5.2 Building Form:</b>		
<b>FSR (s.5.2.1)</b> 0.4:1 (max)	0.36:1	<b>YES</b>
<b>Height of Building (s.5.2.2)</b>		
<ul style="list-style-type: none"> <li>2 storey (max) and 8m (site &gt;20° slope) or 7m (site &lt;20° slope)</li> </ul>	2 storey & 6.5m (proposed works only)	<b>YES</b> <b>YES</b>
<b>Building Height Plane (s.5.2.3)</b> 45° from horizontal at any point 3m above boundary	<i>Minor Intrusions in the building height plane along Eastern boundary as follows:</i>  Nil to 0.1m (Meals room eaves and upper wall)  <i>The proposed intrusion into the Building Height Plane is minimal and does not result in any significant detrimental impact to adjoining properties.</i>	<b>NO</b>
<b>Built-Upon Area (s.5.2.7)</b> 52% (568.8m <sup>2</sup> ) (max)	<51.6% (564.2m <sup>2</sup> )	<b>YES</b>

## Item 7

Development control	Proposals numeric compliance	Complies
<b>Solar Access (5.2.11)</b> 4h solar access to adjoining properties between 9am to 3pm	<i>Shadow diagram identify minimal impacts to adjoining windows, open space and private areas as a result of the proposed works. The development will not result in significant additional overshadowing to adjoining properties given the location of the proposed works to the south of the existing dwelling and the works being situated well below the main ridge height.</i>  >4hrs are available to living areas of adjoining dwellings	<b>YES</b>
<b>5.5 Access &amp; Parking:</b>		
<b>No. of Car Parking Spaces (s.5.5.1)</b> 2 spaces behind building line	2 spaces in front of the building line	<b>NO</b>
<b>Driveway Width (s.5.5.6)</b> 3.5m (max)	2.8m 4.85m (turning area)	<b>YES</b> <b>NO</b>

The following is a detailed consideration of the areas in which the proposal is non-compliant:

### Streetscape (Part 5.1)

#### **Building Setbacks (s.5.1.3)**

*Side setback: Ground Floor 1.5 (min), First Floor 3.0m (min)*

- The location of the proposed carport a minimum of 1.0m from the common boundary restricts the ability to provide adequate landscaping on the subject site, between the boundary and the carport structure. Should the existing dense vegetation on the adjoining property die or be removed, the location of the carport in front of the building line would be compromised. Consequently, it is appropriate to require the structure be set a minimum of 1.5m off the side boundary in order to comply with Council's DCP requirements and to enable adequate screen planting to be established. Conditions have been recommended to require relocation of the proposed carport and details of the proposed landscaping to be provided prior to the release of the construction certificate.

#### **Building Height Plane (s.5.2.3)**

*45° from horizontal at any point 3m above boundary*

- The Building Height Plane requirements state that development should avoid the creation of an overbearing effect upon adjoining development in order to:
  - Maintain the relative scale relationship between buildings;*
  - Ensure that daylight to habitable rooms in adjacent dwellings is not significantly reduced;*

Item 7

- iii. *Ensure that sunlight to the private open spaces of the subject property and adjacent properties is not significantly reduced;*
- iv. *Encourage increased setback with increased height.*

The proposed additions represent significant alterations the existing dwelling and result in minor non-compliances with the Building Height Plane along the eastern elevation at the rear of the property. The breaches to the building height plane are minor and are limited to upper wall and eaves of the proposed rear additions. These elements are designed to be incorporated within a new roof form in keeping with the original elements of the existing dwelling.

The new design incorporates a sympathetic roof form and a scale which is in keeping with the existing dwelling. Furthermore, the proposed alterations ensure reasonable separation between development and adjoining properties and will not result in any significant detrimental amenity impact for adjoining development. It is proposed to delete a proposed side window to preserve existing privacy at the adjoining property (No. 51). Accordingly, no living areas or private spaces will be significantly affected by the breaches to the building height plane.

***Location of Parking Structures (s.5.5.4)***

*Garages and carports integrated into the dwelling and behind the building line.*

- Clause 5.5.4 of DCP No.38 allows that where it is not possible to provide parking behind the building line, an open side carport may be considered, where the setback from the street alignment is maximised, and adequate regard has been given to adjacent structures and trees, adjoining heritage items and the prevailing streetscape.

The prevailing pattern of development in this part of Telegraph Road is one of mixed residential character, comprising large two storey dwellings set well within each site, but having varied setbacks along the street and many having high front walls.

The adjoining dwelling to the west (No. 47) is set well forward of the dwelling on the subject site and will be much closer to the street than the proposed carport. The adjoining dwelling to the east (No. 51) is a heritage item which is set well back from the street and remains one of the few properties in the street which does not have a high front fence or wall. The primary views of this property are from the north, directly from the street.

The proposed carport is an open structure located forward of the existing dwelling, set well back on the site, in excess of 16m, and well separated from adjoining dwellings. Allowing for an increased setback of 1.5m from the eastern side boundary as required by **Condition No. 29**, the location of carport is suitable in that adequate screening can be maintained between the structure and the side boundary.

The position of the dwelling on the site is such that it is well set back from the street and sufficiently landscaped to provide an open garden setting. The inclusion of a new open sided carport forward of the building line will have minimal impact to the existing streetscape as it is well landscaped and is set well back from the street. Furthermore, the existence of

Item 7

significant landscaping along the common boundary with No. 51, and the ability to achieve screen planting between the structure and the eastern boundary will ensure that proposed carport also has a minimal impact to the adjoining heritage item. For these reasons the proposed carport would be in keeping with the general pattern of development in the street and would be consistent with the objectives of the DCP Control.

**Solar Access**

- The proposed additions introduce new additions to the south of the existing dwelling first and a proposed new carport to the north. The proposed additions will result in minor increases in the amount of shadow cast by the dwelling. However the impact to adjoining properties is minimal owing to the orientation of the site and siting and orientation of the proposed additions and adjoining dwellings. The height of the existing dwelling means that the existing shadow will encompass any potential new shadow cast by the new rear additions. The shadow cast by the proposed carport to the north of the dwelling is not considered to affect any significant area or window for a lengthy period. Consequently the shadow impacts as a result of the proposed additions and carport are minimal and within reason. This is in accordance with Council's DCP requirements.

**Privacy**

- The submissions identified a number of areas of concern in relation to the location of the proposed rear additions. The proposed rear additions include a new meals room with windows in both side elevations and the rear elevation. The proposed east side window is unnecessary and would overlook the adjoining property. It is recommended that this window be deleted.

To ensure that the proposed new terrace will not result in significant overlooking of the adjoining property to the west, it is recommended that screen planting be established along the common boundary with that property. A condition has been recommended to require the landscape plans to include details of the proposed screen planting and to ensure the screen planting is maintained at all times.

**OTHER DCPS, CODES AND POLICIES**

The development is consistent with Development Control Plans 31, 43 and 47 relating to Access, Car Parking and Water Management.

**APPLICABLE REGULATIONS**

All relevant legislation has been addressed previously in the report and it is considered the proposal will be consistent with these.

**THE LIKELY IMPACTS OF THE PROPOSAL**

All likely impacts have been considered.

Item 7

**THE SUITABILITY OF THE SITE**

The site is suitable for the proposed development.

**CONCLUSION**

In respect of Cl.79C of the EP & A Act 1979, the proposed works are of an acceptable scale, bulk and form with no significant detrimental impacts on the surrounding built or natural environment. Accordingly it is recommended that the application be approved.

**RECOMMENDATION**

**THAT** the Council, as the consent authority, grant development consent to DA 642/05 for alterations and additions plus a carport to a dwelling on land at 49 Telegraph Road, Pymble, subject to the following conditions:

1. The development to be in accordance with Development Application 642/05 and Development Application plans prepared by *Fiona Mitchell - Architect*, reference number, *A01 (Rev A) to A08 (Rev A)*, dated *April 2005 as amended in Red (shown clouded)* and lodged with Council on *23 June 2005*.
2. All building works shall comply with the Building Code of Australia.
3. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
4. The approved building works shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
5. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
6. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the 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.
7. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines,



Item 7

excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

8. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
9. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
10. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
11. For the protection of the health and safety of occupants, workers and the environment, any person renovating or demolishing any building built before the 1970's should be aware that surfaces may be coated with lead-based paint. Lead dust is a hazardous substance. Persons are required to follow the attached recommended guidelines to prevent personal and environmental contamination.
12. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
13. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
14. The landscape works shall be completed prior to issue of final Certificate of Compliance and maintained in a satisfactory condition at all times.
15. Stormwater runoff from the alterations and additions located at the front of the site (including the proposed carport and driveway) shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
16. Stormwater runoff from the alterations and additions unable to drain to the street shall be piped to the existing site drainage system. No stormwater drainage system is to be connected to the Sydney Water sewer system. Where found, all illegal connections must be rectified to the satisfaction of Council and Sydney Water.

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17. For stormwater control all paved areas are to be drained to the main drainage system. This may require the installation of suitable cut-off structures and/or barriers that direct runoff to the formal drainage system.
18. For stormwater control a 200mm wide grated drain with heavy duty removable galvanised grates is to be located within the property at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.
19. Where required, the adjustment of any 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 responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
20. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the 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 circulation is diverted on to the roadway, 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, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
21. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. 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.
22. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 "Off-Street car parking".
23. The proposed rear timber deck is to be spaced to permit stormwater to pass through and permeate into the ground below. Apart from the piers below the deck the entire surface area under the deck is to be unsealed so that stormwater is able to soak into this area. Any existing paving or sealing below the proposed deck is to be removed from the site. At the completion of works and prior to issue of the Occupation Certificate, a Certificate from the builder/installer is to be submitted to the Principal Certifying Authority indicating compliance with this condition.

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24. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council's Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council's Tree Preservation Order.

25. 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.
26. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
27. The property shall support a minimum number of Seven (7) trees that will attain 13.0 metres in height on the site, to preserve the tree canopy of Ku-ring-gai, in accordance with Council's policy of Tree Retention/Replenishment on Residential Allotments adopted 26 April 1988. The existing tree/s, and additional tree/s to be planted, shall be shown on the Landscape Plan/Site Plan. The plan shall be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.
28. To maintain suitable levels of privacy and amenity to adjoining properties, the side window proposed in the eastern elevation at the rear of the proposed meals room extension shall be deleted and replaced with solid materials to match the existing dwelling. Details of such shall be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.
29. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road) and to achieve compliance with Council's DCP No. 38, the proposed carport shall be relocated to have a minimum setback of 1.5m from the eastern (side) boundary of the site. The relocation of the proposed carport is to ensure adequate landscaping can be provided between the carport structure and the side boundary of the site.
30. Landscape works shall be carried out in accordance with Landscape Drawing No. 2A, prepared by Relle Mott Garden Design and dated April 2005 submitted with the Development Application, except as amended by the following:
- A. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road), and soften the appearance of the proposed carport, screen planting shall be established between the carport and the eastern side boundary of the site.

Item 7

- B. In order to prevent overlooking of adjoining properties, screen planting shall be established between the rear terrace and the western side boundary of the site, as shown clouded in red on the plans.
- C. The proposed *Camelia Sasanqua* shown to be installed between the carport and the eastern side boundary and in front of the carport, shall have a minimum pot size of 45 litres and minimum height of 1.2m at the time of planting.
- D. The screen planting required by A. and B. of this condition shall utilise suitable plant species contained with Appendix F of Council's DCP No 38, shall be capable of attaining a minimum height of 3.0m and shall provide dense screening.

Details of the required amendments shall be shown on the amended landscape plans and submitted and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The screen planting shall be completed prior to the issue of the final Certificate of Compliance and be maintained in a satisfactory condition at all times.

- 31. External materials, finishes and colours are to match the existing dwelling and shall be sympathetic to the surrounding environment. Details of all external finishes and materials shall be provided to and approved by the Principal Certifying Authority, prior to the release of the Construction Certificate.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

- 32. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

- 33. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal 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 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work 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).
- 34. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or

## Item 7

construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.

35. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
- A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
36. Prior to issue of the Construction Certificate footpath and driveway levels for any fully new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from 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" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

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 alignment levels fixed by Council may affect these. **Approval of this Development Application is for works wholly within the property. DA 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 application documents.**

The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing

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which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

37. Development consent to DA 1417/04 shall be surrendered to Council under the provisions of Section 80A(1)(b) of the Environmental Planning and Assessment Act 1979. The provisions of Clause 97 of the Environmental Planning & Assessment Regulation 2000 are to be met prior to a Construction Certificate being issued. This condition is imposed to facilitate the orderly development of the site.
38. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a plan of the new drainage system components required for the approved development. The plan shall be prepared by a qualified civil/hydraulic engineer or licensed plumber. The new components of the property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence). Any new connection points to the public drainage system (eg kerb, table drains, pits, pipes) must be shown accurately on the plan.
39. Prior to issue of the Construction Certificate, the Applicant shall submit for the approval of the appointed Principal Certifying Authority, revised details which demonstrate the following:
  - A clear entrance width of the proposed double carport to be increased to a minimum 5.2m (currently 4.8m). This condition is imposed to ensure compliance with Figure 5.4 from AS/NZS 2890.1 (2004) - "Off-street car parking" and thus provide better vehicle manoeuvrability.
  - Manoeuvring circles for the B85 design vehicle overlaid (drawn) on the site plans, which demonstrate that all vehicles using the carport can leave the site in a forward direction in a maximum of one (1) three-point turn. This condition has been imposed to ensure compliance with AS/NZS 2890.1 (2004) - "Off-street car parking", and may require some minor modifications to the driveway layout.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING**

40. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION**

41. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.

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42. Prior to issue of an Occupation Certificate, the following works must be completed:
- a. Construction of the new driveway crossing and layback in accordance with the levels and specifications issued by Council,
  - b. Removal of all redundant driveway crossings, pipe crossing and/or kerb laybacks. Full reinstatement of these areas to footway, and/or turfed verge and/or kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
  - c. Any sections of damaged grass verge are to be fully replaced with a non-friable turf of native variety to match existing.  
Any 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) must be fully repaired to the satisfaction of Council Engineers. This shall be at no cost to Council.
43. Prior to issue of an Occupation Certificate (and at the completion of works), the applicant shall submit certification from a consulting engineer or the installing plumbing contractor to the Principal Certifying Authority (PCA), that:
- a. The components of the new drainage system have been installed in accordance with the Plumbing and Drainage code AS3500.3.2 and by a licensed plumbing contractor, and
  - b. The stormwater drainage works have been carried out in accordance with the approved Construction Certificate drainage plan and Councils Water Management DCP 47.
44. Prior to issue of an Occupation Certificate, a high level overflow pipe is to be provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. This requirement is to collect stormwater overflow from the swimming pool surface only. A certificate from the installer, indicating compliance with this condition, must be submitted to the Principal Certifying Authority (PCA), prior to issue of an Occupation Certificate.

D Hoy  
**Development Assessment Officer**

S Segall  
**Acting Team Leader**  
**Development Assessment - Central**

M Prendergast  
**Manager**  
**Development Assessment Services**

M Miocic  
**Director**  
**Development and Regulation**

**Attachments:** **Plans**  
**Site Photos**

# LOCATION SKETCH

## 49 Telegraph Road, PYMBLE NSW

### DEVELOPMENT APPLICATION No 642/05



Scale : 1:2000

26-07-2005



AGREEMENT

OBJECTION

SUBJECT LAND



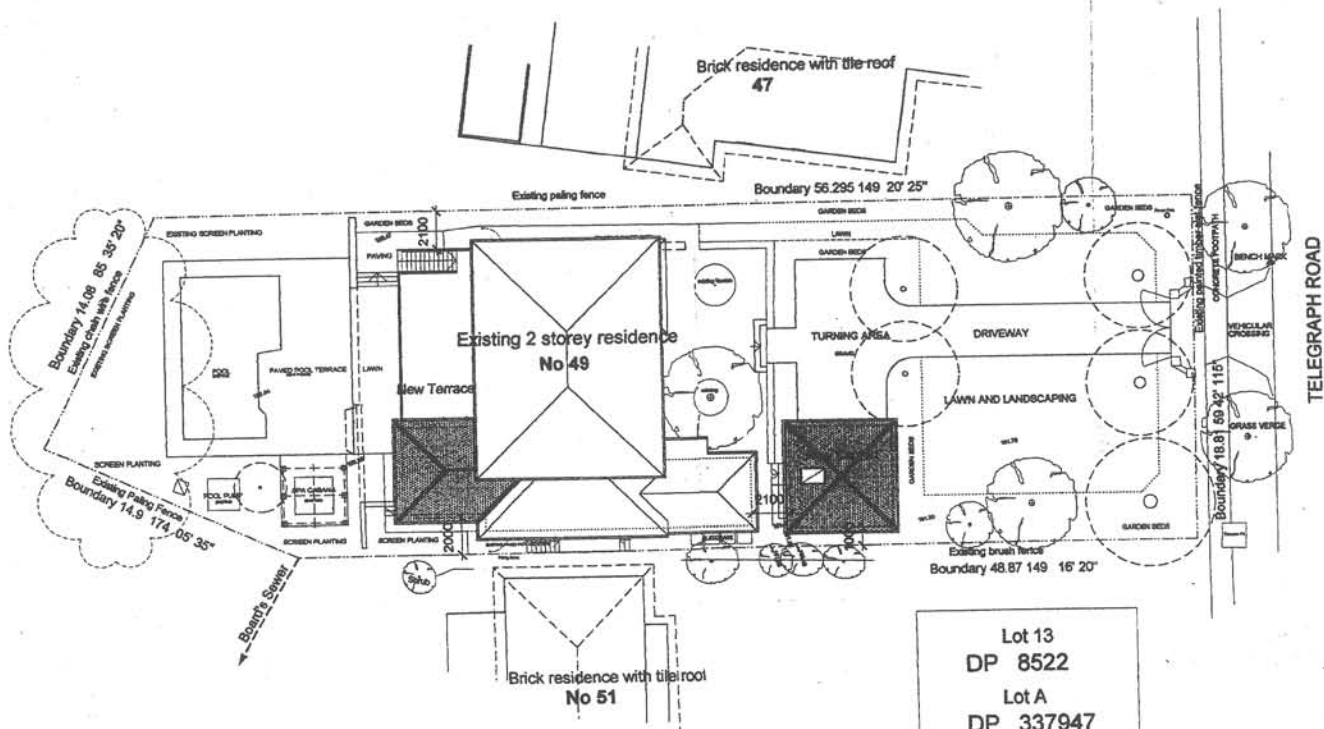
PETITION

SUBMISSION

CIRCULATED AREA







Lot 13  
DP 8522  
Lot A  
DP 337947

Amended April 2005  
Pool Deck deleted

Metres  
0 2 4 6 8 10

#### DEVELOPMENT APPLICATION

DO NOT SCALE THE DRAWING  
NOTE: Figured dimensions take precedence to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.

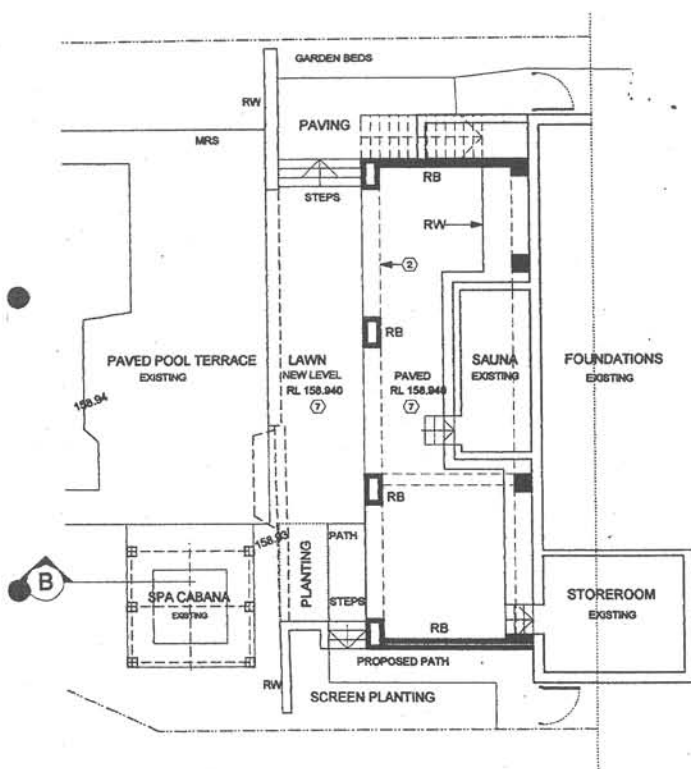
Fiona Mitchell Architect  
2 Winslow Street, Kirtimbil NSW 2061  
Telephone 9923 1413 Fax 9925 0002



#### SITE PLAN

ALTERATIONS AND ADDITIONS  
Project: 49 Telegraph Road Pymble  
Applicant: Mariana Allan

SCALE: 1:200  
PLOT DATE: 26-04-05  
DATE: 04-11-04  
DRAWN: FM  
DRAWING No. 0405A01a DA



# NOTES TO DRAWINGS

- RB Rendered brickwork to match existing
- TRT Terracotta roof tiles to match existing
- RW Retaining Wall
- SK Skylight
- DP Downpipe
- MSR Mild Steel Railing to comply Swimming Pool Code
- (R) Timber Door
- (W) Timber Framed Window/Door to match Residence
- (G) Gates to comply Swimming Pool Code
- ① Pool Deck deleted
- ② Slab, footings and beams to engineers detail
- ③ Demolish existing walls shown dotted
- ④ Close up existing openings
- ⑤ Fall roof water and drainage garden to stormwater to Telegraph Road
- ⑥ High level overflow to pool skimmer box
- ⑦ Excavate to new levels

a Amended April 2005  
Existing Garage now Family Room  
Existing Kitchen window shown  
Pool Deck deleted

No 51 Existing location amended  
*Note to Mark window*  
*Fixed & obscure glazing*

Metres  
0 1 2 3 4 5

## DEVELOPMENT APPLICATION

DO NOT SCALE THE DRAWING  
NOTE: Figured dimensions take preference to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.

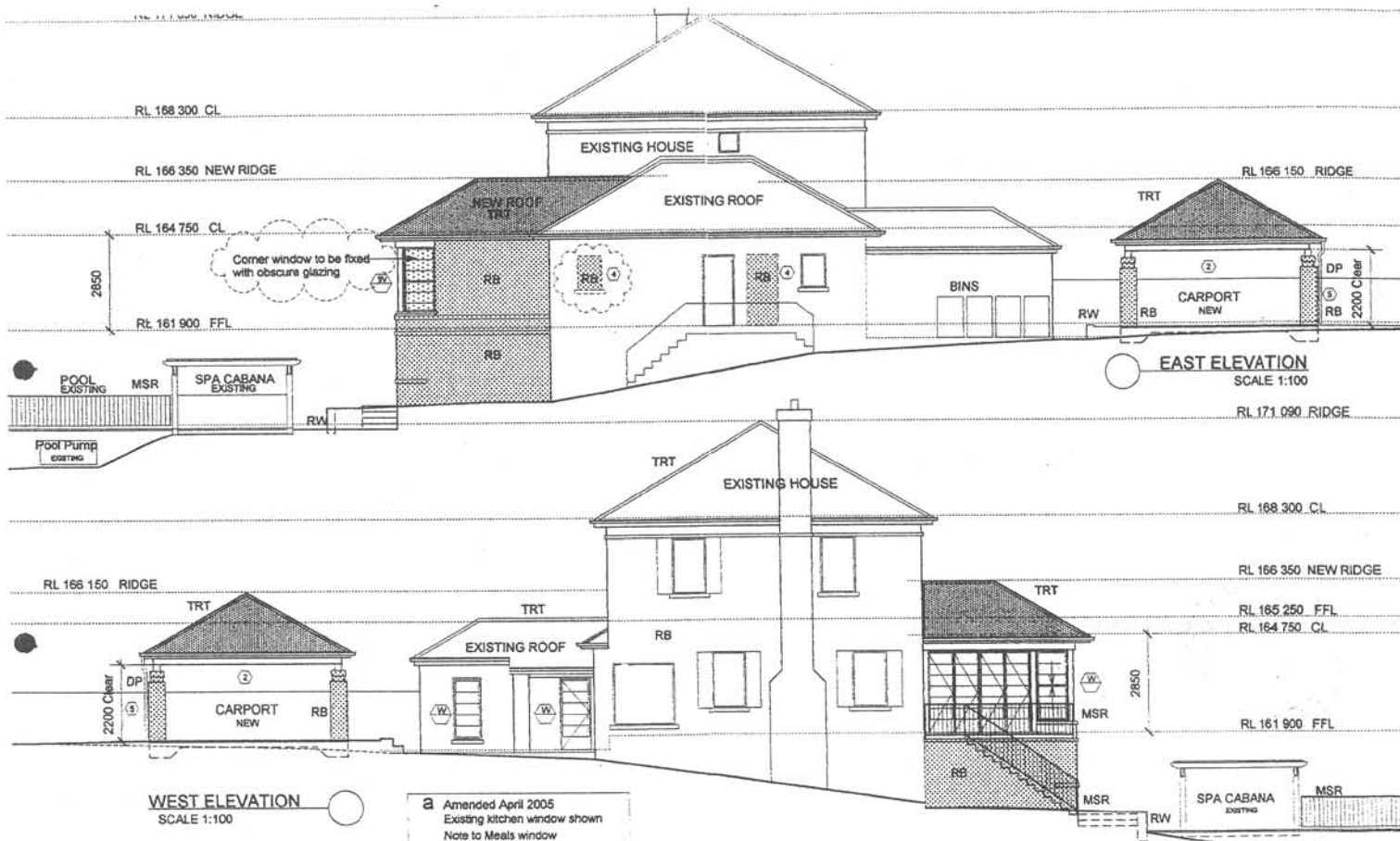
○ Fiona Mitchell Architect  
2 Winslow Street Kirribilli NSW 2061  
Telephone 9929 1413 Fax 9925 9002



## POOL TERRACE PLAN

ALTERATIONS AND ADDITIONS  
Project: 49 Telegraph Road Pymble  
Applicant: Mariena Altan

SCALE: 1:100  
PLOT DATE: 26-04-05  
DATE: 04-11-04  
DRAWN: FM  
DRAWING  
No.0405 A03aDA



## DEVELOPMENT APPLICATION

DO NOT SCALE THE DRAWING  
NOTE: Figured dimensions take preference to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.

○ Fiona Mitchell Architect  
2 Winslow Street Kirribilli NSW 1581  
Telephone 9529 1413 Fax 9525 9902

## ELEVATIONS

ALTERATIONS AND ADDITIONS  
Project: 49 Telegraph Road Pymble  
Applicant: Mariëna Allan

SCALE: 1:100  
PLOT DATE: 26-03-05  
DATE: 04-11-04  
DRAWN: FM  
DRAWING No. 0405 A05a DA



#### DEVELOPMENT APPLICATION

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○ Fiona Mitchell Architect  
2 Winslow Street Kirribilli NSW 2061  
Telephone 9929 1413 Fax 9925 0002

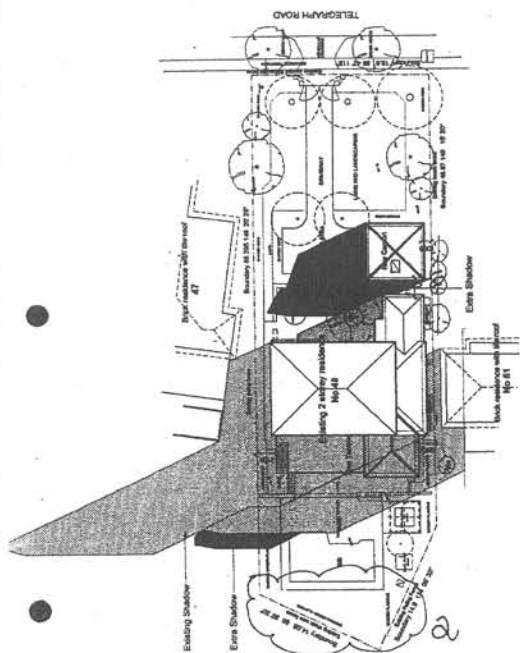
#### ELEVATIONS

ALTERATIONS AND ADDITIONS  
Project: 49 Telegraph Road Pymble  
Applicant: Mariena Allan

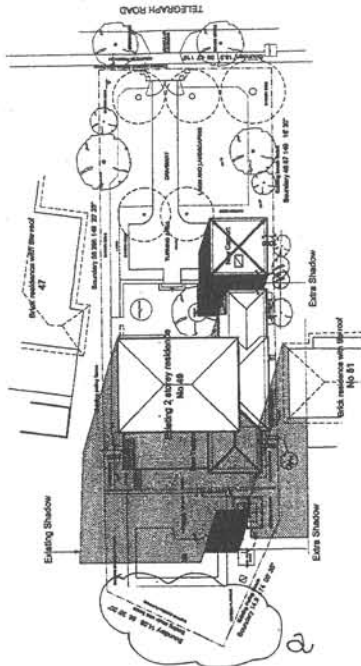
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PLOT DATE: 25-04-05  
DATE: 04-11-04  
DRAWN: FM  
DRAWING No. 0405 A06a DA



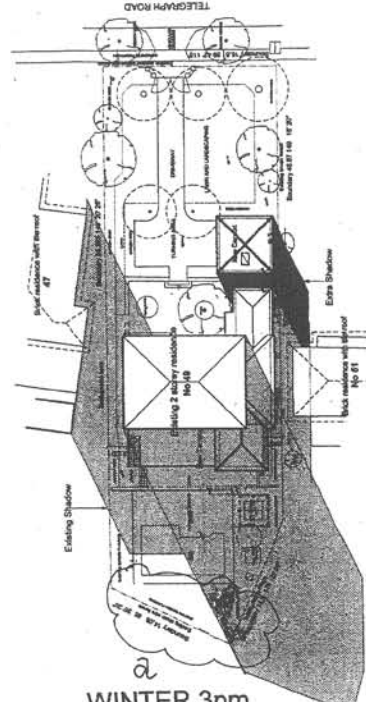




WINTER 9 am



WINTER 12 Noon



WINTER 3pm

*a* Amended April 2005  
Pool Deck deleted

**DEVELOPMENT APPLICATION**  
DO NOT SCALE THE DRAWING  
NOTE: Figured dimensions take preference to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.

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2 Winslow Street Kirribilli NSW 2061  
Telephone 9929 1413 Fax 9925 0002



**SHADOWS**  
**ALTERATIONS AND ADDITIONS**  
Project: 49 Telegraph Road Pymble  
Applicant: Mariena Allan

SCALE: NTS  
PLOT DATE: 26/4/05  
DATE: 04-11-04  
DRAWN: FM DA  
DRAWING No. 0405 A11a

## EXISTING ELEMENTS

### FRONT GARDEN VEGETATION

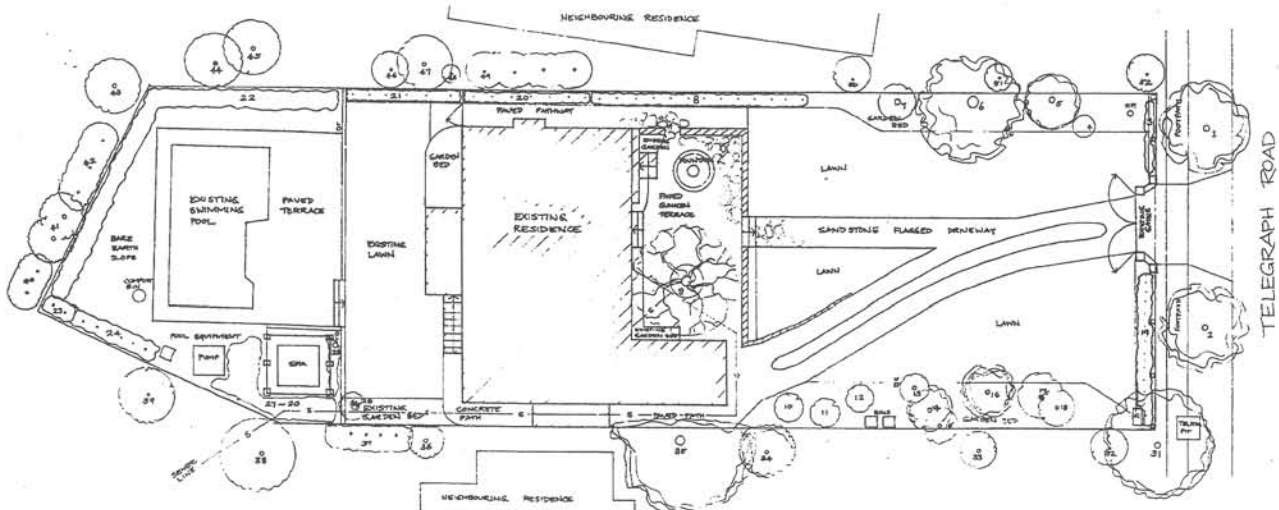
NOTE - HEIGHT & CANOPY WIDTH OF EXISTING VEGETATION IS APPROXIMATE ONLY

Number on Plan	Botanical Name	Common Name	Present Ht. ± 10%	Future Ht. ± 10%	Comment
1 & 2	<i>Lepidosaphale pinnatifida</i>	Leucadendron	5 x 3m	2.4 x 1.2m	Fourpenny Tree
3	<i>Alnus incana</i>	Almond	1 x 1m	2 x 1m	Existing juvenile hedge
4	<i>Smilax reginae</i>	King of Thorns	1.2 x 1.5m	1.2 x 1.5m	Screen to protect adjacent landscape plan
5	<i>Arctostaphylos</i>	White Hebe	5 x 3m	6 x 3m	Hebe hedge - retain
6	<i>Acacia saligna</i>	Black Wattle	2 x 2m	10 x 5m	Hebe hedge tree - retain
7	<i>Styphelia fraseri</i>	Wattle	1.5 x 1m	2.5 x 1.5m	Screen to plant taller screening species
8	<i>Styphelia fraseri</i>	Wattle	2 x 1m	10 x 5m	Hebe hedge - maintain regularly to control size
9	<i>Styphelia fraseri</i>	Wattle	2 x 1m	10 x 5m	Hebe hedge - maintain regularly to control size

Number on Plan	Botanical Name	Common Name	Present Ht. ± 10%	Future Ht. ± 10%	Comment
10, 11, 12	<i>Leucadendron, Indica</i>	Leucadendron	1 x 1m	2 x 1.5m	Screen - shift to new location
13	<i>Camellia japonica</i>	Japanese Camellia	1 x 1m	3 x 1.5m	Screen - shift to new location
14	<i>Acacia saligna</i>	Black Wattle	4 x 3m	4.5 x 3.5m	Screen
15	<i>Leucadendron</i>	Leucadendron	5 x 5m	8 x 5m	Wend species on fence line - retain
16	<i>Camellia japonica</i>	Japanese Camellia	5 x 3m	25 x 15m	2 juvenile trees, species unsuitable for planned drainage - retain
17	<i>Prunella sp.</i>	Ad. Tree	4 x 1.5m	12 x 10m	Unsuitable for planned drainage - remove
18	<i>Prunella sp.</i>	Ad. Tree	2 x 2m	8 x 5m	Wend species - retain
19	<i>Acacia saligna</i>	Black Wattle	1 x 1m	2 x 1m	Existing juvenile hedge

### REAR GARDEN

Number on Plan	Botanical Name	Common Name	Present Ht. ± 10%	Future Ht. ± 10%	Comment
20, 21	<i>Camellia japonica</i>	Japanese Camellia	1.5 x 1m	4 x 2m	2 juvenile hedge - maintain regularly to control size
22	<i>Styphelia fraseri</i>	Wattle	1 x 1m	2.5 x 1m	2 juvenile hedge - maintain regularly to control size
23, 24	<i>Styphelia fraseri</i>	Wattle	1.5 x 1m	8 x 5m	Screen - shift to new location
25	<i>Styphelia fraseri</i>	Wattle	1.5 x 1m	8 x 5m	Screen - shift to new location
26	<i>Styphelia fraseri</i>	Wattle	1.5 x 1m	8 x 5m	Screen - shift to new location
27	<i>Styphelia fraseri</i>	Wattle	1.5 x 1m	8 x 5m	Screen - shift to new location
28	<i>Styphelia fraseri</i>	Wattle	1.5 x 1m	8 x 5m	Screen - shift to new location
29	<i>Styphelia fraseri</i>	Wattle	1.5 x 1m	8 x 5m	Screen - shift to new location
30	<i>Styphelia fraseri</i>	Wattle	1.5 x 1m	8 x 5m	Screen - shift to new location



### BOUNDARY PLANTING IN NEIGHBOURING GARDENS

NOTE - LOCATION OF ALL PLANTS IN NEIGHBOURING GARDENS IS APPROXIMATE ONLY

Number on Plan	Botanical Name	Common Name	Present Ht. ± 10%	Future Ht. ± 10%	Comment
31	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
32	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
33	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
34	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
35	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
36	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
37	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
38	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
39	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
40	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree

Number on Plan	Botanical Name	Common Name	Present Ht. ± 10%	Future Ht. ± 10%	Comment
41	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
42	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
43	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
44	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
45	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
46	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
47	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
48	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
49	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree
50	<i>Prunella sp.</i>	Ad. Tree	7 x 1m	12 x 1.5m	Native deciduous tree

RELE MOTT GARDEN DESIGN  
LANDSCAPE ARCHITECT & HORTICULTURAL CONSULTANT

1100 Westfield Road, Warragul VIC 3920  
Tel: 03 9401 1100  
E: rele@mottgarden.com.au

PROJECT: ALLAN RESIDENCE  
4-9 TELEGRAPH ROAD  
PYMBLE NSW

CLIENT: MARK ALLAN

DRAWING: EXISTING ELEMENTS

NUMBER: 1100  
SCALE: 1:100

NOTES: LOCATIONS OF ENVIRONMENTAL ELEMENTS & DIMENSIONS  
INDICATED BY DIMENSION LINES & DIMENSION VALUES

# REDUCED FROM A1



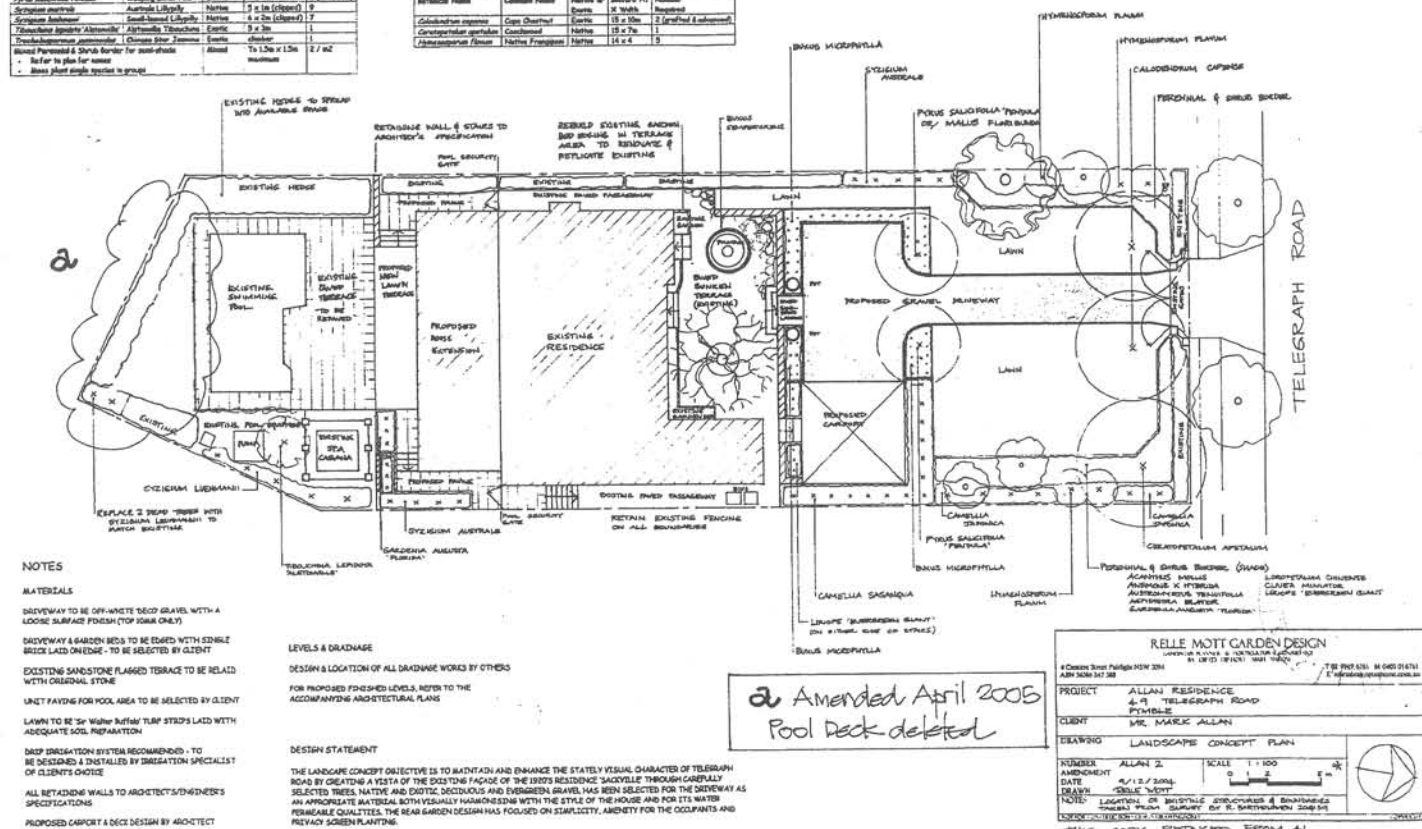
[illegible]

Botanical Name	Common Name	Height at Exotic	Before 10 x Width
<i>Baccharis arborescens</i>	Laurel Myrtle	Native	10 x 6m
<i>Acacia capricorn</i>	White Palm	Exotic	6 x 3m
<i>Quercus subterminalis</i>	Pine Oak	Exotic	25 x 15
<i>Quercus subterminalis</i>	Quercus subterminalis	Exotic	8 x 4 m

Botanical Name	Common Name	Native or Exotic	Flower Ht X Width	Number Required
<i>Calceolarius caryocarpus</i>	Cape Overbush	Exotic	15 x 10m	2 (grafted & submersed)
<i>Conocarpus erectus</i>	Conchifolius	Native	15 x 7m	1
<i>Conocarpus erectus</i>	Conchifolius	Native	15 x 7m	1

EXISTING TREES TO BE RETAINED

PROPOSED PLANTING



**SUPPORTING NOTES**

1. This plan is a detail survey of the land shown on the plan of the site, and is not to be used for any other purpose.

2. The plan is based on the survey of the site, and is not to be used for any other purpose.

3. The plan is based on the survey of the site, and is not to be used for any other purpose.

4. The plan is based on the survey of the site, and is not to be used for any other purpose.

5. The plan is based on the survey of the site, and is not to be used for any other purpose.

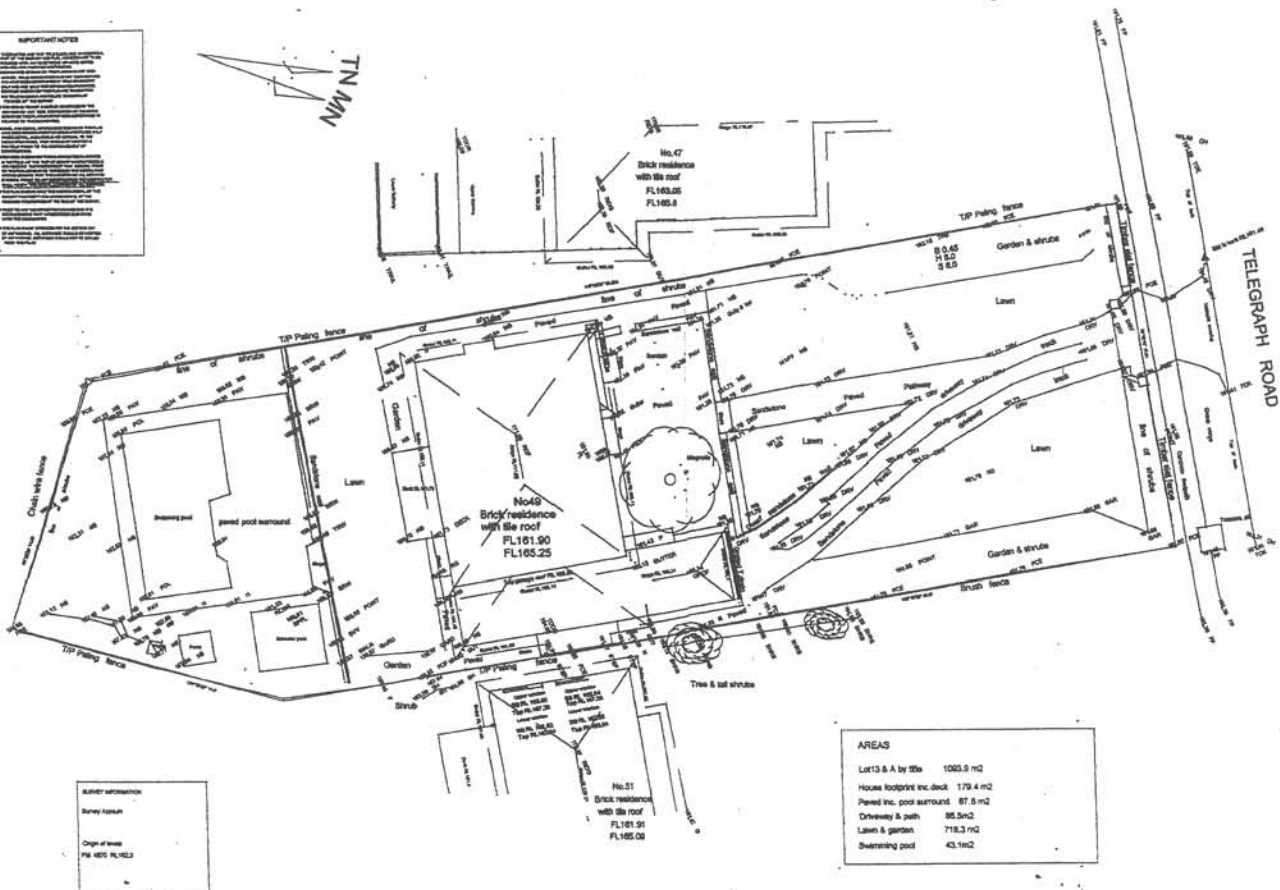
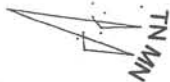
6. The plan is based on the survey of the site, and is not to be used for any other purpose.

7. The plan is based on the survey of the site, and is not to be used for any other purpose.

8. The plan is based on the survey of the site, and is not to be used for any other purpose.

9. The plan is based on the survey of the site, and is not to be used for any other purpose.

10. The plan is based on the survey of the site, and is not to be used for any other purpose.



**SURVEY INFORMATION**

Survey station

Origin of lines

PG 4000 PL 1000

**AREAS**

Lot 13 & A by site	1000.0 m <sup>2</sup>
House footprint inc deck	179.4 m <sup>2</sup>
Pool inc pool surround	87.8 m <sup>2</sup>
Driveway & path	85.5 m <sup>2</sup>
Lawn & garden	718.3 m <sup>2</sup>
Swimming pool	43.1 m <sup>2</sup>

**SCALE**

1:200

<p>Surveyor</p> <p>1000.0 m<sup>2</sup></p> <p>PG 4000 PL 1000</p>	<p>1:200</p> <p>PG 4000 PL 1000</p>	<p>Rick Bartholomew</p> <p>Consulting</p> <p>Engineering Surveyor &amp; Environmental Land Manager</p> <p>17 BROADBENT ROAD</p> <p>PYMBLE NSW 2109</p> <p>PG 4000 PL 1000</p>	<p>Mr &amp; Mrs. ALLAN</p> <p>49 TELEGRAPH ROAD</p> <p>PYMBLE NSW</p>	<p>DETAIL SURVEY</p> <p>of</p> <p>49 TELEGRAPH ROAD</p> <p>BEING LOT 13 DP8522 AND LOT A DP337947</p> <p>PYMBLE NSW</p>	<p>254.38</p>
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## **SITE INSPECTION ON 6 AUGUST 2005**

### **49 Telegraph Road, Pymble**

**Chairperson:** Cr Ryan (Mayor)

**In Attendance:** Crs Ryan (Mayor), Bennett, Andrew, Malicki, Cross and Lane

**Apologies:** Cirs Hall, Innes, Shelley and Ebbeck

Meeting commenced: 9:00am

The following matters were raised at Saturday's site inspection:

#### **1. Vegetation**

- 1) *Staff to consider an alternative landscape treatment to Camellia Sasanquas to provide additional screening and greater privacy.*

#### **2. Heritage**

- 1) *Staff to outline the plans upon which the Heritage Impact Statement is based and confirm if any new documentation has been submitted as part of this application to address the heritage impact on the adjoining dwelling at No. 51 Telegraph Road, Pymble.*
- 2) *Staff to confirm that the Heritage Impact Statement has been undertaken by a recognised heritage consultant.*

#### **3. Height of Carport**

- 1) *It was requested that staff investigate the possibility of reducing the height of the carport.*

#### **4. Recycling of Existing Sandstone**

- 1) *Staff to consider inclusion of a condition to ensure that the existing sandstone driveway is recycled and to confirm that if the sandstone is reused as part of a new driveway, will the site cover comply?*

#### **5. Accuracy of Information**

- 1) *Staff to check the setback of the existing buildings on the subject site and adjoining property at No. 51 Telegraph Road, and provide confirmation of their accuracy with respect to the plans and information submitted to Council as part of Development Application No. 642/05.*
- 2) *Staff to confirm that all areas including the garage and deck area at the rear have been taken into account as part of the development assessment calculations.*

Meeting concluded at 9:50am

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	2 CYNTHIA STREET, PYMBLE - ALTERATIONS AND ADDITIONS TO EXISTING DWELLING, NEW POOL, CABANA AND FRONT FENCE.
<b>WARD:</b>	Comenarra
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	528/04A
<b>SUBJECT LAND:</b>	2 Cynthia Street, Pymble
<b>APPLICANT:</b>	Loraine Unicomb
<b>OWNER:</b>	Loraine and Geoffrey Unicomb
<b>DESIGNER:</b>	Design Confidential
<b>PRESENT USE:</b>	Residential
<b>ZONING:</b>	Residential 2C
<b>HERITAGE:</b>	No
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	KPSO, DCP 40, DCP 47
<b>COMPLIANCE WITH CODES/POLICIES:</b>	Yes
<b>GOVERNMENT POLICIES APPLICABLE:</b>	N/A
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	N/A
<b>DATE LODGED:</b>	10 March 2005
<b>40 DAY PERIOD EXPIRED:</b>	19 April 2005
<b>PROPOSAL:</b>	Alterations and additions to existing dwelling, new pool, cabana and front fence.
<b>RECOMMENDATION:</b>	Refusal.

<b>DEVELOPMENT APPLICATION N<sup>o</sup></b>	<b>528/04A</b>
<b>PREMISES:</b>	<b>2 CYNTHIA STREET, PYMBLE</b>
<b>PROPOSAL:</b>	<b>ALTERATIONS AND ADDITIONS TO EXISTING DWELLING, NEW POOL, CABANA AND FRONT FENCE.</b>
<b>APPLICANT:</b>	<b>LORAINÉ UNICOMB</b>
<b>OWNER:</b>	<b>LORAINÉ AND GEOFFREY UNICOMB</b>
<b>DESIGNER</b>	<b>DESIGN CONFIDENTIAL</b>

### **PURPOSE FOR REPORT**

To determine Section 82A Review of Development application No. DA528/04A, for alterations and additions to existing dwelling, new pool, cabana and front fence.

### **EXECUTIVE SUMMARY**

**Issues:** Streetscape (front fence not in keeping with streetscape & garage forward of the building line).  
Tree protection/retention.

**Submissions:** No submissions.

**Land and Environment Court  
Appeal:** No appeal lodged.

**Recommendation:** Refusal

### **HISTORY**

The site is used for residential purposes. Development application DA 528/04A for additions and alterations, new pool, cabana and front wall was refused by Council at its meeting of 1 February 2005. A Section 82A review to DA 528/04A was lodged with Council on 10 March 2005.

### **COUNCIL'S STATUTORY RESPONSIBILITIES UNDER S82A**

Under Section 82A of the Environmental Planning and Assessment Act 1979, an applicant may request Council to review a determination of a development application, other than for:

- (a) designated development,
- (b) integrated development; or
- (c) state significant development

The request for review must be made within 12 months after the date of determination and the review must occur in the following way:

Item 10

- (a) If the determination was made by a delegate of Council – the review must be undertaken by Council or another delegate of Council that is not subordinate to the delegate who made the determination, or
- (b) If the determination was made by full Council the review must also be undertaken by full Council.

Upon making a determination of the review application, the following must be undertaken:

- If upon review, Council grants development consent, or varies the conditions of a development consent, it must endorse on the notice of determination the date from which the consent, or the consent as varied by the review, operates.
- If upon review, Council changes a determination in any way, the changed determination replaces the earlier determination as from the date of the review.

Council's decision on a review may not be further reviewed under section 82A.

## THE SITE

Zoning:	Residential 2C
Visual Character Study Category:	1945-68
Lot Number:	48
DP Number:	12951
Area:	1008.60m <sup>2</sup>
Side of Street:	North eastern
Cross Fall:	From north-east to south-west
Stormwater Drainage:	Existing
Heritage Affected:	No
Required Setback:	11 metres
Integrated Development:	No
Bush Fire Prone Land:	No
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	No

## SITE DESCRIPTION

The site is generally level, with a cross fall from north-east to south-west. The site has an area of 1008.6 m<sup>2</sup>, with a frontage of 20.115 metres and a depth of 50.29 metres. The site contains several trees, three of which are to be removed to accommodate the proposed development.

Improvements to the site include a single storey rendered residence, with a tile roof. A patio is located to the front of the dwelling and a verandah is located to the rear. The existing dwelling has a front setback of approximately 18 metres. The existing garage is located to the rear of the property and is accessed via a concrete driveway, adjacent to the eastern boundary. The site has a picket front fence, with a height of 1.2 metres.

### Surrounding development

The surrounding area is described in the Ku-ring-gai Visual Character Study as being characterised by single dwellings on single lots, with construction being within the period 1945-68. A mix of architectural styles and periods are evident within the wider streetscape. Surrounding dwellings are single and two storey and located on varying lot sizes with varying degrees of landscaping.

The building line setback along both sides of Cynthia Street is varied. The building setbacks range from approximately 4 metres to 20 metres.

The positioning of garages and carports in Cynthia Street varies from 6 metres to approximately 25 metres from the street frontage. The majority of the garages and carports are integrated into the dwellings, apart from approximately eight sites, where the garages or carports are isolated from the dwelling. The majority of these predate DCP 38.

The streetscape consistently presents fencing of low hob walls and shrubs, with many properties having no front fence. The site directly adjacent to the subject site on the western boundary has a picket fence with a height of 1.2 metres and the property to the east has a palisade fence with a height of approximately 1.3 metres.

### THE PROPOSAL

The proposal is for additions and alterations to the existing single storey dwelling, including a first floor addition, removal of hard landscaping, construction of a new garage forward of the dwelling, conversion of use of existing garage to a cabana (no building works proposed), swimming pool and front fence. The first floor addition is orientated towards the north-eastern (front) portion of the site.

Details of the proposed development are as follows:

#### *Ground floor*

- Double garage
- Front entry porch
- Swimming pool at rear of site.
- Deck attached to extended family room and swimming pool.
- Relocated French doors from lounge to dining room. Window to replace entry frame in lounge.
- The existing freestanding garage is to be used as a cabana (no structural change).

#### *First Floor*

- Rumpus room.
- Bed 4 and bed 5.
- Bathroom.

#### *Fencing*

Item 10

A front wall is proposed to replace the existing 1.2 metres high picket fence. The proposed wall will be 1.63m high, with 1.7 metres high, rendered brick, piers and 900mm high metal infill panels. No other boundary fencing is proposed.

**SUBSTANTIALLY THE SAME DEVELOPMENT**

No amendments to the plans submitted under Development Application No. 528/04A for additions and alterations, new pool, cabana and front wall have been made. The plans submitted are considered to be substantially the same development.

**CONSULTATION - COMMUNITY**

In accordance with Council's Notification Policy, adjoining owners were given notice of the application.

No submissions have been received.

**CONSULTATION - WITHIN COUNCIL**

**Landscaping**

Council's Landscape and Tree Assessment Officer has commented on the proposal as follows:

*"The proposed rear extension would appear to be within 3.0m of an existing Angophora costata to the rear western side boundary. I suggest reconfiguring or deleting the "work station area so that the building is a minimum of 4.0m from this tree.*

*Provided this is done, the conditions I have provided can be applied.*

***Other comments***

*The proposed garage will result in the removal of a mature healthy Chamaecyparis sp. (Cypress), approximately 11m high and a Jacaranda 10m high with a severe trunk inclusion and of fair form.*

*As the front yard is quite heavily treed neither of these trees are particularly visible from the street and therefore I do not object to their removal."*

Should approval be granted, in order to protect the existing Angophora costata on the rear western boundary, the work station area must be deleted, thereby maintaining the building an approximate distance of 4 metres from the tree.

**Engineering**

Council's Engineering Assessment Officer has commented on the proposal as follows:

## Item 10

*“The proposed development is for alterations and additions to 2 Cynthia Street Pymble. The site drains to the rear. The additions comprise the construction of a new second storey addition, cabana, swimming pool, double garage and timber deck. There will be a decrease in the built upon area on this site of 50m<sup>2</sup>.*

*A perusal of the submitted drawings reveals the following concerns:*

*The proposed driveway opening does not comply with AS/NZS 2890.1 (2004) - "Off-street car parking". The opening should be increased to a minimum 3.0m.”*

Should approval be granted, this matter can be addressed through conditions of consent.

## PROVISIONS OF RELEVANT LEGISLATION

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

The provisions of SEPP 55 require Council to consider the potential for a site to be contaminated. The subject site has a history of residential use and as such, it is unlikely to contain any contamination and further investigation is not warranted in this case.

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

<b>COMPLIANCE TABLE</b>		
<b>Development Standard</b>	<b>Proposals Numeric Compliance</b>	<b>Complies</b>
<b>Site Area:</b> 1008.60m <sup>2</sup>		
<b>Minimum size allotments</b>		
• Site area: 929m <sup>2</sup> (min)	1008.60m <sup>2</sup>	<b>YES</b>
• Site width: 18m (min)	20.115m	<b>YES</b>
<b>Building height</b> 7m (max)	6.7m	<b>YES</b>
<b>Built upon area</b> 60% (max)	43.80%	<b>YES</b>

### Aims and objectives for residential zones:

The development is unsatisfactory having regard to the following aims and objectives for residential development as outlined by Clause 1(a) and 2(e) of Schedule 9:

- (i) Is of a design which is not characteristic of the area where the proposed double garage protrudes significantly forward of the front façade of the dwelling and results in an unsatisfactory streetscape impact. The introduction of a utilitarian structure forward of the house will not only compete with the house as a dominant element within the streetscape but will also reduce the dwelling's landscaped garden setting, typical of streets within Ku-ring-gai.

## POLICY PROVISIONS

### Development Control Plan No. 38 - Ku-ring-gai Residential Design Manual



## Item 10

COMPLIANCE TABLE		
Development Control	Proposals Numeric Compliance	Complies
<b>5.1 Streetscape:</b>		
<b>Building setbacks (s.5.1.3)</b>		
<ul style="list-style-type: none"> <li>Front setback: 14m (Ave) -75% front elevation 12m (min) – 25% front elevation</li> <li>Side setback: Ground floor: 2.4m(min) 1<sup>st</sup> floor: 3m (min)</li> <li>Rear setback: 12m(min)</li> </ul>	116.8m to 18.8m – 69.11% front elevation 11.870m – 30.89% front elevation  1.5m 3.1m 15.6m	<b>YES</b> <b>NO</b>  <b>NO</b> <b>YES</b> <b>YES</b>
<b>Front fences (s.5.1.5)</b>		
<ul style="list-style-type: none"> <li>Height: 1.2m(max)</li> </ul>	1.630m	<b>NO</b>
<b>5.2 Building Form:</b>		
<b>FSR (s.5.2.1) 0.37:1 (max)</b>	0.28:1	<b>YES</b>
<b>Height of building (s.5.2.2)</b>		
<ul style="list-style-type: none"> <li>2 storey (max) and 7m (site &lt;20° slope)</li> </ul>	2 storey & 6.7m (first floor to ground line)	<b>YES</b> <b>YES</b>
<b>Building height plane (s.5.2.3)</b>		
45° from horizontal at any point 3m above boundary	0.6m (first floor north side gable end to rumpus room)	<b>NO</b>
<b>First floor (s.5.2.4)</b>		
<ul style="list-style-type: none"> <li>FSR: &lt; 40% total FSR</li> </ul>	24.7%	<b>YES</b>
<b>Roof Line (s.5.2.6)</b>		
<ul style="list-style-type: none"> <li>Roof height (3m – two<sup>+</sup> storey)</li> <li>Roof pitch 35° (max)</li> </ul>	2.1m 29°	<b>YES</b> <b>YES</b>
<b>Built-upon area (s.5.2.7)</b>		
52% ( 524.47m <sup>2</sup> ) (max)	43.80% (441.83m <sup>2</sup> ) BUA reduced	<b>YES</b>
<b>Unrelieved wall length (s.5.2.8)</b>		
8m (min)	5.6m	<b>YES</b>
<b>Solar access (5.2.11)</b>		
4h solar access to adjoining properties between 9am to 3pm	3 hours to the rear yard of 9 Yarrara Road.	<b>YES</b>
<b>Cut &amp; fill (s.5.2.15)</b>		
<ul style="list-style-type: none"> <li>Max cut 900mm</li> <li>max cut &amp; fill across building area of 1800mm and 900mm</li> <li>no cut or fill within side setbacks</li> </ul>	300mm 570mm 200mm approximate cut batter adjacent to garage	<b>YES</b> <b>YES</b> <b>NO</b>
<b>5.3 Open space &amp; landscaping:</b>		
<b>Soft landscaping area (5.3.3)</b>		
48% (484.13m <sup>2</sup> ) (min)	56.2% (566.77m <sup>2</sup> )	<b>YES</b>
<b>Tree replenishment (s.5.3.6)</b>		
7 Trees required	8 trees provided	<b>YES</b>
<b>5.5 Access &amp; parking:</b>		
<b>No. of car parking spaces (s.5.5.1)</b>		
2 spaces behind building line	2 spaces forward of building line	<b>NO</b>

## Item 10

<b>Size of car parking space (s.5.5.2)</b> 3.1m x 5.4m	6.7m x 6.230m	<b>YES</b>
<b>Driveway width (s.5.5.6)</b> 3m min	2.5m	<b>NO</b>
<b>5.7 Ancillary facilities:</b>		
<b>Swimming pools (s.5.7.1)</b>		
• Setback from boundary: 2m	2m	<b>YES</b>
• Pool coping <500mm above ground level	200mm	<b>YES</b>
• Pool excavation not below the canopy of trees		<b>YES</b>

**Streetscape****a. Building setbacks**

The application proposes a front setback of 11.87m to the garage, a non-compliance of 130 mm with DCP 38. However, the objectives of DCP 38 in particular clauses 5.5.3 and 5.5.4, are to design carport and garage structures that are sympathetic to the existing building, existing streetscape character and not to dominate the site or streetscape. Garages must not be located forward of the established building line. Where it is not possible to provide parking behind the building line, only open sided carports will be considered in locations forward of the established building line.

The proposed garage located forward of the existing building is inconsistent with the existing streetscape character relating to car parking structures. Most car parking structures are at or behind the primary facades of the houses upon their sites. There is opportunity for the applicant to integrate the garage within the existing ground floor construction.

The non-compliance to the side setback of the garage from the south-eastern boundary is acceptable due to screen planting being provided. This is a minor non-compliance over a short distance (5.5 metres).

**b. Fencing**

The Visual Character Study distinguishes lots within the 1945-1968 era by an absence of front fences except in noisy or busy streets but often with low herbaceous borders and original accommodation for one or two cars within or attached to the main structure of the residence. The Visual Character Study discourages front fences, overshadowing of neighbours established gardens and car accommodation for more than one car visible from the street.

The adjoining corner property at 9 Yarrara Road has fencing similar to the proposed however, it is consistent with the Visual Character Study in that it has frontage to a busier street. The fencing type proposed is inconsistent with Cynthia Street and is not encouraged.

The proposed front fence is not supported as it is not consistent with the streetscape of Cynthia Street. The fence does not comply with the requirements of the DCP 38 Section 5.1.5 *Front Fences*. The proposed front fence has no regard for the existing streetscape character and is not consistent with the established pattern of fences, which are either considerably lower or non-existent.

The pool fencing should be re-designed to comply with the Swimming Pool Act 1992.

### **Building form**

#### ***a. Height of building***

There is an encroachment to the building height plane on the first floor of the north-east elevation by 0.6m. This is a minor non-compliance and has little implication on the shadow already cast over the rear yard of 9 Yarrara Road.

### **Open space and landscaping**

Council's Landscape Officer advises that, to protect the existing *Angophora costata* on the rear western boundary, the work station area should be deleted, thereby maintaining the building at a minimum of 4 metres from the tree.

### **Access and parking**

#### ***a. Car parking forward of the building line***

The application proposes a front setback of 11.87m to the garage, a non-compliance of 130 mm with DCP 38. However, the objectives of DCP 38, in particular clauses 5.5.3 and 5.5.4, are to design carport and garage structures that are sympathetic to the existing building, existing streetscape character, and that do not dominate the site or streetscape. Garages must not be located forward of the established building line. Where it is not possible to provide parking behind the building line, only open sided carports will be considered in locations forward of the established building line.

The proposed garage forward of the existing building is inconsistent with the existing streetscape character relating to car parking structures. Most car parking structures are at or behind the building line of the dwelling located upon their site. There is opportunity for the applicant to integrate the garage within the existing ground floor construction.

The non-compliance to the side setback of the garage from the south-eastern boundary is acceptable due to screen planting being provided. This is a minor non-compliance over a short distance (5.5 metres).

The garage provides accommodation for two cars in accordance with the requirements of the DCP.

The proposed driveway width does not comply with AS/NZS 2890.1 (2004) - "Off-street car parking". The crossing should be increased to a minimum of 3 metres in width at the front boundary.

### **LIKELY IMPACTS**

Item 10

The proposal is unlikely to 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 proposal will have a streetscape impact. The proposed garage located forward of the existing building is inconsistent with the existing streetscape character relating to car parking structures, where car parking structures are at or behind the primary facades of the houses upon their sites.

### **SUITABILITY OF THE SITE**

The site is not subject to subsidence, slip, flood or bushfire. The site is suitable for the proposed development.

### **ANY SUBMISSIONS**

No submissions were received as part of the s82A review notification.

### **CONCLUSION**

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

### **RECOMMENDATION**

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

### **REFUSAL –**

THAT Council, as the consent authority, confirm it's decision to refuse development consent to Development Application No. 528/04A for alterations and additions to the existing dwelling, new pool and cabana on land at 2 Cynthia Street, Pymble, as shown on plans 01 – 07, dated February 2004, and prepared by Design Confidential for the following reasons:

#### **Streetscape**

1. The location of the double garage forward of the established building line results in an adverse streetscape impact.

#### **Particulars**

- (i) The proposed garage fails to comply with clause 5.5.2 of DCP 38 in that it provides car parking forward of the building line where it is possible to provide parking behind the building line.

Item 10

- (ii) The proposed garage fails to comply with clause 5.5.3 of DCP 38 in that the design of carport and garage structures should be sympathetic to existing development on-site and consider adjacent buildings. Further, carport and garage structures should not dominate the site or the streetscape.
- (iv) The proposed driveway opening does not comply with AS/NZS 2890.1 (2004) - "Off-street car parking".
- (v) The proposed front fence does not conform to the streetscape as it is too high and does not comply with the requirements of DCP 38, Section 5.1.5 *Front Fences*. The proposed front fence is not consistent with the established pattern of fences, which are considerably lower or non-existent.

**Impact to tree**

- 2. The proximity of the work station to the *Angophora costata* allows for removal under Council's Tree Preservation Order, and will impact on the health of the tree.

Particulars

- (iii) The proposed work station area is within 3.0m of an existing *Angophora costata* to the rear western boundary. The work station area should be reconfigured or deleted, so that the building is a minimum of 4 metres from the *Angophora costata*.

Scott Cox  
**Team Leader**  
**Development Assessment –**  
**Team Central**

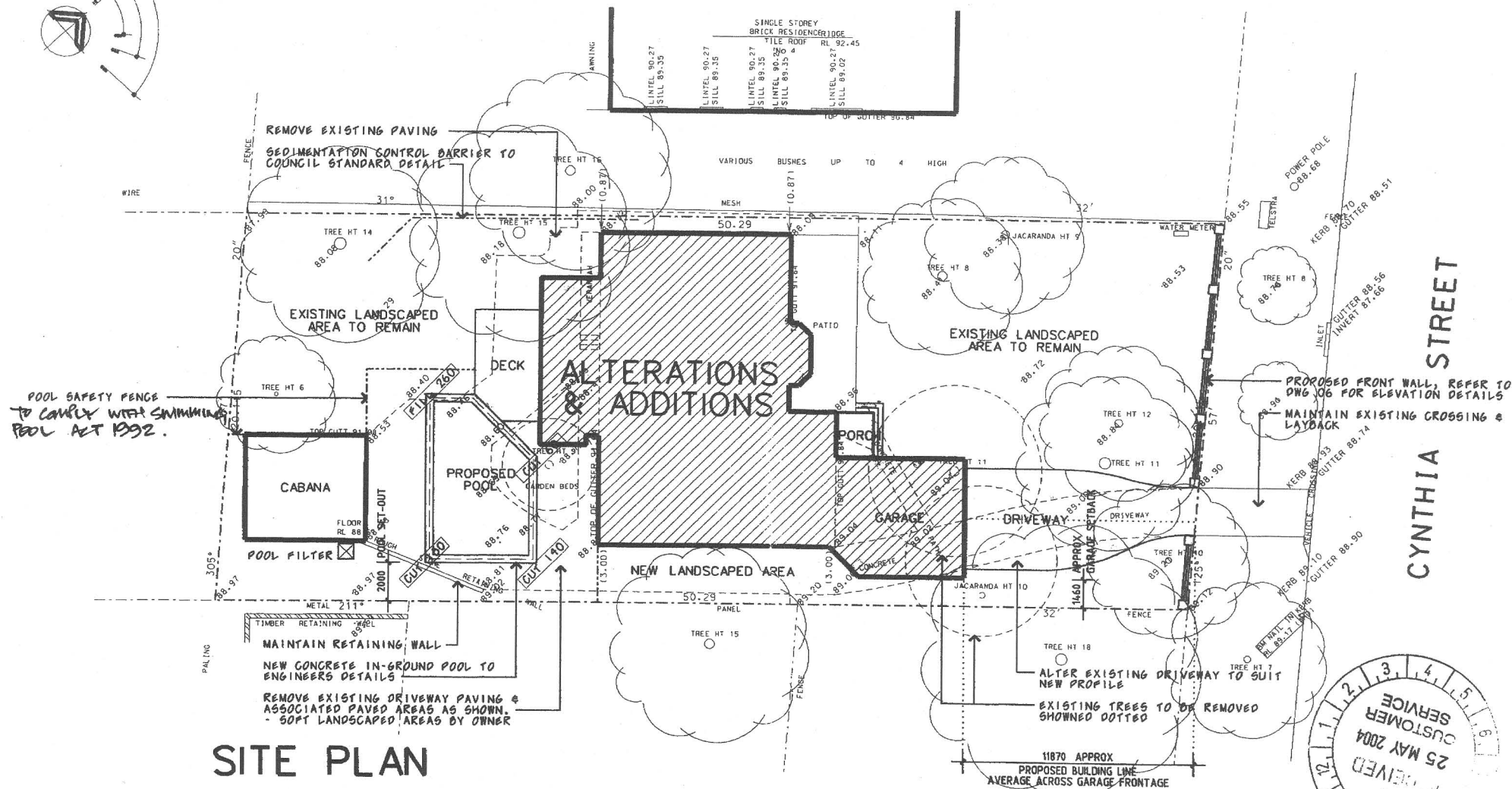
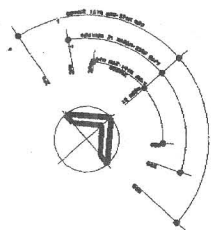
Matthew Prendergast  
**Manager**  
**Development Assessment**  
**Services**

Michael Miocic  
**Director**  
**Development & Regulation**

**Attachments:**

- Location Sketch - 522631**
- Site Plan - 522631**
- Elevations - 522631**
- Shadow Diagrams - 522631**
- Site Analysis Plan - 522631**
- Survey Plan - 522631**
- Floor Plans - Confidential**





## SITE PLAN

### BUILT UPON AREA CALCULATION

EXISTING BUILT UPON AREA	493.02 M/SQ
SITE AREA	1008.60 M/SQ
EXISTING B.U.A.	48.88%
PROPOSED BUILT UPON AREA	441.83 M/SQ
SITE AREA	1008.60 M/SQ
PROPOSED B.U.A.	43.80%

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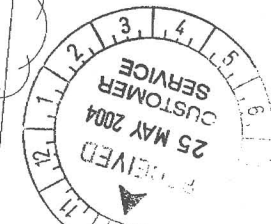
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Phone 02 9440 4045 Fax 02 9440 4043  
www.confidential.com.au

ISSUED FOR DEVELOPMENT APPLICATION 20.05.2004

CLIENT: MR & MRS UNICOMB	DRAWING NAME: SITE PLAN
ADDRESS: LOT 48 IN DP 12951 2 CYNTHIA STREET PYMBLE	DATE: FEB 2004
	SCALE: 1:200
	JOB NO. THREE SEVEN SEVEN
	DWG NO. 01



SURVEY PROVIDED BY  
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EMAIL: info@juneke.com.au  
REFERENCE 21658

# UNICOMB RESIDENCE



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CLIENT:  
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ADDRESS:  
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2 CYNTHIA STREET  
PYMBLE

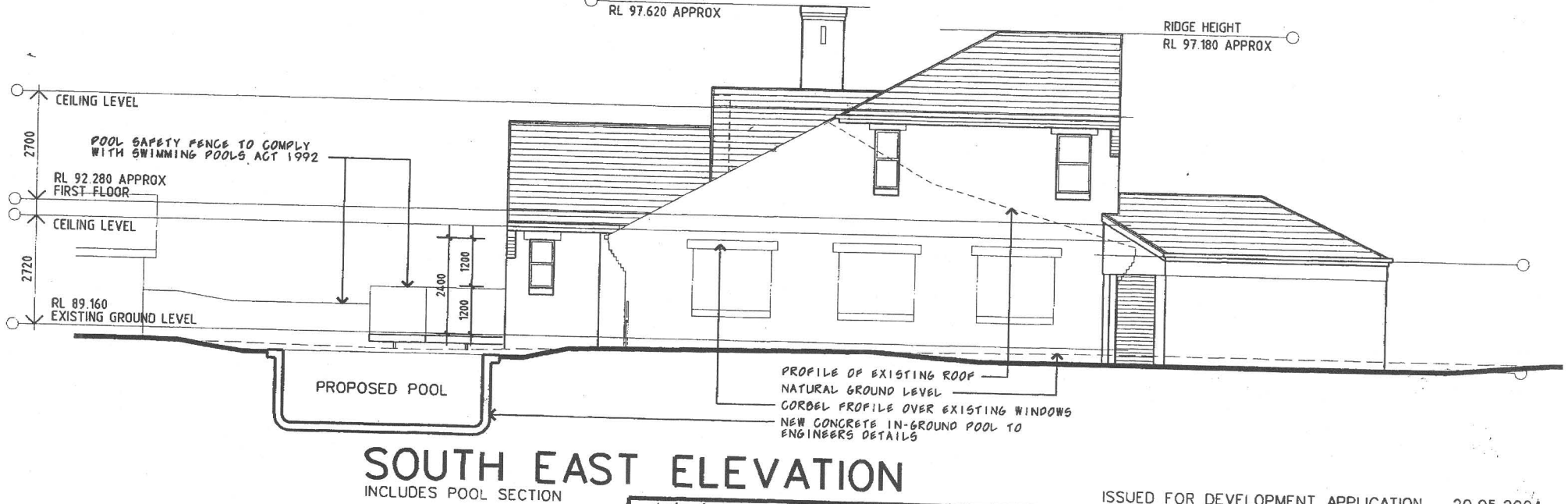
DRAWING NAME:  
ELEVATIONS

DATE: FEB 2004 SCALE: 1:100

JOB No. THREE SEVEN SEVEN DWG No. 04



# UNICOMB RESIDENCE



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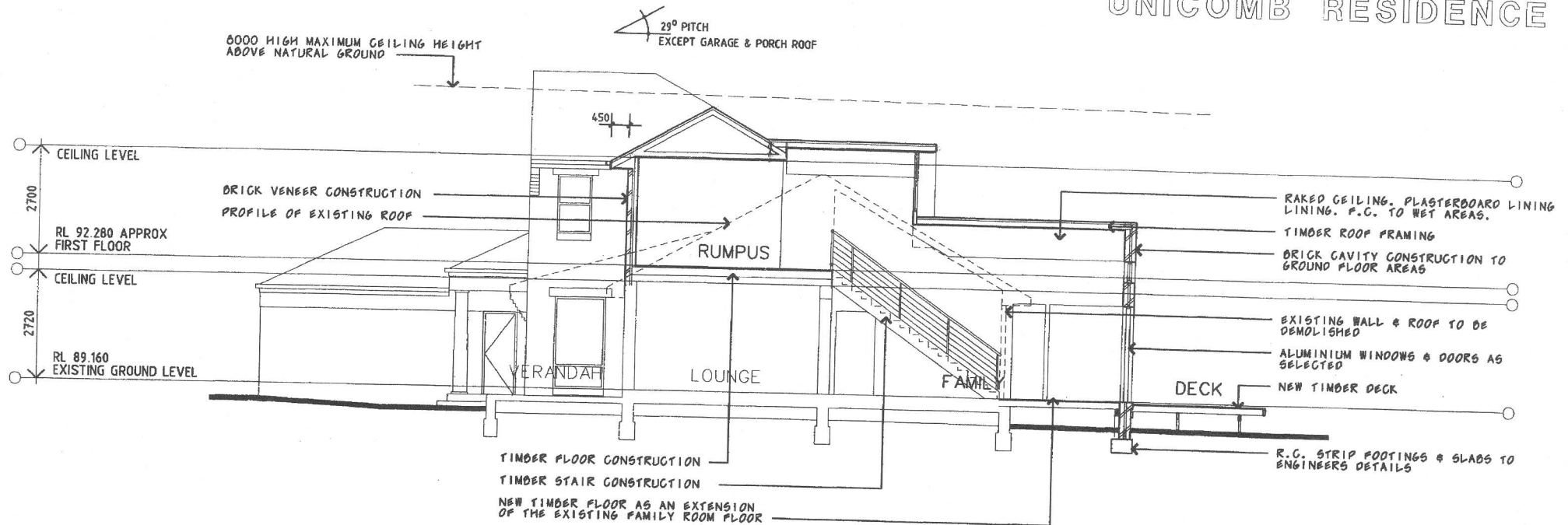
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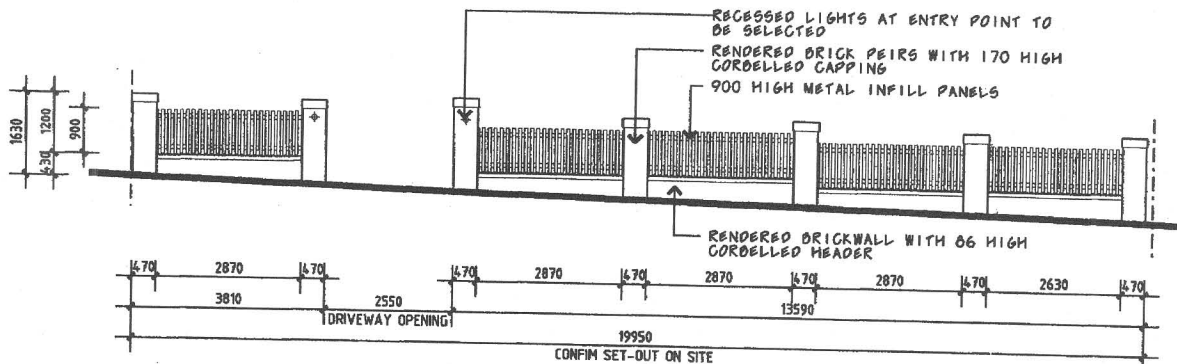
ISSUED FOR DEVELOPMENT APPLICATION 20.05.2004

CLIENT: MR & MRS UNICOMB	DRAWING NAME: ELEVATIONS
ADDRESS: LOT 48 IN DP 12951 2 CYNTHIA STREET PYMBLE	DATE: FEB 2004
	SCALE: 1:100
	JOB No. THREE SEVEN SEVEN
	DWG No. 05

# UNICOMB RESIDENCE



## SECTION 01



## FRONT WALL ELEVATION

### INSULATION NOTES

ALL ROOF AREAS & RAKED CEILING AREAS  
- R2.5 BULK INSULATION & REFLECTIVE FOIL LAMINATE.  
- INCLUDES GARAGE ROOF.

NEW CEILING AREAS UNDER ROOF SPACE  
- R2.5 BULK INSULATION OR SIMILAR.

FIRST FLOOR EXTERNAL BRICK VENEER WALLS  
- PROVIDE BULK INSULATION TO STUD FRAME.  
R1.5 BULK INSULATION & REFLECTIVE FOIL LAMINATE.  
PROVIDE 25MM AIR GAP BETWEEN INWARD FACE OF FRAME  
& INSULATION BATT. USE FISHING LINE STAPLED TO  
STUDS/FRAME TO MAINTAIN 25MM AIR GAP.

WEATHER SHIELDS TO EXTERNAL DOORS  
DRAFT SEALS TO ALL WINDOWS & SLIDING  
DOOR UNITS

### IMPORTANT CONSTRUCTION NOTE

ALL TIMBERS USED IN THE PROJECT ARE TO BE CERTIFIED BY THE BUILDER  
AND/OR SUPPLIER AS HAVING BEEN SOURCED FROM PLANTATION GROWN OR  
RENEWABLY HARVESTED SOURCES. FAILURE TO DO SO MAY RESULT IN DELAY OR  
REFUSAL OF PROGRESS CLAIMS. GENERALLY, THESE ARE: RADATA PINE,  
CYPRESS PINE, NEW ZEALAND DOUGLAS FIR, PLANTATION GROWN AUSTRALIAN  
HARDWOODS. NO SOUTH EAST ASIAN RAINFOREST TIMBERS (E.G. PACIFIC MAPLE,  
OR OTHER THREATENED SPECIES ARE TO BE USED.

THE BUILDER IS TO REFER ANY PROBLEMS EXPERIENCED IN OBTAINING  
SUSTAINABLY SOURCED TIMBER SUPPLIES TO DESIGN CONFIDENTIAL FOR  
DECISION PRIOR TO ORDERING.

ISSUED FOR DEVELOPMENT APPLICATION 20.05.2004

design & documentation

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Phone 02 9440 4045 Fax 02 9440 4043  
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CLIENT:  
MR & MRS UNICOMB

ADDRESS:  
LOT 48 IN DP 12951  
2 CYNTHIA STREET  
PYMBLE

DRAWING NAME:  
SECTION & FRONT WALL

DATE:  
FEB 2004

SCALE:  
1:100

JOB No.  
THREE SEVEN SEVEN

DWG No.  
06

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SINGLE STOREY  
BRICK RESIDENCE RIDGE

TILE ROOF RL 92.45  
4

LINTEL 90.27  
SILL 89.35

LINTEL 90.27  
SILL 89.35

LINTEL 90.27  
SILL 89.35

LINTEL 90.27  
SILL 89.02



DRAWING NAME: <b>SHADOW DIAGRAMS</b>	
DATE: <b>FEB 2004</b>	SCALE: <b>1:200</b>
JOB No. <b>THREE SEVEN SEVEN</b>	DWG No. <b>08</b>

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The diagram shows a circular building layout. It features several concentric arcs and radial lines. A central square area is marked with a diagonal line. Various points are labeled with letters (A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z) and numbers (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100). The layout is divided into several sections by radial lines, and the arcs represent different levels or floors of the building.

BEST ASPECT  
ORIENTATION



design & documentation

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ISSUED FOR DEVELOPMENT APPLICATION 20.05.2004

CLIENT:  
MR & MRS UNICOMB  
ADDRESS:  
LOT 48 IN DP 12951  
2 CYNTHIA STREET  
PYMBLE

DRAWING NAME: <b>SITE ANALYSIS PLAN</b>	
DATE: <b>FEB 2004</b>	SCALE: <b>1:200</b>
JOB No. <b>THREE SEVEN SEVEN</b>	DWG No. <b>00</b>

JUNEK & JUNEK PTY. LTD.  
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TELEPHONE: 9798-4044 FAX: 9798-5222  
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REFERENCE: 21658



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## 6 TO 8 CULWORTH AVENUE, KILLARA - SUPPLEMENTARY REPORT

---

### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To respond to issues raised at the Council site inspection and seek Council's determination of the development application.

**BACKGROUND:**

- Application lodged 21 December 2004.
- Council considered a report at its meeting on 19 July 2005.
- Consideration pending site inspection which took place on 30 July 2005.

**COMMENTS:**

Minutes of the Inspection Committee presented for confirmation on 2 August 2005.

The issues raised at the site inspection are addressed in this report.

**RECOMMENDATION:**

Approval

## PURPOSE OF REPORT

To respond to issues raised at the Council site inspection and seek Council's determination of the development application.

## BACKGROUND

- Application lodged 21 December 2004.
- Council considered a report at its meeting on 19 July 2005.
- Consideration pending site inspection which took place on 30 July 2005.

## COMMENTS

The issues raised at the site inspection are addressed in this report.

### 1. Building A

- a) **Staff to confirm if the applicant has considered opportunities to provide greater articulation to Building A adjoining Lot 101, DP 734422 and whether there is scope to relocate Building A closer to the northern side boundary.**

Building A has been subject to additional façade articulation along its southern elevation to improve and soften its presentation when viewed from No.4 Culworth Avenue (Lot 101, DP734422). In particular, additional steps have been incorporated into the wall and amendments have been made to the window arrangement as have variations to the buildings' finishes. These changes are acceptable and complemented by sufficient separation distances to No.4 Culworth Avenue and screen planting within the setback.

In addition, the eastern elevation of Building A will be the primary presentation to Culworth Avenue, where the building presents a stepped form, in-filled with balconies on each level, and the upper floor being covered by a timber pergola. The upper level will be set back from the building perimeter by a terrace area which features planter boxes to soften its eave lines. Similar detail is provided to the northern elevation of the building. Accordingly, Building A will be well articulated overall.

The development proposes a setback of 9m from Building A to the northern boundary in accordance with the zone interface setback requirements of LEP194. Building A also complies with the 6m setback requirement as it applies to the southern boundary. It is therefore not desirable to relocate Building A any closer to the northern boundary as it would result in a non-compliance with LEP 194 and require a SEPP1 objection.

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- b) Staff to consider if the proposal should be referred to Council's Traffic Committee for consideration as part of a broad traffic management plan for the wider area.**

No benefit would be gained from a referral to a Traffic Committee, given that the proposal complies with the relevant car parking and vehicle access requirements.

The development has been recommended for approval based on a thorough engineering assessment of predicted traffic generating impacts. There have been no valid traffic engineering issues raised (based on a professional traffic engineering assessment) to suggest the proposal will create new traffic problems in this location.

The intent of rezoning for multi-unit development is to establish high density living in proximity to transport nodes, educational and health facilities and local business centres. Therefore, any cumulative impacts such as traffic generation resultant from development of the subject site and similarly zoned allotments, in accordance with LEP194 and DCP 55 provisions, are anticipated and provided for by the zoning.

- c) Staff to consider if Building A could be moved forward by approximately 3 metres and whether or not this amendment would comply with Council's required setbacks and overshadowing controls**

Part 4.3 C-1 of DCP 55 states that, where a road reserve width is less than 12m, building setbacks may be reduced from 10-12m to no less than 6m. Culworth Avenue measures approximately 7m in width and therefore a reduced setback to no less than 7m may be applied.

The development proposes setbacks from Culworth Avenue of between 9.4m and 12m. Building A could be moved 2.4m closer to the Culworth Avenue frontage and still comply with the setback controls, a reduced front setback would result in an unsatisfactory streetscape outcome. In particular, a reduced setback area may compromise vehicle access to the site, may result in additional shadowing to adjoining properties, undue dominance of built form to the streetscape and inability to provide adequate canopy trees within the reduced setback. The proposed setback is more consistent with the objectives of DCP55 and is preferred to a reduced front setback as it applies to Culworth Avenue.

- d) Staff to confirm that the front setback of the proposal relates to the road width of Culworth Avenue and provide details of the setback between Building A and the adjoining dwelling at No. 10 Culworth Avenue.**

Part 4.3 C-1 of DCP 55 states that, where road reserve width is less than 12m, building setbacks may be reduced from 10-12m to no less than 6 metres. Culworth Avenue measures approximately 7m in width and therefore a reduced setback to no less than 7 metres may be applied.

The proposed setback to Culworth Avenue is 9.4m to 12m and affords substantial landscaping within the front setback softening the appearance of the development to the



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street. This setback allows for suitable driveway and vehicle access areas to be achieved, otherwise compromised by a reduced setback to Culworth Avenue.

The development will be set back from No.10 Culworth Avenue in accordance with the prescribed zone interface setback contained within LEP194. Clause 25L of LEP194 requires a 9m setback to the third and fourth storeys of a development where there is a zone interface.

The adjoining property at No.10 Culworth Avenue is zoned Residential 2(c2) and the 9m setback applies. Both Buildings A and C will be setback a minimum of 9m from the common boundary with No.10 Culworth Avenue, with the top level of both buildings setback in excess of 9m.

Both Buildings A and C will be physically separated from No.10 Culworth Avenue by a new timber boundary fence, 1.8m in height, and perimeter planting of approximately 6m in height. The proposed setbacks to both Culworth Avenue and No.10 Culworth Avenue are satisfactory.

- e) **Staff to confirm the front setback of 12 metres as being the average of the setbacks for Levels 1 to 3 and to confirm the setback of Level 4 (top floor) as 12.5 metres.**

The front setbacks to Culworth Avenue range from 10 metres to 13 metres at basement level and 9.4 metres to 12 metres above ground. Level four (top storey) will be set back between 10.2m-13m from Culworth Avenue.

## 2. Overshadowing

**Staff to provide further assessment of those areas of the adjoining properties that are permanently in shade during the winter solstice, including any sensitive areas of private open space.**

**It is requested that Council officers prepare their own shadow diagrams for this purpose, to avoid any dispute regarding the accuracy of shadow diagrams.**

The submitted shadow diagrams have been thoroughly checked to ensure the accuracy of the projected shadows cast to adjoining properties. The criteria for checking included the location of true north, the height of the buildings, length of the buildings, length of the shadows, orientation of the buildings, the bearings used and altitude of the sun above horizons at the critical times. The diagrams also take into account the higher ground level of the adjoining properties at No.2 & No.4 Culworth Avenue and No.16A Stanhope Road and it is concluded that the shadow projections are correct.

The diagrams indicate that on the 22<sup>nd</sup> June, the swimming pool and rear yard at No.16 A Stanhope Road, although shaded during the morning, will receive adequate sunlight hours in the afternoon with less shadowing occurring at other times of the year when these areas are likely to be utilised more.

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No.2 Culworth Avenue has a tennis court located at the rear of the property and will be overshadowed in varying degrees throughout the day (in mid-winter); however at noon there is only a small portion of the tennis court affected. It is further noted that the remainder of all other private open space, the swimming pool and dwelling itself on this site will be unaffected by over-shadowing as a result of the development.

The diagrams indicate that the northern portion of No.4 Culworth Avenue will be in shadow for most of the day during mid-winter however, the property will still receive 3+ hours of sunlight, including some private outdoor areas.

It should be noted that the proposal achieves compliance with the height standard and the setback controls applying to the common boundary between the subject site and No.16A Stanhope Road, No.2 & No.4 Culworth Avenue. As such, the shadow impacts are what would be reasonably expected from a complying building envelope and not sufficient to warrant refusal of the application.

### 3. Trees

**Staff to seek clarification from the applicant on the White Mahogany tree in the south-western corner of the site (Tree No. 29) which is shown to be removed, however, the tree schedule provided on the landscape plan indicates that this tree is to be retained. Staff to provide consideration to the retention of Tree No. 29 to assist with screening between the proposed development and No. 16A Stanhope Road, adjoining the subject site.**

Council's Landscape Assessment Officer, Geoff Bird, has commented as follows:

*"As proposed, tree #29 is located within three metres of the unit building and will be exempt under Council's Tree Preservation Order. Its location is also within proposed excavation works for the proposed courtyard and basement garage. As a result it is not viable to retain the tree without a considerable design change to the proposal. The applicant has proposed an additional four indigenous tall trees adjacent to the south west site corner which are to be planted at a super advanced size in a 75 litre pot to provide some instant amenity and to provide long term screening of the development. In the short to medium term this will provide an enhanced tree canopy greater than what exists at present."* An amended landscape plan will be required indicating the removal of tree #29. **(Condition No.46)**

### 4. The applicant is requested to ensure that the references in the arborist's report and landscape plan are consistent.

The inconsistency between the arborist's report and landscape plan in relation to tree #29 has been addressed above.

**Condition No. 46** will adequately ensure that landscape works are carried out in accordance with the landscape drawings submitted. Further, **Condition No.78** requires the lodgement of a bond prior to release of the Construction Certificate to ensure landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions. Notwithstanding, this, a condition will be imposed requiring the applicant to submit an

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amended arborists report correcting any inconsistencies with the landscape plan (**Condition No.46**).

5. **Staff to assess if the 8 metres setback from Tree No. 25 to proposed Building B is adequate. In particular, to consider if the canopy overhang of Tree No. 25 will be adversely affected by proposed Building B.**

Councils Landscape Assessment Officer Geoff Bird has provided comments as follows:

*“The proposed building setback, as scaled from plan from tree #25 is approximately 11.5m. It is not believed that the canopy or the root zone of tree #25 will be adversely impacted upon by the proposed development.”*

6. **Drainage**

**Staff to provide further comment on the downstream effect of the proposed development, including the net impact having regard to any retention/ detention tanks and details of pre-development and post-development rates of flow from the subject site.**

Council’s Development Engineering Assessment Officer, Kathy Hawken, has made the following comments in relation to drainage:

*“The concept stormwater management plans submitted with the application, AFCE Environment+ Building Drawings 343450/C1 to C3, contain concept stage details for a rainwater retention and re-use and on site detention system designed in accordance with the requirements of Council’s DCP 47. The retention volume provided is 80m<sup>3</sup>, and the detention volume is also 80m<sup>3</sup>. The required detention volume using Council’s storage factors is 86m<sup>3</sup>, (with discounting of up to 25% allowed to offset the retention storage volume), and permissible site discharge is 31 litres per second. The required retention volume at 1000 litres per unit is 54m<sup>3</sup>. Retained roof water is to be used in side the building for toilet flushing and clothes washing. Runoff from landscaped areas and driveway will be connected directly to the interallotment drainage line. Condition 87 requires the final detailed design to be in accordance with this concept design.*

*The total volume of stormwater runoff leaving the site will be reduced due to the re-use of the roof water, and peak flows for storms up to and including the 50 year ARI event will also be reduced due to the on site detention component. This is the intention of DCP 47 regardless of the pre-development runoff regime.*

*Given that the two sites currently support two large dwellings and a tennis court, the controlled post-development runoff is likely to be considerably less than the existing uncontrolled runoff. A conservative estimate, using a simple Rational Method Calculation indicates that the peak flows off the site will be reduced by a factor of eight for the 50 year ARI event.”*

**Staff to clearly identify the status of the easement within Selkirk Park shown on the plans “to be confirmed” and outline the content of legal advice dated 4 February 2005 and any other title documentation, to confirm that an easement for drainage over Lot C, DP 419812 does exist.**

*“The terms of the easement over Lot C are given in Instrument D985041 and state that the easement is “appurtenant to the land in Certificates of Title Volume 4630 Folio 42 and Volume 4980 Folio 122 full and free right and liberty to make lay out construct and forever use and maintain a piped and/or covered drain upon in through and/or under and/or over the strip of land of width 3 feet situated at Killara in the Municipality of Ku-ring-gai Parish of Gordon and County of Cumberland more particularly delineated on the plan annexed hereto marked with the letter “A” and thereon edged red being part of the land comprised in Certificate of Title dated the twenty third day of January One thousand nine hundred and forty eight Registered Volume 5780 Folio 231 being part of Lot C in plan annexed to Transfer Number C506823 for the purpose of conveying and carrying off surface and storm waters from the land in Certificates of Title Volume 4630 Folio 42 and Volume 4980 Folio 122 aforesaid...”*

*The legal advice of 4 February 2005 is “We confirm that 6-8 Culworth avenue (‘the Property’) has the benefit of an easement three feet wide created by Transfer No. 985041, over land owned by the Council being Lot C in DP 419812 known as Selkirk Park.*

*The wording of the easement is set out in Transfer D985041 and gives the owner of the Property the right to construct and maintain a piped and/or covered drain upon, in or through or under or over the strip of land three feet wide being part of Lot C.”*

**Although the proposed pipe across Selkirk Park will be tunnel-bored, it is requested that staff confirm the depth of the proposed pipe and whether or not this pipe will impact on the root zone of trees in Selkirk Park.**

*“The minimum depth to the top of a bored pipe to avoid damage to tree roots is 0.6 metres. The diameter of the proposed interallment drainage pipe is 375mm. To achieve the required depth, the pipe invert would have to be approximately one metre below the ground surface.*

*Reference is made to AFCE Environment + Building Drawing C2 for concept design levels for the site drainage components including the grated pit at the downstream boundary of the development site and the connection to the 900mm diameter Council pipe. The level of the boundary pit is shown as RL104.52, 1.38 metres below the surface level. The survey drawing submitted, T.J. Gilbert + Associates drawing 4158A shows the ground level over the Council pipe to be approximately RL105.00. The invert level of the Council pipe at the connection is given as RL103.74, 1.26 metres below the surface level.*

*The minimum of 0.6 metres cover for the bored pipe will be easily achieved. Condition 84 requires the applicant to gain Council’s approval for the design of the proposed pipe, and Condition 113f requires the engineer to certify that the pipe has been installed in accordance with the approved plans. Compliance with these two conditions will mean that the pipe will not impact on the root zone of trees in Selkirk Park.”*

**7. Recycling and re-use**

**It is requested that a condition be imposed to ensure that all windows and recyclable features contained within the existing dwelling at No.6 Culworth Avenue be removed prior to demolition and made available for re-use.**

A condition is recommended to ensure materials from No.6 Culworth Avenue are recycled.  
**(Refer Condition No. 40)**

**8. Landscaping**

**It is requested that the applicant provide additional landscaping for improved screening of the proposed development when viewed from Selkirk Park.**

All existing trees and shrubs adjacent to Selkirk Park are to be retained and provide satisfactory screening to the development. There is potential to increase the width of the garden bed adjacent to Selkirk Park to accommodate additional planting, however, the useability of the (grassed) communal open space area would then be compromised. As the planting within this area is established, screening will be provided immediately as opposed to waiting for newly planted trees and shrubs to reach maturity. Screening of the proposed development through retention of existing trees and shrubs is therefore satisfactory.

**Staff to clarify the extent to which the existing landscaping (including any shrubs or trees) adjoining Selkirk Park (in the area not being developed) is to be retained.**

All the existing trees and shrubs adjacent to Selkirk Park are proposed to be retained, with the exception of any weed species.

**Staff to consider additional landscaping adjoining the boundary of the subject site and No.12 Culworth Avenue. The type of landscaping proposed along this boundary is to be outlined having regard to its screening qualities.**

This has been shown on the landscape plan. As proposed, the existing shrub layer and trees are being retained and supplemented with an additional tall canopy tree, Syncarpia glomulifera (Turpentine) and screening shrubs, Syzigium wilsonii (Lillypilly) that has the capacity to grow to approximately 8.0m high. Existing established shrubs/trees include #30 Camellia japonica 4m high, #31 Camellia japonica 4m high, #32 Camellia japonica 4m high and #47 Eucalyptus saligna (Bluegum) located on the neighbouring property. The proposed and existing planting will provide sufficient screen planting for upper and lower unit levels and maintain solar amenity.

**9. Impact on No.16A Stanhope Road**

**Staff to address whether an increased setback is required at the interface of the 2(c2) zone, despite numerical compliance, having regard to the impact on No.16A Stanhope**

**Road with respect to the proximity of private open space and the visual appearance of proposed Building B.**

Building B has a consistent setback of 9m from ground level to the southern boundary where it interfaces with no.16A Stanhope Road, zoned Residential 2(c2). LEP 194 requires a 9m setback to the third and fourth storeys only in a zone interface situation with the lower levels having a minimum setback of 6m. Building B has been set back 9m at all levels and is in excess of setback requirements as they apply to the common boundary with No.16A Stanhope Road. Compliance with the zone interface controls indicates a transition that is appropriate and envisaged by LEP194.

**Staff to consider the need for stepping the upper levels of proposed Building B and provide further clarification of screening between proposed Building B and the boundary adjoining No.16A Stanhope Road.**

Building B has been subject to redesign, including additional façade articulation through wall recesses, amendments to the window arrangement and variations to the finishes. These changes improve and soften the presentation of the building when viewed from No.16A Stanhope Road.

The building will be set back in excess of 9m from the common boundary and the top storey a minimum of 11m. Planter boxes have been provided around the perimeter of the top floor terrace areas to improve presentation of the building to No.16A Stanhope Road and reduce privacy impacts. It is noted that the southern elevation of the building will contain windows to bedrooms only.

Balconies on levels other than the ground and top floor have been orientated away from the southern boundary to the side or northern elevation of the building, further protecting privacy to No.16A Stanhope Road.

Screening between Building B and No.16A Stanhope Road will be provided by 1.8m high boundary fencing and screen planting. Screen planting along the southern boundary has been subject to revision which included increasing the number of canopy trees (*angophora floribunda*) within the setback from two to four. These trees are capable of attaining a height of approximately 20 metres.

Screen trees also within this area will comprise two black wattle (*callicoma serratifolia*) trees, three native frangipani (*hymenoporum flavum*) trees. Screen shrubs including lillipilly will be included within this area as will various shrub species.

**Staff to assess the extent to which the ground floor level of proposed Building B will be raised or lowered above/below natural ground level adjoining No.16A Stanhope Road.**

The ground floor of Building B will be at RL 111.285. The ground floor will be between 0.4m and 0.6m above existing natural ground level, adjoining No.16 of Stanhope Road.

**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

THAT the Council, as the consent authority, is of the opinion that the objection under *State Environmental Planning Policy No. 1 - Development Standards* to the zone interface standard (Cl 25) 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 SEPP1 objection has demonstrated that the underlying objective or purpose of the standard has been satisfied.

**AND**

THAT the 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 1369/04 is consistent with the aims of the Policy, grant development consent to DA 1369/04 for the demolition of two (2) existing residential dwelling houses and construction of three (3) five storey residential flat buildings comprising fifty-four (54) units and basement car parking for one hundred and one (101) vehicles on land at 6-8 Culworth Avenue, Killara, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

Development in Accordance with Plans (New Development)

**GENERAL**

1. The development must be carried out in accordance with plans numbered:

Lower Basement Plan	Drawing No: 20425 DA-02	Revision D	May 2005
Upper Basement Plan	Drawing No: 20425 DA-03	Revision D	May 2005
Ground Floor Plan	Drawing No: 20425 DA-04	Revision D	May 2005
Level 1 & Level 2 Floor Plans	Drawing No: 20425 DA-05	Revision E	May 2005
Level 3 Floor Plan	Drawing No: 20425 DA-06	Revision D	May 2004
Level 4 Floor Plan	Drawing No: 20425 DA-07	Revision D	May 2004
Roof Plan	Drawing No: 20425 DA-08	Revision D	May 2005
Elevations & Sections	Drawing No: 20425 DA-09	Revision C	May 2005
Elevations	Drawing No: 20425 DA-10	Revision D	May 2005

Dated May 2005, drawn by Winter Group, and endorsed with Council's approval stamp, except where amended by the following conditions:

2. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.

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3. All building works shall comply with the Building Code of Australia.
4. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
5. The opening of any footway, roadway, road shoulder or any part of the road reserve shall not be carried out without a Road Opening Permit being obtained from the Council (upon payment of the required fee) beforehand.
6. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
7. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the 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.
8. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.  
  
Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.
9. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
10. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
11. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
12. To maintain existing ground levels all excavated material shall be removed from the site.



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13. Any excavation of rock involving hydraulic or compressed air rock hammers or other excavation equipment shall comply with the requirements of Council's Code for the Control and Regulation of Noise on Building Sites.
14. No rock breaking or other machinery for the excavation, drilling or removal of rock shall be used on the site without the prior approval of the Principal Certifying Authority. Should rock breaking or associated machinery be required, the following details are to be submitted to the Principal Certifying Authority for consideration:
  - a. The type and size of machinery proposed.
  - b. The routes of all trucks to convey material to and from the site.
  - c. A report by a Geotechnical Engineer detailing the measures recommended in undertaking the work so as to prevent any damage to any adjoining or nearby buildings.
15. With regard to the proposed rock breaking the following conditions are to be observed:
  - a. The Geotechnical Engineer shall supervise the works in progress.
  - b. A dilapidation report on adjoining or nearby properties shall be prepared prior to any excavation, rock breaking, or associated work commencing and shall be submitted to the Principal Certifying Authority.
  - c. All material removed from or imported to the site shall be loaded, unloaded or conveyed in such a manner that will minimise nuisance. Trucks shall be covered and site controls shall include shaker grids at the exits of the site. All materials falling to any part of the road or footpath or any public place shall be immediately cleaned up.
  - d. All material removed from or imported to the site shall be loaded, unloaded or conveyed in such a manner that will minimise nuisance. Trucks shall be covered and site controls shall include shaker grids at the exits of the site. All materials falling to any part of the road or footpath or any public place shall be immediately cleaned up.
16. For the purpose of maintaining visual amenity, no permanent electricity supply poles are to be erected forward of the building setback without the prior Consent of Council. It is the onus of the applicant to consult with the authorised statutory electricity provider prior to construction commencing to ensure that direct connection to the building is possible. Details of any proposed permanent pole must be submitted to and approved by Council prior to installation.
17. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
18. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
19. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

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- a. must preserve and protect the building from damage, and
- b. if necessary, must underpin and support the building in an approved manner, and
- c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

20. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
21. To maintain residential amenity, all electrical services to the site are to be provided underground and must not disturb the root system of any trees. Please contact the energy supply authority's local customer service office to obtain documentary evidence that the authority has been consulted and that their requirements have been met. This information is to be submitted to Council prior to the release of the Subdivision Certificate.
22. If the work involved in the erection or demolition of a building:
  - a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - b. building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Any such hoarding, fence or awning is to be removed when the work has been completed.

23. The developer shall submit to Council a letter from the energy supply authority and either Telstra or Optus, confirming that satisfactory arrangements have been made for the provision of underground telephone and power services, prior to the release of the Subdivision Certificate or Occupation. Application may be made to Energy Australia Phone No. 13 1525 and either Optus, Network Operations, Facsimile No 9837 9060, Phone No 9837 9010, or Telstra Phone No 12 455.
24. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building

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materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

25. The fence and footings shall be constructed entirely within the boundaries of the property.
26. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
27. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
28. Where a new development is not commencing immediately following demolition, the demolition shall be limited to the extent of the footprint of the building/s on the site and no excavation shall be carried out.
29. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
30. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

31. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
32. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
  - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
    - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;

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- ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
    - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
  - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
33. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.
34. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safety stockpiled and not likely to become a harbourage for vermin.
35. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
36. Fire hoses are to be maintained on site during the course of demolition.
37. Adequate precautions shall be taken to ensure the protection of adjoining premises and persons therein from damage and injury during the process of demolition.
38. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.
39. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- a. stating that unauthorised entry to the work site is prohibited, and
  - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

- a. building work carried out inside an existing building, or
  - b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
40. All demolition materials of value for re-use either on-site or elsewhere, shall be separated and made available for re-cycling. In particular, all windows and recyclable features from the

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dwelling at No.6 Culworth Avenue must be removed prior to demolition and made available for re-use.

41. The burning of undergrowth, foliage, building refuse and like matter on the site is prohibited.
42. Under no circumstances shall building materials, demolition waste, fill, soil or any other material from any source be placed or stored within any public reserve.
43. Sites shall not be re-shaped, re-contoured, excavated nor the levels on any part of the site altered without the Consent of the Council being obtained beforehand.
44. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
45. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council's Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council's Tree Preservation Order.

46. Landscape works shall be carried out in accordance with Landscape Drawing No la01 Rev B, LA02 Rev B, LA03 Rev B, La04 Rev B, La05 Rev B prepared by Taylor Brammer and dated 11 May 2005 submitted with the Development Application. The landscape works shall be completed prior to issue of the final Certificate of Compliance and be maintained in a satisfactory condition at all times.

The landscape plans shall be amended to indicate the removal of tree # 29. The arborist's report shall be amended to reflect the tree removal and be revised to ensure that all references to the landscape plans are consistent and accurate.

47. Tree roots between 10mm and 50mm diameter, severed during excavation, shall be cut cleanly by hand and the tree subsequently treated with a root growth hormone and wetting agent, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.
48. No tree roots of 50mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period.

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Tree/Location	Radius From Trunk
#1 <i>Arecastrum romanzoffianum</i> (Cocco Palm) Adjacent to eastern/Culworth Ave site boundary	3.0m
#2 <i>Magnolia soulangeana</i> (Soul's Magnolia) Adjacent to eastern/Culworth Ave site boundary	3.0m
#3 <i>Nyssa sylvatica</i> (Tupelo) Adjacent to eastern/Culworth Ave site boundary	4.5m on the north-west side 6.0m elsewhere
#4 <i>Malus floribunda</i> (Crabapple) Adjacent to eastern/Culworth Ave site boundary	2.0m on the north-west side 4.0m elsewhere
#10 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.5m
#28 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.0m
#36 <i>Magnolia soulangeana</i> (Soul's Magnolia) Centrally located adjacent to north east site corner	4.0m
#40 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.0m
#41 <i>Liquidambar styraciflua</i> (Sweet Gum) Adjacent to northern site boundary	6.0m
#42 <i>Cordyline australis</i> (Cabbage tree) Adjacent to northern site boundary	2.0m
#47 <i>Eucalyptus saligna</i> (Bluegum) Adjacent to north-east site corner in neighbouring property	11.0m
#50 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary	4.0m
#54 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	4.0m
#55 <i>Acer palmatum</i> (Japanese Maple) Adjacent to northern site boundary in neighbouring property	4.0m

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49. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular reports from the Arborist to the principal certifying authority shall be required at quarterly/three monthly intervals. Documentary evidence of compliance with this condition shall be submitted to Council with the final Certificate of Compliance.
50. Paving works within the specified radius of the trunk/s of the following tree/s shall be constructed to ensure that existing water infiltration and gaseous exchange to the tree/s root system is maintained. Details for the paving shall be submitted to the Principal Certifying Authority for approval by a suitably qualified professional prior to the commencement of paving construction:

Tree/Location	Radius From Trunk
#10 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.5m
#36 <i>Magnolia soulangeana</i> (Soul's Magnolia) Centrally located adjacent to north east site corner	4.0m
#50 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary	4.0m
#54 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	4.0m
#55 <i>Acer palmatum</i> (Japanese Maple) Adjacent to northern site boundary in neighbouring property	4.0m

51. No mechanical excavation of the proposed structure 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:

Tree/Location	Radius From Trunk
#3 <i>Nyssa sylvatica</i> (Tupelo) Adjacent to eastern/Culworth Ave site boundary	6.0m
#4 <i>Malus floribunda</i> (Crabapple) Adjacent to eastern/Culworth Ave site boundary	3.0m
#10 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.5m
#28 <i>Eucalyptus acmenoides</i> (White Mahogany)	3.5m

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Adjacent to western site boundary

#50 *Jacaranda mimosifolia* (Jacaranda) 4.0m  
Adjacent to eastern site boundary

52. All excavation carried out within the specified radius of the trunk/s of the following tree/s shall be hand dug:

Tree/Location	Radius From Trunk
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#3 <i>Nyssa sylvatica</i> (Tupelo) Adjacent to eastern/Culworth Ave site boundary	4.0m
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#4 <i>Malus floribunda</i> (Crabapple) Adjacent to eastern/Culworth Ave site boundary	2.0m
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#10 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.5m
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#28 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.0m
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#36 <i>Magnolia soulangeana</i> (Soul's Magnolia) Centrally located adjacent to north east site corner	4.0m
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#42 <i>Cordyline australia</i> (Cabbage tree) Adjacent to northern site boundary	2.0m
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#50 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary	4.0m
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#54 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	3.0m
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#55 <i>Acer palmatum</i> (Japanese Maple) Adjacent to northern site boundary in neighbouring property	4.0m
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53. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
54. Transplanting of the nominated trees/shrubs shown on the Landscape plan, shall be directly supervised by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.
55. 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.



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56. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the interallotment drainage system benefitting the properties. New drainage line connections shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47.
57. A mandatory rainwater re-use tank system comprising stormwater tanks and rainwater tanks of minimum volume required in chapter 6 of Councils Water Management Development Control Plan 47 (DCP47), must be provided for the development. Retained water must be made available for garden irrigation, car washing, all toilet flushing and laundry use within each unit. A mains top-up shall be provided for periods of low rainfall, with a void space left for runoff storage purposes.
58. For stormwater control, 200mm wide grated channel/trench drains with heavy-duty removable galvanised grates are to be strategically placed to collect driveway runoff and must be connected to the main stormwater drainage system. The channel drain shall have an outlet of minimum diameter 150mm to prevent blockage by debris.
59. A maintenance period of six (6) months shall apply to all works in the public road reserve carried out by the applicant after works have been completed to Council's satisfaction. In that period, the applicant shall be liable for any section of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the operating conditions.
60. Where required, the adjustment or additions of any 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 responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
61. All public footways and accessways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the 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 circulation is diverted on to the roadway, 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, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
62. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps

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must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.

63. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 “Off-Street car parking” as a minimum requirement.
64. For the purpose of any further plan assessment and works inspections by Council engineers, the corresponding fees set out in Councils adopted Schedule of Fees and Charges are payable to Council. A re-inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final sign-off from Council.
65. 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. Applicant shall refer to “Your Business” section of Sydney Water’s web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” 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.
66. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems shall be installed to control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority (PCA).
67. Geotechnical aspects of the development works, particularly excavation, support, retention and hydrogeological considerations must be undertaken in accordance with the recommendations of the Coffey Geosciences report of 13 December 2004 and subsequent geotechnical investigations, comprising cored boreholes, carried out for construction purposes.
68. Approval is to be obtained from Ku-ring-gai Council Traffic Committee for any temporary public road closures and/or placement of cranes on public land.
69. All construction traffic control and management measures shall be implemented in accordance with an approved *Construction Traffic Management Plan* to be submitted and approved by Council prior to the commencement of works. The Principal Certifying Authority shall monitor the traffic control and management situation over the course of construction works, and shall pay particular attention to traffic control during school drop off and collection hours. Where it is found that the Traffic control and management measures

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may be improved, this shall be undertaken under the supervision of qualified traffic control persons and in consultation with Council.

70. In order to allow unrestricted access for Council waste collection vehicles to the basement garbage storage/collection area, no doors or gates shall be provided in the access driveways to the basement carpark which would prevent this service.
71. All new public utility services, or appropriate conduits for the same, including electricity, gas, telephone, water and sewerage shall be provided underground by the developer in accordance with the specifications of the supply authorities.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

72. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

73. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal 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 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work 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).
74. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity

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at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.

75. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
- a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
76. A contribution is to be paid for 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 development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF FIFTY-TWO (52) ADDITIONAL DWELLINGS IS CURRENTLY \$1,154,351.30. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. 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.

This contribution shall be paid to Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 30 June 2004, calculated for additional person as follows:

1. Community Facilities	\$1,117.76
2. Park Acquisition and Embellishment Works - Killara	\$6,384.75
3. Sportsgrounds Works	\$1,318.32
4. Aquatic / Leisure Centres	\$27.82
5. Traffic and Transport	\$150.28
6. Section 94 Plan Administration	\$100.04

To obtain the total contribution figure the following table of occupancy rates is to be used:

## OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

Small dwelling (under 75sqm)	1.27 persons
Medium dwelling (75 - under 110sqm)	1.78 persons
Large dwelling (110 - under 150sqm)	2.56 persons
Very Large dwelling (150sqm or more)	3.48 persons
New Lot	3.48 persons

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SEPP (Seniors Living) Dwelling 1.3persons

77. Prior to the issue of the Construction Certificate, the Applicant must consolidate the existing two Torrens lots. Evidence of lot consolidation, in the form of a plan registered with Land and Property Information, must be submitted for approval of the Principal Certifying Authority prior to the issue of the Construction Certificate. The condition is imposed to ensure a continuous structure will not be placed across the separate titles.
78. A CASH BOND/BANK GUARANTEE of \$10,000.00 shall be lodged with Council as a Landscape Establishment Bond prior to the release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions.

Fifty percent (50%) of the bond will be refunded upon issue of the final Certificate of Compliance, where landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after issue of the building certificate, where landscape works has been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

79. A CASH BOND/BANK GUARANTEE of \$14,500.00 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the final Certificate of Compliance, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Tree/Location

#3 *Nyssa sylvatica* (Tupelo) \$4,000.00  
Adjacent to eastern/Culworth Ave site boundary

#4 *Malus floribunda* (Crabapple) \$500.00  
Adjacent to eastern/Culworth Ave site boundary

#10 *Ulmus parvifolia* (Chinese Elm) \$4 000.00  
Adjacent to northern site boundary

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#28 *Eucalyptus acmenoides* (White Mahogany) \$2,000.00  
Adjacent to western site boundary

#36 *Magnolia soulangeana* (Soul's Magnolia) \$1,000.00  
Centrally located adjacent to north east site corner

#41 *Liquidambar styraciflua* (Sweet Gum) \$1,000.00  
Adjacent to northern site boundary

#49 *Stenocarpus sinuatus* (Q'ld Firewheel tree) \$1,000.00  
Adjacent to eastern site boundary

#50 *Jacaranda mimosifolia* (Jacaranda) \$1,000.00  
Adjacent to eastern site boundary

80. To preserve the following tree/s, footings of the proposed works shall be isolated pier or pier and beam construction within the specified radius of the trunk/s. The piers shall be located such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to Council's Landscape Development Officer and be approved prior to release of the Construction Certificate.

Tree/Location	Radius in Metres
#10 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.5m
#36 <i>Magnolia soulangeana</i> (Soul's Magnolia) Centrally located adjacent to north east site corner	4.0m

81. Prior to issue of the Construction Certificate, a plan detailing services trenches in accordance with the relevant supply authorities (including electricity, gas, telephone, water and sewerage), shall be submitted for approval by the Principal Certifying Authority (PCA). The notice of requirements for Sydney Water must be obtained prior to issue of the Construction Certificate.
82. Prior to issue of the Construction Certificate the Applicant shall contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including cabling, need for substations or similar within the development) shall be submitted to the Principal Certifying Authority (PCA) for approval prior to Construction Certificate issue. Any structures or requirements of Energy Australia shall be reflected on the plans issued with the Construction Certificate to the satisfaction of the PCA. The requirements of the utility provider shall be met in full prior to issue of the Occupation Certificate.

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83. Prior to issue of the Construction Certificate, footpath and driveway levels for the required driveway crossing between the property boundary and road alignment must be obtained from 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" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

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 alignment levels fixed by Council may affect these. **Approval of this Development Application is for works wholly within the property. DA 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 application documents.** The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. 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. Failure to submit this information may delay processing.

84. The applicant is to submit a design for the proposed pipe within the drainage easement through Selkirk Park and a junction pit over Council's underground stormwater drainage pipe. Approval is to be obtained from Council as the owner of Selkirk Park and submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.
85. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a Soil and Erosion Control Plan prepared in accordance with the LANDCOM document "Soils and Construction" (2004). A suitably qualified and experienced civil/environmental engineer or surveyor shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management DCP 47 (available on the Council website). The design may be generally in accordance with the Concept Stormwater Management & Environmental Site Management Concept Plans, C1 to C5, dated Dec 2004, by Appleyard Forrest Consulting Engineers submitted with the development application, and advanced as necessary for construction issue purposes.
86. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction details for the proposed method of achieving Council requirements for the mandatory re-use of water on the property including general garden irrigation, carwashing, laundry and toilet flushing within each unit. The necessary plumbing components for re-use, including pumps and back up power supply in the event of blackout, shall be shown on these plans to a detail suitable for installation by the plumbing services contractors. The plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer.

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87. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), full construction drawings for the proposed method of achieving Council storage volume requirements for the on-site stormwater retention system. The minimum storage volumes and designs shall comply with Councils Water Management DCP 47 (available on the Council website and at Council customer services), any manufacturers' specifications and the relevant plumbing codes. Rainwater tank(s) shall be designed to capture and retain runoff from the entire roof area as a minimum. Overflow shall revert to the main drainage system. The design and construction plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer. The design is to be in accordance with the Concept Stormwater Management & Environmental Site Management Concept Plans, C1 to C5, dated Dec 2004, by Appleyard Forrest Consulting Engineers submitted with the development application, and advanced as necessary for construction issue purposes.
88. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention and detention devices. Plans and calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47. New connection points to the Council drainage system must be shown accurately on the plan and shall be made in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. The design of these drainage components may be in accordance with the Concept Stormwater Management & Environmental Site Management Plans, C1 to C5, dated Dec 2004, by Appleyard Forrest Consulting Engineers submitted with the development application, and advanced as necessary for construction issue purposes. **Water quality measures as described in Section 8.3 of DCP 47 are to be provided.**
89. The designing engineer is to certify with the Construction Certificate plans that measures have been included in the design of stormwater management measures which will prevent backflow from the underground system in Selkirk Park entering the retention storage during times of high stormwater flows in Council's system.
90. Prior to issue of the Construction Certificate, the applicant is to submit a geotechnical investigation report which contains specific recommendations for excavation support, vibration monitoring and dilapidation surveys if required.
91. **Prior** to the issue of a Construction Certificate the applicant shall lodge a \$50,000 (fifty thousand dollar) public infrastructure damage bond with Council. This bond is applied under Section 97 of the Local Government Act to cover the restoration by Council of any damage to public infrastructure not repaired in full, caused as a result of construction works, in close proximity to the subject development. The bond will also cover the finishing of any incomplete works required in the road reserve under this consent and/or as part of the approved development. The bond shall be refundable following completion of **all** works



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relating to the proposed development and **at the end of any maintenance period** stipulated by consent conditions upon approval by Council's Engineers. Further, Council shall have full authority to make use of the bond for such restoration works as deemed necessary by Council in the following circumstances:

- a) Where the damage constitutes a hazard in which case Council may make use of the bond immediately, and
- b) The applicant has not repaired nor commenced repairing the damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works.
- c) Works in the public road associated with the development are to an unacceptable quality.

## CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

- 92. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.
- 93. External finishes and colours are to be sympathetic to the surrounding environment. Samples of materials and finishes are to be submitted to and approved by Council prior to the commencement of work.
- 94. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s is fenced off at the specified radius from the trunk 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.

Tree/Location	Radius in Metres
#1 <i>Arecastrum romanzoffianum</i> (Cocco's Palm) Adjacent to eastern/Culworth Ave site boundary	3.0m
#2 <i>Magnolia soulangeana</i> (Soul's Magnolia) Adjacent to eastern/Culworth Ave site boundary	3.0m
#26 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.0m
#27 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.0m
#28 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.0m
#30 <i>Camellia japonica</i> (Japanese Camellia) Adjacent to eastern site boundary	3.0m

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#31 <i>Camellia japonica</i> (Japanese Camellia) Adjacent to eastern site boundary	3.0m
#32 <i>Camellia japonica</i> (Japanese Camellia) Adjacent to eastern site boundary	3.0m
#34 <i>Pittosporum undulatum</i> (Native daphne) Adjacent to northern site boundary	4.0m
#35 <i>Syzigium leuhmanii</i> (Small leaf lillypilly) Adjacent to northern site boundary	5.0m
#36 <i>Magnolia soulangeana</i> (Soul's Magnolia) Centrally located adjacent to north east site corner	4.0m
#40 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site corner	3.0m
#41 <i>Liquidambar styraciflua</i> (Sweet Gum) Adjacent to northern site boundary	6.0m
#42 <i>Cordyline australia</i> (Cabbage tree) Adjacent to northern site boundary	2.0m
#44 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site corner	3.0m
#45 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to north-west site corner	5.0m
#47 <i>Eucalyptus saligna</i> (Bluegum) Adjacent to north-east site corner in neighbouring property	10.0m
#49 <i>Stenocarpus sinuatus</i> (Q'ld Firewheel tree) Adjacent to eastern site corner	3.0m
50 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary	4.0m
54 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	4.0m
#55 <i>Acer palmatum</i> (Japanese Maple) Adjacent to northern site boundary in neighbouring property	4.0m

95. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding that area of the proposed driveway shall be fenced off for the

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specified radius from the trunk 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:

Tree/Location	Radius From Trunk
#3 <i>Nyssa sylvatica</i> (Tupelo) Adjacent to eastern/Culworth Ave site boundary	6.0m
#4 <i>Malus floribunda</i> (Crabapple) Adjacent to eastern/Culworth Ave site boundary	3.0m

96. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding that area of the proposed building shall be fenced off for the specified radius from the trunk 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:

Tree/Location	Radius From Trunk
#10 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.5m

97. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.
98. If it is essential for scaffolding to be erected within a protected area, fencing should be erected to provide just sufficient space for scaffolding. The ground between this fence and the building should be protected by boarding (eg scaffold boards). A single thickness of boarding laid on the soil surface will provide sufficient protection for pedestrian loads, but more substantial boarding sufficient to spread the load should be used for heavier traffic. The ground beneath the boarding should be left undisturbed and should be protected with a porous geotextile fabric. If necessary, sand should be laid on the fabric to level the ground. When required, the building scaffolding should be erected. The boarding should be left in place until the building works are finished.
99. If temporary vehicle access is required near a tree to be retained, 75x75x2000mm hardwood planks are to be lain over a mulched area to a depth of 100mm with organic material being 75% leaf litter and 25% wood to distribute weight and to minimise compaction of soil profiles beneath. Timber lengths are to be secured on top of such to avoid movement and the structure should be constructed to accommodate vehicles that are to be used on site. Structural soil or similar should be used as a subgrade placed above existing soil levels for alternate driveway surfaces to support larger site vehicles or more rigid type temporary sealed road surfaces.
100. Tree protection signage is to be attached to each tree protection zone and displayed in a prominent position and the sign repeated at 10.0m intervals or closer where the fence changes

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direction. The signs to be a minimum size of 600mm x 500mm. Example details, as following:

1. Tree Protection Zone
  2. This fence has been installed to prevent damage to the trees and their growing environment contained within, to allow those trees to be retained as components of the existing landscape for incorporation into the landscape works for this site. It is the intent of this tree management process to retain these trees in a condition that is safe, viable and healthy, or a condition not less than that at the time of the commencement of this development
  3. Due to the critical nature of the Tree Protection Zone with regards to the long term viability of the tree/s, if encroachment or incursion into this zone is deemed to be essential the consulting Arborist should be informed to the undertaking of such works
  4. Name, address, and contact details of the developer.
101. In the event of prolonged dry periods, or where a tree has been transplanted, or where excavation nearby, especially up slope, leads to the drying out of soil profiles closest to the tree/s, the tree/s is to be deep watered thoroughly at least twice a week. In the event of disrupted ground or surface water flows to the tree due to excavation, filling, or construction, an irrigation system is to be installed, consideration must be given to volume, frequency and drainage of water delivered, and this is to be in consultation with a qualified consulting Arborist.
  102. Where tree protection measures are to be removed or altered this must be undertaken in consultation with the consultant Arborist to ensure tree protection is maintained.
  103. Upon completion of the installation of the required tree protection measures you are required to contact the principal certifying authority to arrange an inspection of the site. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.
  104. Prior to the commencement of any works on site the applicant shall submit **to Council** a full dilapidation report on the visible (**including photos**) and structural condition of the following public infrastructure:
    - a) Full road pavement width, including kerb and gutter, of Culworth Avenue over the site frontage.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both via photo and in written format) *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, and
- Council is able to refund infrastructure damage bonds, in full or parts thereof, with accuracy.

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The developer may be held liable to all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition prior to the commencement of works. In this respect, the infrastructure damage bond lodged by the subject developer may be used by Council to repair the damage regardless.

A second dilapidation report, recording structural conditions of all structures originally assessed prior to the commencement of works, must be carried out at the completion of the works and be submitted to Council.

105. Prior to the commencement of *any* works on site the applicant must submit, for review by Council Engineers, a *Construction and Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

**1. 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 any 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 any Work Zones in the frontage roadways,
- Location of proposed crane standing areas
- 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.
- The provision of an on-site parking area for employees, tradesperson and construction vehicles where possible

**2. Traffic Control Plan(s) for the site**

- All traffic control devices installed in the road reserve must be in accordance with the RTA publication “Traffic Control Worksite Manual” and designed by a person licensed to do so (minimum RTA ‘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.
- Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.

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

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In addition, the plan must address:

- A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements.
- 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 submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council shall be obtained and submitted to the Principal Certifying Authority prior to the commencement of any works on site. The 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.

106. 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'. The application must be made at least 15 days prior to the commencement of any works on site approved under this consent. Works 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. Works 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 Works Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit a copy of this to the Principal Certifying Authority for approval prior to commencement of any works on the 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 the site. Further, at the expiration of the Works Zone approval, the Applicant is required to remove the Works Zone signs and reinstate any previous signs, all at the Applicant's cost.

#### CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

107. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.
108. The landscape works shall be completed prior to release of the Certificate of Occupation and maintained in a satisfactory condition at all times.

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109. On completion of the landscape works/tree planting or screen planting, the Landscape Architect or qualified Landscape Designer shall submit a report certifying correct installation, faithful to the landscape plan to the Principal Certifying Authority with a copy to Council, prior to issue of the Occupation Certificate.
110. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications is to be compiled in report format and submitted to the Principal Certifying Authority for approval.
111. Prior to issue of an Occupation Certificate the following works must be completed to the satisfaction of Council Engineers:
  - a) Completion of the new driveway crossing in accordance with levels and specifications issued by Council.
  - b) Restoration of footpath along the site frontage where required, in accordance with Council's standard detail.
  - c) Removal of **all** redundant driveway crossings and kerb laybacks (or sections thereof). Full reinstatement of these areas to footway, turfed verge and upright kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
  - d) Full repair and resealing of any road surface damaged during construction.
  - e) 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. Any 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, crane use) must be fully repaired to the satisfaction of Council Engineers. This shall be at no cost to Council.

112. Prior to issue of an Occupation Certificate the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority (PCA).
113. Prior to issue of an Occupation Certificate a suitably qualified consulting civil/hydraulic engineer is to provide engineering certification for approval by the Principal Certifying Authority (PCA). The certification is to make **specific reference** to each of the following aspects of the installed drainage and stormwater management measures:
  - a) That construction of the stormwater drainage and management systems has been carried out by a contractor licensed to do so.
  - b) That all necessary Sydney Water approvals have been obtained for the domestic use of reticulated water.
  - c) That the as-built retention systems achieve the design storage volumes approved by the Principal Certifying Authority with the Construction Certificate (engineer must complete the form in the appendices of DCP47 in relation to the system).

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- d) The as-built drainage layout (including pits, pipes and ancillary plumbing) is in accordance with the relevant stormwater management and drainage plans approved by the Principal Certifying Authority with the Construction Certificate,
  - e) The overall as built drainage and stormwater management systems will achieve the discharge control intent of the approved construction plans and Councils Water Management DCP47.
  - f) The pipe within the drainage easement through Selkirk Park has been constructed in accordance with the approved plans.
114. Prior to issue of an Occupation Certificate the applicant shall submit a Works-as-Executed (WAE) drawing(s) to the Principal Certifying Authority in relation to the installed stormwater drainage and managements systems. These plans shall show:
- a) As built location and indicative internal dimensions of the retention structures on the property (plan view) and horizontal distances to nearest adjacent boundaries and buildings on site
  - b) As built locations of all access pits and grates in the retention systems, including dimensions.
  - c) The achieved capacity of the retention storages and derivative calculations.
  - d) Top water levels of storage areas and indicative RL's through the escape flow path in the event of blockage of system.
  - e) Size, depth and location of the overland flow path inlet pits, together with surface levels, invert levels and indicative grading levels in surrounding landscaped area.
  - f) Location and dimensions of overland flow conveyance culverts through the basement structure.
  - g) As built surface and invert levels for all drainage pits and junction points.
  - h) Gradients of drainage lines, materials and sizes.
  - i) As built level(s) at the approved point of discharge to the public drainage system.
- The WAE(s) is to be prepared by a **registered surveyor** and shall show all critical constructed levels, materials and dimensions in comparison to those shown in the relevant designs approved by the Principal Certifying Authority with the Construction Certificate. All relevant details indicated must be denoted **in red** on the Principal Certifying Authority stamped construction certificate stormwater drawings. The plan shall not be prepared until final surfaces (such as landscaping) are laid.
115. Prior to issue of an Occupation Certificate the following must be provided to Council (attention Development Engineer):
- A copy of the approved Construction Certificate stormwater drainage plans which show the retention systems.
  - A copy of all the works-as-executed drawings as specified in this consent relating to drainage and stormwater management,
  - A copy of the Works as Executed plan of the pipe within the interallotment drainage easement through Selkirk Park,
  - All Engineer's certification s specified in this consent.



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This condition is required so Council may maintain its database of as-constructed on-site stormwater detention/retention systems, and also applies if the Principal Certifying Authority (PCA) is not the Council.

116. Prior to occupation or issue of an Occupation Certificate the applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the on-site stormwater retention 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 facilities - to the satisfaction of Council. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority (PCA) prior to issue of an Occupation Certificate. It is assumed that the legal instruments will transfer to any future subdivision plan at the time of registration.
117. Prior to issue of the Occupation Certificate an easement for waste collection must be provided. This is to permit legal access for Council, and Council's contractors, and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection. It is assumed that the legal instruments will transfer to any future subdivision plan at the time of registration.
118. Prior to issue of the Occupation Certificate, a qualified civil/traffic engineer must undertake a site inspection of the completed basement vehicle access and accommodation areas which shall include full dimension measurements as necessary. At the completion of this site inspection, this engineer shall provide certification to the Principal Certifying Authority that:
  - a) Vehicle access and accommodation arrangements (including but not limited to space dimensions, aisle, ramp and driveway widths and grades, height clearances and the like) comply with Australian Standard 2890.1 – 2004 "Off-Street car parking" and
  - b) No security doors, grilles or gates are provided which would prevent access to the garbage storage area by Councils waste collection vehicle, including the truck manoeuvring area for forward egress.
119. Prior to issue of the Occupation Certificate the provision of separate underground electricity, gas, phone cable, sewer and water services shall be provided for the development in accordance with those utility providers. A suitably qualified and experienced engineer or surveyor is to provide certification to the Principal Certifying Authority that the development has ready underground access to the services of electricity, gas, phone cable, sewer and water. Alternatively a final compliance letter from the respective supply authorities may be supplied for approval.

## BUILDING CONDITIONS

120. The following are required details and must be submitted to the Principal Certifying Authority *prior to issue of the Construction Certificate*. Any matter listed below must have a Certificate

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attached from a suitably qualified person to the effect that the design or matter complies with the relevant design Standard or Code which the Certificate must identify.

- a. Details prepared by a practicing structural engineer for all or any reinforced concrete, structural steel or timber framing.
- b. Wind bracing details complying with AS 1684-1992 National Timber Framing Code, AS 1170.2-1989 Wind Load Code or AS 4055-1992 Wind Loads for Housing Code.
- c. Upper floor joist details, engineered or complying with AS 1684-1992 National Timber Framing Code.
- d. Retaining walls and associated drainage.
- e. Wet area waterproofing details complying with the Building Code of Australia.
- f. Mechanical ventilation details complying with Australian Standard 1668-1993 Mechanical Ventilation & Airconditioning.
- g. Glazing details complying with AS 1288-1989 Glass in Buildings and Installation Code.
- h. Stormwater disposal details complying with Council's Stormwater Management Manual and/or other conditions of this consent.

121. For fire safety an automatic fire detection and alarm system shall be installed throughout the dwelling in accordance with the following requirements:

- a. A smoke alarm system complying with Part 3.7.2 of the Building Code of Australia Housing Provisions; or
- b. Smoke alarms which:
  - i. comply with Australian Standard 3786 or listed in the Scientific Services Laboratory Register of Accredited Products (all accredited products should have scribed on them the appropriate accreditation notation); and
  - ii. are connected to the mains and have a standby power supply; and
  - iii. are installed in suitable locations on or near the ceiling and as prescribed under Part 3.7.2 of the Building Code of Australia Housing Provisions.

To ensure compliance with this condition, a Compliance Certificate or documentary evidence from a suitably qualified person is to be submitted to the Principal Certifying Authority.

122. Termite protection which will provide whole of building protection in accordance with Australian Standard 3660 - "Protection of Buildings from Subterranean Termites" is to be provided.

Council has a non chemical policy for termite control but will consider proposals involving physical barriers in combination with approved chemical systems. Handspraying is prohibited.

Where a monolithic slab is used as part of a termite barrier system, the slab shall be constructed in accordance with Australian Standard 2870.1 or as designed by a structural engineer but in either case shall be vibrated to achieve maximum compaction.

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To ensure compliance with this condition, a Compliance Certificate or documentary evidence from a suitably qualified person is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

S Watson  
**Executive Assessment Officer**

R Kinninmont  
**Team Leader**  
**Assessment Team- South**

M Prendergast  
**Manager**  
**Development & Regulation**

M Miocic  
**Director**  
**Development & Regulation**

**Attachments:**

- Report to Council of 19 July 2005 - 514163**
- Location Sketch - Part 522826**
- Zoning Extract - Part 522826**
- Site Plan - Part 522826**
- Architectural Drawings - Part 522826**
- Shadow Diagrams - Part 522826**
- Landscape Plan - Part 522826**
- Photos - Part 522826**
- Confidential Attachments**

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## DEVELOPMENT APPLICATION RESIDENTIAL FLAT BUILDING – LEP 194

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### SUMMARY SHEET

**REPORT TITLE:**

6 TO 8 CULWORTH AVENUE, KILLARA -  
DEMOLITION OF TWO (2) RESIDENTIAL  
DWELLING HOUSES & CONSTRUCTION OF  
THREE (3) X FIVE (5) STOREY  
RESIDENTIAL FLAT BUILDINGS  
COMPRISING FIFTY-FOUR (54) UNITS AND  
BASEMENT CAR PARKING FOR ONE  
HUNDRED AND ONE (101) VEHICLES.

**WARD:**

Gordon

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

1369/04

**SUBJECT LAND:**

6 to 8 Culworth Avenue, Killara

**APPLICANT:**

Staldone Corporation Pty Ltd

**OWNER:**

6 Culworth Avenue - J M Roberts, 8 Culworth  
Avenue - J Irvine

**DESIGNER:**

Winter Group Pty Ltd

**PRESENT USE:**

Residential Dwelling Houses

**ZONING:**

Residential 2(d3)

**HERITAGE:**

No

**PERMISSIBLE UNDER:**

KPSO – LEP 194

**COUNCIL'S POLICIES APPLICABLE:**

KPSO - LEP 194, DCP 31 - Access, DCP 40 -  
Waste Management, DCP 43 - Car Parking, DCP  
47 - Water Management

**COMPLIANCE WITH CODES/POLICIES:**

Yes

**GOVERNMENT POLICIES APPLICABLE:**

SEPP 1, SEPP 65, SEPP 55

**COMPLIANCE WITH GOVERNMENT  
POLICIES:**

Yes

**DATE LODGED:**

21 December 2004  
Amended Plans 13 May 2005

**40 DAY PERIOD EXPIRED:**

30 January 2005

**PROPOSAL:**

6-8 Culworth Avenue, Killara - Demolition of two  
(2) residential dwelling houses and construction of  
three (3) x five (5) storey residential flat buildings  
comprising fifty-four (54) units and basement car  
parking for one hundred and one (101) vehicles.

**RECOMMENDATION:**

Approval

**DEVELOPMENT APPLICATION N<sup>o</sup>**

**PREMISES:**

**PROPOSAL:**

1369/04

6-8 CULWORTH AVENUE, KILLARA  
6-8 CULWORTH AVENUE, KILLARA -  
DEMOLITION OF TWO (2) RESIDENTIAL  
DWELLING HOUSES AND  
CONSTRUCTION OF THREE (3) X FIVE (5)  
STOREY RESIDENTIAL FLAT BUILDINGS  
COMPRISING FIFTY-FOUR (54) UNITS AND  
BASEMENT CAR PARKING FOR ONE  
HUNDRED AND ONE (101) VEHICLES.  
STALDONE CORPORATION PTY LTD  
6 CULWORTH AVENUE - J M ROBERTS, 8  
CULWORTH AVENUE - J IRVINE  
WINTER GROUP PTY LTD

**APPLICANT:**

**OWNER:**

**DESIGNER**

**PURPOSE FOR REPORT**

To determine development application No.1369/04, which seeks consent for the demolition of two (2) residential dwelling houses and construction of three (3) x five (5) storey residential flat buildings comprising fifty-four (54) units and basement car parking for one hundred and one (101) vehicles.

**EXECUTIVE SUMMARY**

**Issues:**

Zone interface setback

**Submissions:**

Fifteen (15) submissions received

**Pre-DA:**

18 November 2004

**Land & Environment Court Appeal:**

Not applicable

**Recommendation:**

Approval

**HISTORY**

**Site history:**

The site is used for residential purposes. There is no history of the site relevant to the subject development application.

**Development application history:**

**DA 1369/04**

18 November 2004

Pre-DA meeting. Issues raised:

- Building separation
- Building setbacks
- Modulation of facades

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- Vehicle access and parking

The above matters have been addressed and resolved in the submitted development application plans

21 December 2004

Application lodged

31 March 2005

Meeting with applicant to discuss progress of application and issues identified.

1 April 2005

Letter sent to applicant detailing urban design issues.

13 May 2005

Amended plans received including amended architectural drawings, a landscape plan, shadow diagrams, statement of environmental effects, natHERS report, access report and design verification report.

## THE SITE AND SURROUNDING AREA

### The site

Zoning:	Residential 2(d3)
Visual Character Study Category:	Pre 1920-1945
Lot Number:	6 Culworth Avenue - Lot N 8 Culworth Avenue - Lot M
DP Number:	6 Culworth Avenue - 419812 8 Culworth Avenue - 419812
Heritage Affected:	No
Bush Fire Prone Land:	No
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	No

The subject site is configured as an “L” shaped parcel of land, located on the eastern side of Culworth Avenue, between Stanhope Road and Marian Street.

The site has a 34m frontage to Culworth Avenue, a maximum depth of 89.9m and a total area of 4995.4m<sup>2</sup>. A number of trees occupy the subject site, located mainly within the allotment that is currently identified as No.6 Culworth Avenue. The remainder of trees are generally located along the existing boundaries of No.6 and No.8 Culworth Avenue.

No.6 Culworth Avenue is occupied by a detached, 1920's bungalow, dwelling house, a detached garage to the rear and swimming pool. No.8 Culworth Avenue is a battle axe allotment that contains a more recent dwelling house dating from the 1960s. A tennis court is located on the western side of the dwelling and a swimming pool adjacent to the northern boundary. A detached double garage lies adjacent to the southern boundary.

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**Surrounding development:**

The surrounding area is generally residential, however, there is some commercial use located nearby in Marian Street. To the immediate north, the subject site is adjoined by the Marian Street Theatre and car park (zoned Special Uses - Municipal Purposes). Further north (across Marian Street), Nos. 5 to 15 Marian Street are zoned Business 3(a) (A3) and used as shops.

A community park, known as Selkirk Park, is located on the corner of Culworth Avenue and Marian Street (No.2A Marian Street). The Park also adjoins the northern boundary of the subject site. Killara Station is located to the north-east (within 400m) across Culworth Avenue.

Nos 10 & 12 Culworth Avenue lie adjacent to the east and contain two storey dwelling houses which have both been rezoned Residential 2(c2) under LEP194.

No.2 Culworth Avenue has a tennis court which abuts the southern boundary of the subject site to the rear of the house on No.4 which abuts the driveway. Numbers 2 and 4 Culworth Avenue are also zoned Residential 2(d3) pursuant to LEP194.

No 14A and 16A Stanhope Road adjoin the site to the south and south west corner and both are battle-axe allotments. No16A has a swimming pool adjacent to the boundary. There is an evident change in level along this boundary such that, these dwellings are located at a higher level than the subject site. Both these sites are zoned Residential 2(c2).

The site immediately adjacent to the west of the subject site (10A Marian Street) is also zoned Residential 2(d3) and subject to redevelopment for multi-unit housing.

Two (2) applications for development of residential flat buildings have recently been granted consent in the vicinity of the site (refer Locality Plan):

- a. Nos 26 - 30 Marian Street (DA 1243/04) was approved by Council on 24 May 2005. This development proposed 27 units and is located approximately 400 metres west of the subject site.
- b. No 10-16 Marian Street (DA 1388/04) was approved by Council on 14 June 2005. This development proposed 55 units contained in five separate, five storey buildings. The interface of this development to the subject site (ie.6-8 Culworth Avenue) is limited to approximately 34 metres along its north-western boundary. Setbacks of the basement to the common boundary vary between 5 metres and 8 metres while the building façade varies between 6 metres (ground to 9 metres. Buildings on the subject site will be separated more than 15 metres at ground level (floors 1 to 4) and more than 20 metres at fifth floor level from the development at 10-16 Marian Street.

A further application, for development of a residential flat building is currently under consideration in the vicinity of the site.

- c. No 32 Marian Street located on the corner Pacific Highway. (DA 1415/04) This development proposes 16 units and is located approximately 600 metres from the site to the west.

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**THE PROPOSAL**

The proposal is for the demolition of two existing residential dwellings and construction of three (3) x five (5) storey residential flat buildings, comprising fifty-four (54) units with basement car parking for one hundred and one (101) vehicles.

Details of the proposed development are as follows:

	<b>2-bedroom</b>	<b>3-bedroom</b>	<b>Total</b>
Building A	8	10	18
Building B	5	13	18
Building C	8	10	18
<b>Total</b>	<b>21 units</b>	<b>33 units</b>	<b>54 units</b>

Buildings A, B & C will each accommodate eighteen (18) units in total, comprising a mixture of two (2) and three (3) bedroom apartments, ranging from 86m<sup>2</sup> to 146m<sup>2</sup> in size.

Each building will accommodate four (4) apartments per floor from ground floor to level 3. Level 4 of each building will accommodate two (2) (penthouse) apartments ranging from 118m<sup>2</sup>-137m<sup>2</sup> in size.

Private open space to the apartments is provided by way of private courtyard areas for ground floor units and balconies or terrace areas to the upper floors. Private open space ranges in size from 11m<sup>2</sup>-126m<sup>2</sup>. Some units in Building A fronting Culworth Avenue will have two balconies. All units will be dual aspect, with the exception of the end units which have three aspects. The majority of common open space area is provided to the north-east of the site, adjoining Selkirk Park. Gate access from the development site into the park for residents will be provided.

Vehicle access to the site is provided directly from Culworth Avenue and into a two level basement parking area that links the three buildings. The basement parking area will provide 101 car parking spaces in total, comprising 87 resident car parking spaces and 14 visitor spaces. Nine (9) of the parking spaces will be disabled spaces. A car wash bay is also provided within the basement car parking area.

A total of five lifts are provided within the development (2 lifts within both Buildings A and C, and 1 in Building B). The lifts provide access to all levels, including the basement car park.

Due to the 'L' shaped configuration of the site, Building A will be the only building with a street frontage. Building B will be set behind Building A and separated 6.5m at ground to third floor level. Building C will be located 12m north of Building B.

**Amended plans dated 13 May 2005**

Amendments to the development are as follows:

- An amended floor plan for Building B to increase separation between buildings;



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- An increase to the setback of Building B from the north-eastern corner boundary of 16A Stanhope Road to 9m;
- Unit B1 altered from a 3-bedroom unit to a 2-bedroom unit;
- Separation between Building A and B altered to 6.5m in lieu of the originally proposed 8.795m, as suggested by Russell Olssen;
- Southern elevation of Building B provided with additional stepping and changes in finish and fenestration pattern;
- Altered footprint to penthouses and amendments to terrace positions, sizes and allocation of planter boxes;
- Southern facade of Block A provided with a change in finish and fenestration;
- Southern facade of Block C amended to provide vertical rendered element above the building entry;
- Two additional trees provided in the landscaped setback between Building B and boundary with No.16A Stanhope Road. This change increases the total to four (4) trees within this setback;
- A common open space linkage provided from the central pathway and Selkirk Park. Common open space increased from 22% to 31.17%.
- Courtyard areas of Units C1 and C2 in Building C decreased in area from 167.76m<sup>2</sup> and 414.28m<sup>2</sup> to 15.6m<sup>2</sup> and 19.3m<sup>2</sup> respectively;
- Pathway system redesigned to address increased building separation and a central orientation point provided at the junction of pathways to each building with a signage wall;
- Flight of curved steps provided between Buildings B and C;
- Courtyard to unit B4 reduced in size to enable tree retention adjacent to the western boundary to be contained in common open space and retained;
- Arrangement of clothes drying area altered;
- Tree retention and transplantation proposed within northern setback area of Building A; and
- Revised shadow diagrams.

## CONSULTATION - COMMUNITY

In accordance with Council's Notifications Policy, owners of surrounding properties were given notice of the application. The following comments have been received:

### Original scheme dated 21 December 2004

1. Ingham Planning – prepared on behalf of A & T Armstrong 16A Stanhope Road, Killara.
2. Barry O'Farrell – State Member for Ku-ring-gai
3. Mr A Singh & Mrs K Kaur-Hunjan – 4 Culworth Avenue, Killara
4. M Middleton – 1 Caithness Street, Killara
5. A & T Armstrong – 16A Stanhope Road, Killara
6. A Carroll – 36 Karranga Avenue, Killara
7. K A Mallesh – 21 Marian Street, Killara
8. M Bachmayer – 2 Culworth Avenue, Killara
9. BH & SES Watson – 37 Marian Street, Killara
10. P Greeley – 12 Culworth Avenue, Killara
11. Mirvac Group – 40 Miller Street, North Sydney

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12. R & J Cohen – 14 Stanhope Road, Killara
13. M & J Coleman – 2 Stanhope Road, Killara
14. M & J Bracka – 26 Killara Avenue, Killara
15. J Campbell – 6 Stanhope Road, Killara

The submissions raised the following issues:

***Non-compliance with setbacks***

Buildings A and B are fully compliant with the setback controls contained within DCP 55. Building C is also largely compliant with the setback controls, with the exception of the 9m third and fourth storey setback to the northern boundary where the site adjoins a Council owned car park. This setback has been found to be acceptable on merit and is discussed in detail later in this report. (See consideration of SEPP1 objection).

Building A is the only building with a street frontage and is set back between 10m and 12m from the Culworth Avenue frontage. DCP55 permits a reduced front setback of no less than 6m, where road reserve width is less than 12m. In this case, given that Culworth Avenue is less than 12m in width, Building A is well in excess of the minimum setback requirement.

Building B has a consistent setback of 9m (from ground level) to the southern boundary where it interfaces with No 16A Stanhope Road, zoned Residential 2(c2). LEP194 requires a 9m setback to the third and fourth storey in a zone interface situation, the lower levels of the building are only required to be setback 6m from the relevant boundary. In this case, Building B has been setback 9m at all levels and is therefore well in excess of setback requirements to the southern boundary.

Based on the above and the merits of the SEPP1 objection, the proposed setbacks of the development are deemed acceptable.

***Lack of screen planting, deep soil areas and common landscaped areas***

The development complies with the prescribed 50% deep soil landscaping requirement of LEP194, providing adequate areas for large canopy trees and established screen planting. The development will retain significant trees and an additional sixteen (16) canopy trees will be planted throughout the site, including perimeter areas for screen planting purposes. In particular, where greater sensitivities lie such as adjoining properties that are not zoned Residential 2(d3), canopy trees have been incorporated within these setbacks to achieve as much screening as possible to adjoining development.

Common landscaped areas have been revised since the initial proposal and increased from 22% to 31.7% or a total of 1578.4m<sup>2</sup>. This complies with the 30% common open space requirement of DCP55.

Council's landscape officer has reviewed the proposal and supports the development, subject to conditions. **(Refer condition No's 45-55, 78-80, 95-104).** The deep soil areas, screen planting and common open space areas proposed are therefore acceptable.

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***Transition in scale to adjoining development***

The proposal is located within an area recently rezoned to Residential 2(D3) (for multi unit housing) and will initiate the transition from existing development that comprises one to two storey development to the future context of the area characterised by five storey development.

With the exception of the minor variation to the Marian Street Theatre car park, the development provides complying setbacks to the site boundaries and in some areas exceeds the necessary setback requirements of LEP194 and DCP 55. In particular, despite provision within the DCP for Building A to be set back a minimum of 6m from the Culworth Avenue frontage, the building is setback up to 12m to the Culworth Avenue frontage thereby reducing perceived scale or dominance of built form to the street.

LEP 194 requires that the third and fourth storey of any building on land zoned Residential 2(d3) shall be setback 9m from any boundary shared with land not within Zone 2(d3). In this case, Building B adjoins No.16A Stanhope Road, (zoned Residential 2(c2)) and is set back at the third and fourth storeys 9m, accordingly. In addition to this, the remaining lower levels of the building have also been setback to 9m, 3m in excess of the 6m requirement. Given that the intention of the zone interface control is to provide a transition in scale of buildings between certain zones, the development responds to the control appropriately and provides acceptable levels of transition to adjoining development.

The development also complies with the prescribed building envelope requirements of LEP194 and DCP55, including maximum height, site coverage, floor space ratio, upper floor control and deep soil landscaping. To this end, the scale and bulk of the proposed development is anticipated for the area and compliance with relevant controls indicates appropriate transition in scale to adjoining development.

***Lack of articulation and visually obtrusive building finishes and colour scheme***

The southern elevations of Building A and B have been subject to redesign and/or additional façade articulation including steps in the wall, amendments to the window arrangement and variations to the finishes all of which serve to improve and soften the presentation.

The façade to Culworth Avenue incorporates balconies, steps, voids, and punctuations as well as changes in materials and finishes that serve to provide sufficient and adequate articulation to the façade.

The proposal, including amendments, has been reviewed by Urban Design Consultant, Mr Russell Olssen, in relation to SEPP65 matters and he raises no issues in relation to the articulation, or finishes of the proposed buildings.

A condition of consent will require submission of a colour scheme to the satisfaction of Council. (**Refer Condition No. 94**). Such a colour scheme will need to be as neutral as possible given the building materials.

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***Loss of privacy to No.16A Stanhope Road, Killara***

The development adjoins No16A Stanhope Road along its southern (side) boundary. Building B will be located adjacent to the portion of the boundary that adjoins the rear yard of No16A. The dwelling at No16A Stanhope Road is orientated to the north, with all living and family rooms located along the full length of its northern elevation. A swimming pool is also located within the rear yard of this property.

Building B will be set back 9m from the common boundary and complies with the zone interface setbacks accordingly. Although the lower levels of the development can be reduced to 6m setback, the 9m has been maintained in an attempt to protect a level of amenity to the occupants of No16A.

The subject development will not present the full 5 storey height of Building B to No.16A Stanhope Road due to the significant change in levels apparent along the boundary line. Given the levels and east elevation of Building B, the entire ground floor is below the backyard level of No.16A Stanhope Road and will not be visible to the south.

There is a 21.5m separation between the family room windows in No.16A Stanhope Road and the southern elevation of Building B. This separation distance increases to the terrace and sunroom. Building B has been orientated to the north, with outlook directed away from 16A Stanhope Road and incorporates only bedroom windows in the southern elevation. Planter boxes have been provided around the perimeter of the top floor of Building B to prevent overlooking of No16A. Additional landscape planting, including canopy trees, has also been incorporated within the setback of Building B where it adjoins No16A Stanhope, to create a sense of privacy to the occupants of No16A Stanhope Road.

It is acknowledged that there will be some impact on privacy to No.16A Stanhope Road, however, the combination of the change in levels, complying setbacks, landscape planting and screening devices will be sufficient to ensure an appropriate interrelationship with No.16a Stanhope Road, in a manner envisaged by the planning controls.

***Loss of views from No.16A Stanhope Road, Killara***

The development has been contained within the prescribed building envelope controls which apply to the site under LEP194. Therefore, the proposed building is of a scale and bulk anticipated for sites of this size that are zoned Residential 2(d3).

A number of other sites in the immediate vicinity of the subject site are also zoned for multi-unit residential development and this zoning will result in buildings of a similar scale, bulk and height being constructed behind and around the proposed development.

In comparison to the existing structures on site, the proposed building will obstruct distant views to Selkirk Park previously enjoyed by 16A Stanhope Road, however, the park is two properties removed from 16A Stanhope Road and that the impact upon that view alone does not warrant the refusal of the application.

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***Geotechnical assessment***

A preliminary geotechnical report, prepared by Coffey Geosciences was submitted, and has been reviewed by Council's Engineering Assessment Officer, Ms Kathy Hawken. Ms Hawken comments that the findings of the report are acceptable.

The report recommends further investigation, comprising borehole testing to provide parameters for design, where the need of vibration monitoring and dilapidation surveys can be identified. Further, the basement excavation is well set back from the road and adjoining properties.

Engineering conditions of consent will require that all geotechnical aspects of the development works, particularly excavation, support, retention and hydrological considerations must be undertaken in accordance with the recommendations of the geotechnical report. **(Refer Conditions Nos 56-71, 82-92, 105-120)**

***Lack of infrastructure and services to meet demands of proposed increase in local population***

The site has been rezoned for residential flat development. Increased demands of infrastructure have been previously taken into account during the rezoning process. To this end, the site has been identified as suitable for residential flat building development.

The development has been reviewed by Council's Engineering Assessment officer who raises no concerns with regard to the capability of infrastructure for the increased local population subject to conditions. **(Refer Conditions Nos 56-71, 82-92, 105-120)**

***Overshadowing to No.4 Culworth Avenue, Killara***

Concern was raised in relation to overshadowing of No 4 Culworth Avenue which is also zoned Residential 2(d3) for multi-unit residential development.

In this regard, DCP55 makes a distinction between solar access requirements for single detached dwellings and other types of development. Clause 4.5 C-6 only refers to single detached homes i.e. 3 hours direct sunlight on 21 June to habitable rooms and outdoor living areas of adjoining houses in Residential 2(c1) and 2(c2) zones and is silent on the amount of sunlight acceptable to other types of development (eg dwelling houses).

The application is made under the KPSO and LEP194, which include only the requirement that Council should take into account the amount of overshadowing likely to be caused by the proposal and ensure sunlight access to neighbours (Clauses 25D(k) and 25I(b)).

The Australia-wide resource document for residential development, AMCORD, suggests that a development should not reduce the sunlight received by the north-facing windows of living areas of neighbouring properties to less than 3 hours between 9am and 5pm at the winter solstice. The NSW-specific *Residential Flat Design Code*, which applies only to apartment buildings of three storeys and over, recommends 2-3 hours of sunlight to the living rooms and private open spaces of 70% of apartments between 9am and 3pm, reducing it to 2 hours in dense urban areas. The Code

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does not specifically deal with the impact on sunlight received by neighbouring buildings, though one may assume that the same criteria apply.

The ease with which sunlight can be protected is inversely proportional to the density of development. At low densities, there is a reasonable expectation that a dwelling and some of its open space will retain its existing sunlight. At higher densities sunlight is harder to protect and the claim to retain it to the same level as low density is not as strong. It is considered that no unreasonable overshadowing will occur to the property at No.4 Culworth Avenue as it will receive 3+ hours of direct sunlight. During the equinox, the amount of solar access provided to this unit is further increased.

Further, it should be noted that the proposal achieves compliance with the height standard and the setback controls applying to the common boundary between the subject site and No 4 Culworth Avenue.

***Traffic congestion and safety for drivers and pedestrians***

The application has been reviewed by Council's Engineering Assessment Officer, Kathy Hawken, in relation to traffic generation, vehicle access and parking. Ms Hawken concludes that adverse traffic issues in the surrounding road network are not anticipated as a result of this development as sufficient on-site parking is provided along with appropriate access to and from the site. (*See comments under Consultation with Council*).

LEP194 requires that the proposal provides a minimum of 54 car parking spaces, including 14 visitor car parks. The proposal provides 101 car parking spaces in total and complies accordingly. Vehicles will enter and exit the development in a forward movement, with adequate driver sightlines for both driver and pedestrian safety. Appropriate on site truck access and manoeuvring areas for waste collection vehicles is provided, preventing potential traffic congestion in Culworth Avenue during waste collection periods.

***Overdevelopment of the site***

The rezoning of the subject allotment under LEP194 to a 2(d3) zone confers a development potential pursuant to the development standards and control set out in LEP194 and DCP55. In accordance with these statutory planning instruments and policies, sites within the 2 (d3) zones have the potential to be development for the purposes of residential flat buildings to a maximum height of five storeys. The intent of rezoning for multi-unit development is to establish high density living in proximity to transport nodes.

The development complies with the prescribed controls of LEP194. In particular, maximum height, number of storeys, site coverage, floor space ratio, density and deep soil landscaping and large tree planting consistent with the established landscaped character. Setbacks are also largely compliant and where varied are acceptable on merit.

Compliance with prescribed controls indicates development of a scale, bulk and density anticipated by the relevant planning instruments. The proposed development is therefore acceptable.

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***Bulk and scale of development***

The development is permissible and complies with the prescribed requirements of LEP194 including, maximum height, site coverage, number of storeys and deep soil landscaping. Accordingly, the development is of a scale and bulk anticipated within the area.

The development is contained within three buildings (Building A, B and C) as opposed to one or two larger dominant structures. Due to the 'L' shape configuration of the site, Building A is the only one with frontage to the street (Culworth Avenue). Both Buildings B and C will be concealed from Culworth Avenue with Building B set directly behind Building A and Building C, located north of Building B in the northern-most portion of the site.

Large landscaped areas between the buildings and the perimeter of the site further assist in softening of built form to surrounding development. Building mass overall on all elevations of each building has been reduced by strong articulation contributing to break down of flat wall areas and provides visual interest. The height of the building will be reduced by the recession of the top floors from the perimeters of the buildings and landscaping provided around the upper terrace areas to soften the eave line of the buildings.

The height of Buildings B and C will be visually reduced by the fall of the site from Culworth Avenue, particularly where adjoining sites are located higher than the subject site. (E.g. 16A Stanhope Road). The fall in contour combined with boundary fencing and screen planting results in the concealment of most ground floor and some lower levels of the development will also be largely concealed when viewed from adjoining properties.

**Amended plans dated 13 May 2005**

The amended plans were not notified as the changes proposed therein would not have any greater impact on surrounding properties than the original proposal.

**CONSULTATION - WITHIN COUNCIL**

**Urban Design Panel**

Council's Urban Design Consultant, Mr Russell Olssen, has commented on the proposal as follows:

*"The key issues to be addressed in the proposed design changes to this development application are:*

- The separation between units B5 and C4 is only 8.6m between habitable rooms. This distance should be 12m under the SEPP65 Residential Flat Design Code.*
- The narrow separation of 8.6m between buildings at this point (between units B5 and C4) creates overshadowing of the lower level apartments in winter, which would be avoided with a greater separation.*
- The proportion of private open space to communal is disproportionate with too much of the site being sectioned off for private use, especially in the centre and north parts of the site. Only 22% of the site is communal open space (not the 30%*

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*required by the DCP) and is not usable for recreation. It is recommended that at least 30% of the site is communal open space.*

- *The DA proposes that the north-eastern end of the site is to be private open space. It is recommended that this be communal open space, which extends the public open space north of the site, through to the intersection between Buildings A, B and C. This major through site link should be extended from the intersection between Buildings A, B and C to Culworth Avenue.*
- *It is recommended that the landscape design within this through site link is re-designed to make well defined pedestrian paths and a clearly defined central orientation point at the eastern end of Buildings B and C, which will also be connected to pedestrian paths to the entries of Buildings B and C.*
- *There should be an open visual axis from Culworth Avenue to the centre of the site, between Buildings B and C. The existing projection of the north-eastern corner of Building B (where units B5 and C4 are located) blocks this view. It is recommended that this north-eastern corner of this building is set back to open up this view to the landscaped courtyard between Buildings B and C.*
- *No sun shading devices are shown on any elevation to protect window openings. It is recommended that external sun shading is provided to the northern and western windows, as a minimum.*
- *The roof form is unnecessarily complex. It is recommended that the roof forms are simplified by removing some steps from the external walls of the 5<sup>th</sup> floor.*

*The key issues above relating to the separation of Buildings B and C, particularly at the north-eastern corner of Building B, can be resolved without loss of floor space, by re-planning the typical floor of Building B (same for each level from Ground to 3<sup>rd</sup> floor). This may include:*

- *Reducing the 15.41m gap between Buildings B and C at the western end to 12m. Balconies may protrude into the 12m separation distance between buildings if necessary.*
- *Increasing the gap between Buildings B and C at the eastern end to 12m.*
- *If necessary the gap between Buildings A and B at the north-eastern corner of Building B may be reduced to compensate for lost floor area elsewhere (it should be noted that no windows to habitable rooms should be located in the western façade of Building A, so that privacy between habitable rooms across this gap is not compromised. Screens on the western ends of balconies in Building A should be used also to avoid privacy problems).*

The applicant lodged amended plans (13th May 2005) in response to the SEPP65 issues raised above. Mr Olssen comments on the revised plans as follows:

*“This is the second time that this project has been reviewed, following recommendations in the first review, and changes by the applicant. The recommendations primarily related to the design of Building B, views to the central courtyard and the design of the communal space near the northern boundary. All these recommendations have been satisfactorily addressed in the applicants re-design. There is not a further need for design changes regarding SEPP65 issues.”*



## Landscaping

Council's Landscape and Tree Assessment Officer, Geoff Bird has commented on the proposal as follows:

*"It is proposed to demolish the existing dwellings and associated structures and construct three residential flat buildings with basement car parking on the amalgamated site area of 4,995sqm with vehicular access from Culworth Ave. The site is characterised by an established landscape setting with mature trees and shrubs within formal garden beds and lawn expanses. The existing landscape is extremely well maintained and typical of the broader Killara landscape character, with endemic upper canopy trees, exotic feature trees and an understorey planting of predominantly exotic shrub species which provide valuable screening/privacy and amenity to the surrounding properties. The site frontage is dominated by a mature Nyssa sylvatica (Tupelo) located immediately adjacent to the eastern/Culworth Ave site frontage. The rear of the site is dominated by a mature Eucalyptus saligna (Bluegum) located adjacent to the western/rear site boundary in the neighbouring property.*

### **Impacts on Trees/Trees to be removed/Tree replenishment**

*The proposed development will result in the clearing of the majority of the understorey vegetation located on site and the selected removal of existing trees. The most significant tree proposed for removal is a mature Nyssa sylvatica (Tupelo) identified as T11 located adjacent to the northern site boundary within the proposed building footprint of Block A. The tree is approximately 13m high with a 12m canopy spread and outwardly in good condition and health. The removal of the tree is not particularly desired as it is visually significant within the site. However given its size and the proximity to the building footprint the retention of the tree is not possible without significant design changes to the existing proposal.*

*One endemic tree species, a Eucalyptus acmenoides (White Mahogany) located adjacent to the southern site boundary/south west site corner is proposed for removal. The tree is approximately 18m high and outwardly in fair condition. There is no objection raised to its removal. Other trees nominated for removal are not significant within the broader landscape, and no objection is raised to their removal.*

*It must be noted that the consulting arborist has nominated numerous trees/large shrubs to be transplanted and reused on site. Landscape Services supports wherever feasible the transplanting and relocation of existing trees and shrubs on site to maintain and maximise the landscape character of the site. Given that the site is presently extremely well maintained and many of the established trees and shrubs are suitable for transplanting, this outcome is desirable.*

*A total of five 'canopy' tree species are proposed for removal, two of which have broader landscape significance, of the fifty five (55) identified as being identified with the site. As proposed, another sixteen (16) 'canopy' trees are proposed to be planted on site, of which twelve (12) are native, although not all are endemic to the immediate area. This tree replenishment, if allowed to mature, will maintain and enhance the treed character of the*

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vicinity. 'Canopy' trees have been proposed through the site as well as around the perimeter areas.

**Landscape plan**

*The amended Landscape plans have addressed previous concerns with regard to existing vegetation retention and can be supported, as it provides tree replenishment throughout the site, sufficient screen planting and amenity to both the future residents and the existing neighbouring properties.*

**Drainage plan**

*The concept storm water plan submitted with the application is conceptual only and provides locations only for drainage pits. It is noted on plan that final positioning will be determined at CC stage to suit landscaping layout plans. Overall this can be supported, although it is preferred to have the pipe locations sorted to ensure there are no adverse impacts to existing trees to be retained.*

**Arborist's report**

*An arborist's report has been submitted with the application. The report identifies and details existing trees located on and immediately adjacent to the site. However, apart from a separate short statement, the report does not detail the health and significance and the potential impacts to the existing trees located within Selkirk Park that may be impacted upon as a result of the upgrading of the required drainage easement. It is noted, within the statement that thrust or directional boring within Council's reserve will be utilised to install the required piping. Boring will reduce potential tree/root impacts and can be supported.*

**Deep soil landscaping**

*By the applicant's calculations, a deep soil landscaping area of 50.14% has been provided on site, which numerically complies with the LEP requirements. Landscape Services is in agreement with the applicant's site areas included as Deep Soil Landscaping.*

**Courtyard areas**

*Previous concerns regarding the expansive size of some courtyards, the lack of communal open space, tree replenishment in private areas and maintenance issues have been addressed in revised plans.*

**Substation**

*It is likely that Energy Australia will require a separate substation for the site and that it is to be located adjacent to the site frontage for ease of access. If this is the case it is required that the substation be located so that it is outside the canopy drip line of any tree to be retained as part of the proposal. Revised plans have shown an appropriate location for a substation kiosk if required.*

*Subject to conditions, the application can be supported by Landscape Services.”*

## **Engineering**

Council’s Engineering Assessment Officer has commented on the proposal as follows:

*“In summary the application can be supported by Development Engineers, subject to the imposition of the recommended engineering conditions of consent.*

*A pre-DA meeting was held for this site at which the applicant was presented with assessment criteria related to the engineering aspects. Generally the applicant has had regard to the engineering issues raised at this pre-DA meeting, and has submitted the requested information.*

*The documentation considered consists of:*

- *Preliminary Stormwater Management Investigation Report AFCE Environment + Building dated March 2004;*
- *Stormwater management plans (including concept environmental site management plan), AFCE Environment + Building Drawings 343450/C1 to C5;*
- *Winter Group Architectural Drawings 20425 DA-00 to 14.*
- *Coffey Geosciences letter report, S22083/1-AB, dated 13 December 2004;*
- *Transport and Traffic Planning Associates Report 04264, dated December 2004 (unsigned);*
- *Construction Management Plan, December 2004; and*
- *T.J.Gilbert & Associates Survey drawing 4158A, dated 3/12/04.*

*The application is for three residential flat buildings comprising 54 units (24 x 2 bedroom and 30 x 3 bedroom). Two levels of basement car parking are proposed, with a combined vehicular entry and exit from Culworth Avenue.*

## **Subdivision**

*The application form indicates that strata subdivision is proposed under this DA, however the applicant has now advised in writing that subdivision is not part of the current application. For that reason, no subdivision conditions are recommended. So that the building is not constructed across lot boundaries, the applicant will be required to consolidate all the lots prior to issue of the Construction Certificate.*

## **Traffic generation**

*The applicant has submitted a Traffic Report with the Development Application. The report is generally satisfactory.*

*Based on LEP 194, the proposal requires a minimum of 54 resident spaces and 14 visitor spaces. The proposal provides 101 spaces and therefore complies.*

*The traffic generated by the development is estimated to be 25 to 30 vehicle trips during peak hour. The report gives existing traffic volumes in Culworth Avenue as 100 to 150 vehicles during peak hour, so the increase would be about 20 to 25%. Traffic generation has been raised in some submissions. However, the RTA Guide to Traffic Generating Developments gives a maximum environmental capacity for a local street of 300 vehicles per peak hour. It can be seen that the development will not cause traffic volumes in Culworth Avenue to approach maximum capacity.*

#### **Construction management**

*A construction management plan has been submitted. It is adequate although Section 9.0 Hours of Work states that "Council DA conditions do allow works on Sundays and public holidays". Obviously this should be "do not".*

*A Works Zone will be required but may have to be compatible with the existing parking restriction along the Culworth avenue frontage, (No Parking 6am to 10am). A condition has been recommended to that effect, including the need for approval by Traffic Committee and the payment of the necessary fees.*

#### **Vehicle access and accommodation layout**

*Proposed vehicle access and accommodation arrangements have been assessed in the traffic report. The access and manoeuvring areas comply with AS2890.1 Off street car parking and are satisfactory. Further certification by the traffic engineer will be required prior to Construction Certificate issue and upon completion.*

#### **Garbage collection**

*A waste storage and collection area is required internally under Council's DCP 40 for Waste Management. This has been provided in the upper basement parking area and there is adequate provision for Council's waste collection vehicle to enter the subject site, collect the garbage and then exit the site in a forward direction.*

#### **Impacts on council infrastructure and associated works**

*The site has an adequate footpath along most of the frontage, however it is understood that undergrounding of services will be required, which may be expected to damage the footpath and nature strip.*

*Dilapidation surveys will be required before and after the works, with full restoration of any damage by the developer prior to the issue of an Occupation Certificate.*

*A \$50,000 bond to cover restoration of such damage (or completion of incomplete works by Council) is to be applied.*

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***Site drainage***

*The applicant has satisfied Council's Open Space section regarding his legal entitlement to connect to Council's underground drainage pipe in Selkirk Park. A new pipe and junction pit will be required to facilitate the connection. This can be done in conjunction with the drainage works on site. Council's approval will be required for the design of the works in Selkirk Park, and a separate permit will have to be obtained to open the ground.*

*The Preliminary Stormwater Management Investigation report contains discussions of the stormwater management matters associated with the development. Water quality measures have also been included in the report, which is to be commended. The provision of such measures is included in the recommended conditions.*

*The submitted concept stormwater management plan AFCE Environment + Building Drawing 343450 Sheets C1 to C3 has been designed in accordance with Council's requirements contained in Water Management DCP 47 as amended January 2005. That is, 80m<sup>3</sup> of on site detention and 80m<sup>3</sup> of on site retention are provided. Roof water only is to be retained and re-used for toilet flushing, washing machine cold water and irrigation.*

*The basement garage and the detention/ retention tank below are at a level not that much higher than the ground level in nearby Selkirk Park. Selkirk Park itself would form an informal detention area during times of overland flow in the underground system, due to the railway embankment nearby. Careful detailing of the stormwater management measures will be required to ensure that backflow into the retention tank does not occur at these times.*

*I have discussed the above with the designing engineer. No concerns remain which cannot be addressed by conditions.*

*An Environmental Site Management has been included on Sheets C4 and C5. The plan shows a sedimentation basin for each excavation and is generally satisfactory for DA purposes.*

***Geotechnical / structural comments***

*A preliminary geotechnical report has been submitted, based on a site visit and desktop study. This is acceptable for this site as the site appears to be underlain by shallow rock and the basement excavations are well set back from the road and adjoining properties.*

*The report recommends further investigation comprising cored boreholes to provide parameters for design. At that time, excavation conditions can be confirmed and the need or otherwise for vibration monitoring and dilapidation surveys can be identified."*

**STATUTORY PROVISIONS**

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

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**Context:**

A key feature of the development is its close proximity to the Killara Railway Station (less than 400m). The form of buildings in the locality is at present mainly single dwelling houses, with some older examples of residential flat buildings immediately next to the station and neighbourhood shops. The abutting Marian Street Theatre is also a well known landmark.

The development is permissible and largely complies with the prescribed requirements of LEP194 and an anticipated development within the area.

A number of residential flat building developments in the vicinity of the development are currently under consideration by Council or have recently obtained approval (e.g. 10-16 Marian Street, 26-30 Marian Street and 32 Marian Street). Accordingly, the proposed development relates to its context by responding to the provisions of LEP194 and DCP55 that have been formulated to provide higher density 5 storey development.

**Scale:**

The development meets the prescribed building envelope requirements of LEP194, including building height, deep soil landscaping, site coverage and setbacks, with the exception of a minor non-compliance to the Marian Street Theatre car park which is acceptable on merit. The scale of built form proposed is appropriate to the context and future character and form of the locality as envisaged by the LEP.

**Built form:**

The built form is acceptable and consistent with the desired future character of the locality. It complies with prescribed building envelope controls and will have an appearance of appropriately proportioned buildings set in landscaped open space.

The development is divided into three, five-storey buildings comprising 18 units in each. They each feature a combination of rendered masonry elements and a penthouse level set in from the perimeter walls by terraces.

The built form is varied and utilises a different floor plan for each building. The form utilises steps and changes in materials, vertical and horizontal articulation to create visual interest.

Visibility of the development to Culworth Avenue will not be high due to the 'L' shaped configuration of the site which wraps around the rear of Numbers 10 and 12 Culworth Avenue. Filtered views across Selkirk Park will be available as well as from the theatre car park and adjoining backyards.

The primary presentation of the development to Culworth Avenue will be Building A, where the building presents with a stepped form in filled with balconies on each level, and the upper floor being covered by a timber pergola. The upper level will be set back from the building perimeter by a terrace area that features planter boxes to soften the eave lines of the building.

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Accordingly, the design techniques incorporated in the proposal result in an acceptable built form.

**Density:**

The proposed building density is appropriate to the site, having regard to development guidelines contained in LEP 194 and DCP 55 and the envisaged future character of the area. The locality is well serviced in terms of services and open space and the site itself is in close proximity to the Killara railway station and bus transport along Pacific Highway.

Further, the development itself is compliant with the floor space control and can be adequately serviced by existing infrastructure. The proposed density is therefore acceptable.

**Resource, energy and water efficiency:**

The development achieves acceptable results in terms of energy efficiency and cross flow ventilation, with 100% of apartments being cross ventilated and 87% of apartments achieving a 4.5 star energy rating. There are no single aspect units within the development, with all units in buildings A & C being north-facing and all other units with orientations ranging from north-east to north-west, apart from the south-western orientated units in Building B, representing only three units out of the total of fifty-four. Sufficient deep soil landscape areas and water retention have been provided.

**Landscape:**

The proposal provides for 50% of the site being a deep soil zone and complies with the prescribed control of LEP 194. The landscape design combines native and exotic plants and trees to provide sustainable planting that harmonise with the existing surrounding character of the area, and provide privacy screening to both residents within the development and to neighbouring properties.

The proposed landscaping is consistent with the desired future character of the area, which seeks large canopy trees to soften the buildings and contribute to the streetscape. Overall, the proposed landscape scheme is appropriate to the physical context of the site and will create a pleasant environment. The proposed landscaping is practical, will not present any difficulty for long term management and is to the satisfaction of Council's Landscape Assessment Officer.

**Amenity:**

The proposed units provide for good solar access, cross ventilation and visual and acoustic privacy. Terrace and balconies are well sized, ranging from 12m<sup>2</sup> to 35m<sup>2</sup> with larger balconies to the penthouses. Each individual unit has its own entry lobby and secure internal access to the basement car park by lift or stairs.

**Safety and security:**

The proposal provides for good levels of safety and security through siting, internal planning and design. The proposal maximises opportunities for casual surveillance of communal open space

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areas on site, provides quality common spaces, a clear definition between public and private spaces and enhances the street level activity.

Examples of safety and security measures taken include provision of lift and stair access directly from the basement car parks to apartment levels, a front gate to the street frontage of the site, secure ground floor terrace areas through individual fencing, key and remote controlled access to the basement car park only and visibility of pathways throughout the site from units within the development where possible.

**Social dimensions:**

The application contains a good mix of two and three bedroom apartments providing variety in housing choice. The apartments are all of generously sized (118m<sup>2</sup> to 137m<sup>2</sup>) and will provide high quality of living for residents of the development. The development is in an accessible location in close proximity to public transport nodes (less than 400m to the Killara Railway Station) and commercial centres in both Gordon and Lindfield.

Accessibility for the disabled and elderly has been considered by provision of single level units throughout the development and lift access to all levels, including the basement car park.

**Aesthetics:**

The external appearance and composition of building elements, textures, materials and colours satisfactorily reflects the use, internal design and structure of the development.

**Residential Flat Design Code**

The considerations contained in the Residential Flat Design Code are as follows:

**Relating to the local context:**

The proposal, sited over two allotments, will require their consolidation. This amalgamation will result in a site area of 4995.4m<sup>2</sup>, which is capable of accommodating the proposed density of five storeys.

The proposal is split into three separate buildings sharing a two level basement car park. Although interconnected below natural ground level, the development presents as three separate buildings above ground that are consistent with the proposed built form of the locality.

The development complies with the prescribed building envelope controls of LEP194 and DCP55. In particular, maximum building height, number of storeys, top floor percentage, site coverage, floor space ratio and setbacks are all satisfactory when considered on merits. The development therefore is of a scale and density anticipated for the area within these planning instruments and policy documents.

Surrounding sites within the locality have been zoned for multi-unit development and several applications for development of residential flat buildings are currently under consideration by



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Council, or in some cases planning approval for such developments has already been obtained as mentioned earlier in the report. The development, therefore reflects the desired future built form context of the area as envisaged by LEP 194 and DCP55.

**Site analysis**

A satisfactory site analysis was submitted, indicating how the proposal performs in terms of building edges, landscape response, access and parking and overall building performance in respect of overall energy sustainability.

In terms of site configuration, the proposal will ensure adequate areas for private and common open space and deep soil landscaping. The orientation of the buildings ensures adequate solar access to habitable areas and private open space within the development.

**State Environmental Planning Policy No 55 - Remediation of Land**

The provisions of SEPP 55 require Council to consider the potential for a site to be contaminated. The subject site has a history of residential use and as such, it is unlikely to contain any contamination and further investigation is not warranted in this case.

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

<b>COMPLIANCE TABLE</b>		
<b>Development standard</b>	<b>Proposed</b>	<b>Complies</b>
<b>Site area (min):</b> 1200m <sup>2</sup>	4995m <sup>2</sup>	<b>YES</b>
<b>Deep landscaping (min):</b> 50%	50.14% or 2504.6m <sup>2</sup>	<b>YES</b>
<b>Street frontage (min):</b> 30m	34.44m	<b>YES</b>
<b>Number of storeys (max):</b> Five (5)	Building A – Five(5) Building B – Five (5) Building C – Five (5)	<b>YES</b>
<b>Site coverage (max):</b> 35%	Building A – 609m <sup>2</sup> Building B – 573m <sup>2</sup> Building C – 567m <sup>2</sup> Total – 1748.2m <sup>2</sup> or 35%	<b>YES</b>
<b>Top floor area (max):</b> 60% of level below	Building A – 57.98% Building B – 60% Building C – 57.88%	<b>YES</b>
<b>Storeys and ceiling height (max):</b> 4 storeys and 13.4m	Building A - 4 & 13.2m Building B – 4 & 13.2m Building C – 4 & 13.2m	<b>YES</b>
<b>Car parking spaces (min):</b>		
• 14 (visitors)	14	<b>YES</b>
• 59 (residents)	87	<b>YES</b>
• 74 (total)	101 (total)	<b>YES</b>

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COMPLIANCE TABLE		
Development standard	Proposed	Complies
<b>Zone interface setback (min):</b> 9m	Building A -9m	<b>YES</b>
	Building B – 9m	<b>YES</b>
	Building C – 6.27m (northern boundary to Marian Street Theatre car park)	<b>NO</b>
<b>Manageable housing (min):</b> 10% or 5.4 units	6 units - 11% B2, B4, B6, B8, B10 & B12	<b>YES</b>
<b>Lift access:</b> required if greater than three storeys	Building A - 2 x lifts Building B – 1 x lift Building C – 2 x lifts All lifts service all floors including basement levels.	<b>YES</b>

**Zone interface setback:**

Building C fails to meet the development standard for zone interface setbacks as it relates to the northern boundary (refer Compliance Table).

**State Environmental Planning Policy No 1 - Development Standards**

A SEPP 1 Objection, seeking a variation to a development standard of the Ku-ring-gai Planning Scheme Ordinance (KPSO) has been prepared and lodged with the application. SEPP 1 provides flexibility to Council's development standards and it enables Council to vary such a standard where strict compliance with that standard would be unnecessary, unreasonable or tend to hinder the objectives of the Environmental Planning & Assessment Act, 1979.

Where an applicant wishes to vary a development standard, the application must be accompanied by a well founded, written objection which demonstrates that compliance with the particular standard:

- A. is consistent with the objectives of the relevant development standard;
- B. strict compliance would hinder obtainment of the objectives of SEPP1 or the objectives specified in Section 5(a)(i) and (ii) of the Environmental Planning and Assessment Act and
- C. is unreasonable or unnecessary in the circumstances of the case.

The proposal, in part, does not comply with the zone interface development standard prescribed in clause 25L (2) of Ku-ring-gai Planning Scheme Ordinance which requires that:

***The third and fourth storey of any building on land within Zone No. 2 (d3) must be set back at least 9 metres from any boundary of the site of the building with land (other than a road) that is not within Zone 2(d3).***

Clause 25L (1) states the following objective for the zone interface development standard:

***The objective of this clause is to provide a transition in the scale of buildings between certain zones.***

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As far as the setback standard is concerned, the proposal is deficient in regard to the consistent 6.27m setback of Building C that encroaches into the 9 metres zone interface by 2.73 metres.

A. The SEPP 1 objection, prepared by The Turnbull Group Pty Ltd, maintains that notwithstanding variation, the proposal satisfies the objective of the development standard:

- *'The primary reasoning behind the control is to control transition between zones and such a concern is applicable where there is a different form or density of residential or other sensitive land use apparent in the other zone;*
- *In the subject case the abutting land is owned by Council and zoned Special Uses 'A' (Municipal Purposes) in the Ku-ring-gai Planning Scheme;*
- *The land contains the Marian Street Theatre and the immediate rear of the property accommodates a bitumen car park;*
- *Due to the fact that the proposed building does not adjoin residential use along the boundary there is no amenity impact apparent in the form of loss of privacy, overlooking or loss of view'*
- *The actual theatre building located on the abutting site is positioned with a very large setback to the common boundary thus creating a very large separation between it and the proposed building such that even despite the commercial use there will be no adverse built form scale impact caused;*
- *It is further noted that the theatre property is due north of the subject site so there is no possibility of shadow impact caused to the property by the proposed building;*
- *Additionally significant new landscape planting and existing tree retention is proposed in the proposed deep soil setback in order to soften the transition between the two properties irrespective of the fact of the commercial use.*

*Compliance is therefore unnecessary and unreasonable in the circumstance of the case for these reasons and the objective of Clause 25L is in my opinion satisfied.'*

B. The SEPP 1 objection also indicates that compliance with the development standard would not be consistent with the aims of the Policy and would tend to hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Environmental Planning and Assessment Act, as follows:

*'it is my opinion that the proposed development is consistent with the Council's stated planning objectives for the locality due to the lack of material impact upon the neighbouring property which is a commercial land use, the resultant building separation and the level of deep soil landscaping proposed including retention of existing trees.'*

C. Compliance with the development standard is unreasonable and unnecessary in the circumstances of the case:

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*“As the non-compliance is not significant in these circumstances and does not create any amenity impacts and for the reasons referred to above, compliance is considered unnecessary and unreasonable in the circumstances of the case.”*

The SEPP 1 Objection has demonstrated that the underlying objective or purpose of the standard has been satisfied. In this instance, the objective is *to provide a transition in the scale of buildings between certain zones*. The non-complying setback at the third and fourth storey of Building C impacts on a Special Uses zone which is utilised as a car park, where it adjoins the subject development. The amenity requirements of a residential zone are sensitive requiring preservation of privacy and solar access achieved by reducing scale and bulk. Given that the affected site is not zoned or utilised for residential purposes but as a car park, the need for strict compliance with the transition zone is reduced.

The SEPP 1 Objection has established that the non-compliance with the zone interface development standard would not hinder the attainment of objects specified in Section 5 (a) (i) and (iii) of the EP & A Act 1979, as it would not adversely impact on the amenity of residents within the development.

The SEPP 1 Objection has shown that compliance with the standard is unreasonable or unnecessary in the circumstances of the case as the departure is minor and will still result in a development compatible with that of the surrounding properties. Furthermore, the proposal will not result in any undue environmental impacts on adjoining properties. Privacy will be maintained, no unreasonable overshadowing will occur and the development potential of the affected property will not be compromised.

The SEPP 1 Objection has adequately addressed the requisite aspects of the Policy, is well founded and in this instance the development standard should be allowed to be varied.

#### **Residential zone objectives and impact on heritage:**

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

No 18 Stanhope Road is a heritage item. This property, however, is sufficiently separated from the subject site by two properties. No adverse impacts to this property are anticipated.

#### **POLICY PROVISIONS**

#### **Development Control Plan No 55 - Railway/Pacific Highway Corridor & St Ives Centre**

<b>COMPLIANCE TABLE</b>		
<b>Development control</b>	<b>Proposed</b>	<b>Complies</b>
<b>Part 4.1 Landscape design:</b>		
<b>Deep soil landscaping (min)</b>		
<ul style="list-style-type: none"> <li>150m<sup>2</sup> per 1000m<sup>2</sup> of site area = 750m<sup>2</sup></li> </ul>	2504.5m <sup>2</sup>	<b>YES</b>

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COMPLIANCE TABLE		
Development control	Proposed	Complies
No. of tall trees required (min): 17 trees	21 trees	YES
<b>Part 4.2 Density:</b>		
<b>Building footprint (max):</b> <ul style="list-style-type: none"> <li>35% of total site area</li> </ul>	Building A – 609m <sup>2</sup> Building B – 573m <sup>2</sup> Building C – 567m <sup>2</sup> Total – 178.1m <sup>2</sup> or 35%	YES
<b>Floor space ratio (max):</b> <ul style="list-style-type: none"> <li>1.3:1</li> </ul>	1.27:1	YES
<b>Part 4.3 Setbacks:</b>		
<b>Street boundary setback (min):</b> <ul style="list-style-type: none"> <li>10-12 metres (&lt;40% of the zone occupied by building footprint)</li> </ul>	10.8m-12m <40%	YES
<b>Rear boundary setback (min):</b> <ul style="list-style-type: none"> <li>6m</li> </ul>	Building A 40m+ Building B 9m (min) Building C 6m (min)	YES
<b>Side boundary setback (min):</b> <ul style="list-style-type: none"> <li>6m</li> </ul>	Building A – 6m Building B – 6m Building C – 6m	YES
<b>Setback of ground floor courtyards to street boundary (min):</b> <ul style="list-style-type: none"> <li>8m/11m</li> </ul>	9.2m-10.8m	YES
<b>% of total area of front setback occupied by private courtyards (max):</b> <ul style="list-style-type: none"> <li>15%</li> </ul>	3%	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> <li>Wall plane area &lt;81m<sup>2</sup></li> </ul>	>600mm <81m <sup>2</sup>	YES YES
<b>Built form:</b> <ul style="list-style-type: none"> <li>Building width &lt; 36m</li> </ul>	Building A 18.7m x 34.2m Building B 24.2m x 28.9m Building C 19.5m x 34.2m	YES

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<ul style="list-style-type: none"> <li>Balcony projection &lt; 1.2m</li> </ul>	>1.2m Buildings B and C to maximum of 800mm and 1.6m respectively.	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>	90%	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
<ul style="list-style-type: none"> <li>&lt;15% of the total units are single aspect with a western orientation</li> </ul>	No single aspect units proposed.	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> </ul>	6.5m (Buildings A & B only)	NO
<ul style="list-style-type: none"> <li>9m b/w habitable and non-habitable rooms</li> </ul>	+9m	YES
<ul style="list-style-type: none"> <li>6m b/w non-habitable rooms</li> </ul>	+6m	YES
5 <sup>th</sup> Storey		
<ul style="list-style-type: none"> <li>18m b/w habitable rooms</li> </ul>	12m (Building A & B only)	NO
<ul style="list-style-type: none"> <li>13m b/w habitable and non-habitable rooms</li> </ul>	>13m	YES
<ul style="list-style-type: none"> <li>9m b/w non-habitable rooms</li> </ul>	>9m	YES
<b>Internal amenity:</b>		
<ul style="list-style-type: none"> <li>Habitable rooms have a minimum floor to ceiling height of 2.7m</li> </ul>	2.7m-3m	YES
<ul style="list-style-type: none"> <li>Non-habitable rooms have a minimum floor to ceiling height of 2.4m</li> </ul>	2.7m	YES
<ul style="list-style-type: none"> <li>1-2 bedroom units have a minimum plan dimension of 3m in all bedroom</li> </ul>	>3m	YES
<ul style="list-style-type: none"> <li>3+ bedroom units have a minimum plan dimension of 3m in at least two bedrooms</li> </ul>	>3m	YES

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<ul style="list-style-type: none"> <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>	Buildings A & C - (2) units Building B - (4) units  Buildings A & C (1m width for portion of corridor at ground floor only) Building B 1.5m  >1.8m	YES   NO 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>- 12m<sup>2</sup> – 2 bedroom unit</li> <li>- 15m<sup>2</sup> – 3 bedroom unit</li> </ul> </li> <li>NB. At least one space &gt;10m<sup>2</sup></li> <li>primary outdoor space has a minimum dimension of 2.4m</li> </ul>	>25m <sup>2</sup> (47.3m <sup>2</sup> -281m <sup>2</sup> )  No 1 bedroom units 11.7m <sup>2</sup> (min) (A10 and A11 only) 15m <sup>2</sup> (min)  >2.4m	YES   N/A NO YES  YES
<b>Part 4.7 Social dimensions:</b>		
<b>Visitable units (min):</b> <ul style="list-style-type: none"> <li>70%</li> </ul>	50%	NO
<b>Housing mix:</b> <ul style="list-style-type: none"> <li>Mix of sizes and types</li> </ul>	Mix of 2 & 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>single aspect units are to have a maximum depth of 10m</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>	100%  All units are dual aspect  >25%  4.5 star rating = 87% (53% achieving 5 stars) 3.5 star rating = 13%	YES  N/A YES  NO YES
<b>Part 5 Parking and vehicular access:</b>		
<b>Car parking (min):</b> <ul style="list-style-type: none"> <li>54 resident spaces</li> <li>14 visitor spaces</li> <li>68 total spaces</li> </ul>	Spaces 14 spaces 101 spaces	YES YES YES

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**Part 4.4 Built form and articulation:**

Balcony alignment is within the envelope of the face defined by the top level of each building. The balcony elements serve to provide articulation to the facades. The 1.2m projection control is exceeded in some areas of Building B and C to a maximum of 800mm and 1.6m, respectively. These elements, however, do not produce any adverse visual or amenity impact nor do they disrupt the form of the façades. Further, the level of amenity to occupants of the units is higher where balconies are of an appropriate (complying) dimension.

The proposal has also been reviewed by Council's Urban Design Consultant, Mr Russell Olssen, against SEPP65, who raises no issues in relation to built form and articulation of the development. The southern elevations of Buildings A & B have been subject to redesign to address built form and articulation issues raised by Mr Olssen and these have now been addressed to a satisfactory standard.

**Part 4.5 Residential amenity:**

Buildings A and B are separated a minimum of 6.5m to 10.6m between habitable rooms. To offset any adverse visual privacy impacts, there is no provision of windows to the affected habitable rooms. Adequate solar access and cross ventilation is still achieved given the dual aspect of these units. Further, the affected units in Building A will have three aspects.

Private outdoor areas are not provided along the affected elevations further ensuring the amenity of affected units is not compromised. At ground level the only affected private outdoor area is that of unit B2 which will be screened by a 1.8m timber fence between the buildings and substantial tree plantings.

Privacy screens to balconies and terraces have been provided throughout the development as a general rule to ensure that a high level of amenity is achieved for both the occupants of the site and adjoining properties. Similarly, large canopy trees or screen planting has been provided throughout the development to achieve the same objective.

Overall, the level of visual privacy within the development is acceptable.

A reduced corridor width of 1m applies only to Building A and is limited to a small section of the corridor at ground level only, affecting a total of four units. The corridor area extends to a generous sized lobby area with lift access of complying dimensions. Given that each unit has direct access from the lift lobby area, use of the corridor for removal of the furniture is not necessary. To this end, the 1m width is acceptable and will not compromise the removal of furniture or access to and from the building.

**Part 4.7 Social dimensions:**

DCP 55 requires that at least 70% of dwellings are to be 'visitable housing units' to provide a housing choice and housing that is appropriate for aged and disabled persons. In this case, more than 50% of units within the development are 'visitable' and are distributed throughout Buildings B



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& C (Units B1-B16 and C1-C17). A total of thirty-two units (59%) within the development have wheelchair access and all units are single level.

An independent access report prepared by Karen O'Donnell of Access Independence Pty Ltd and submitted by the applicant states that, in terms of access the development meets the requirements of the Disability Discrimination Act, the Ku-ring-gai Planning Scheme Ordinance, Development Control Plan 31 and DCP 55. The findings of this report are deemed satisfactory.

**Part 4.8 Resource energy and water efficiency**

87% of units achieve between 4 & 5-stars with 53% achieving the maximum 5-star rating. This figure is acceptable given the high percentage of units achieving a 5-star rating and the overall percentage of units exceeding the minimum requirement of 3.5 stars.

**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.

**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.

**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 in this regard.

**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 by Councils Engineering Assessment Team Leader, who raises no objection to the proposal, subject to conditions.

**Section 94 Plan**

The development attracts a section 94 contribution of \$1,154,351.30, which is required to be paid by **Condition No. 76**.

This figure is calculated on the following basis, utilising the Ku-ring-gai Section 94 Contributions Plan 2004-2009 Residential Development as of 30 June 2004:

33 - Medium dwellings (75m <sup>2</sup> -110m <sup>2</sup> )	33 x \$19,468.88 = \$642,473.04
21 - Large dwellings (110m <sup>2</sup> - under 150m <sup>2</sup> )	21 x \$28,000.18 = \$588,003.78
Less 2 existing very large dwellings (150m <sup>2</sup> or more) dwellings	= \$76,125.50

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**Likely Impacts**

All likely impacts of the proposal have been assessed elsewhere in this report.

**Suitability of the Site**

The site is suitable for the proposed development.

**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 public interest.

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

There are no other matters for discussion.

**UNAUTHORISED WORKS**

Not applicable

**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

THAT the Council, as the consent authority, is of the opinion that the objection under *State Environmental Planning Policy No. 1 - Development Standards* to the zone interface standard (Cl 25) 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 SEPP1 objection has demonstrated that the underlying objective or purpose of the standard has been satisfied.

**AND**

THAT the 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 1369/04 is consistent with the aims of the Policy, grant development consent to DA 1369/04 for the demolition of two (2) existing residential dwelling houses and construction of three (3) five storey residential flat buildings comprising fifty-four (54) units and basement car parking for one hundred and one (101)

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vehicles on land at 6-8 Culworth Avenue, Killara, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

**Development in Accordance with Plans (New Development)**

GENERAL

1. The development must be carried out in accordance with plans numbered:

Lower Basement Plan	Drawing No: 20425 DA-02	Revision D	May 2005
Upper Basement Plan	Drawing No: 20425 DA-03	Revision D	May 2005
Ground Floor Plan	Drawing No: 20425 DA-04	Revision D	May 2005
Level 1 & Level 2 Floor Plans	Drawing No: 20425 DA-05	Revision E	May 2005
Level 3 Floor Plan	Drawing No: 20425 DA-06	Revision D	May 2004
Level 4 Floor Plan	Drawing No: 20425 DA-07	Revision D	May 2004
Roof Plan	Drawing No: 20425 DA-08	Revision D	May 2005
Elevations & Sections	Drawing No: 20425 DA-09	Revision C	May 2005
Elevations	Drawing No: 20425 DA-10	Revision D	May 2005

Dated May 2005, drawn by Winter Group, and endorsed with Council's approval stamp, except where amended by the following conditions:

2. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
3. All building works shall comply with the Building Code of Australia.
4. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
5. The opening of any footway, roadway, road shoulder or any part of the road reserve shall not be carried out without a Road Opening Permit being obtained from the Council (upon payment of the required fee) beforehand.
6. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
7. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the 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.
8. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines,

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excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

9. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
10. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
11. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
12. To maintain existing ground levels all excavated material shall be removed from the site.
13. Any excavation of rock involving hydraulic or compressed air rock hammers or other excavation equipment shall comply with the requirements of Council's Code for the Control and Regulation of Noise on Building Sites.
14. No rock breaking or other machinery for the excavation, drilling or removal of rock shall be used on the site without the prior approval of the Principal Certifying Authority. Should rock breaking or associated machinery be required, the following details are to be submitted to the Principal Certifying Authority for consideration:
  - a. The type and size of machinery proposed.
  - b. The routes of all trucks to convey material to and from the site.
  - c. A report by a Geotechnical Engineer detailing the measures recommended in undertaking the work so as to prevent any damage to any adjoining or nearby buildings.
15. With regard to the proposed rock breaking the following conditions are to be observed:
  - a. The Geotechnical Engineer shall supervise the works in progress.
  - b. A dilapidation report on adjoining or nearby properties shall be prepared prior to any excavation, rock breaking, or associated work commencing and shall be submitted to the Principal Certifying Authority.
  - c. All material removed from or imported to the site shall be loaded, unloaded or conveyed in such a manner that will minimise nuisance. Trucks shall be covered and site controls shall include shaker grids at the exits of the site. All materials falling to any part of the road or footpath or any public place shall be immediately cleaned up.
  - d. All material removed from or imported to the site shall be loaded, unloaded or conveyed in such a manner that will minimise nuisance. Trucks shall be covered and site controls shall include shaker grids at the exits of the site. All materials falling to any part of the road or footpath or any public place shall be immediately cleaned up.
16. For the purpose of maintaining visual amenity, no permanent electricity supply poles are to be erected forward of the building setback without the prior Consent of Council. It is the onus of

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the applicant to consult with the authorised statutory electricity provider prior to construction commencing to ensure that direct connection to the building is possible. Details of any proposed permanent pole must be submitted to and approved by Council prior to installation.

17. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
18. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

19. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
  - a. must preserve and protect the building from damage, and
  - b. if necessary, must underpin and support the building in an approved manner, and
  - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

20. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
21. To maintain residential amenity, all electrical services to the site are to be provided underground and must not disturb the root system of any trees. Please contact the energy supply authority's local customer service office to obtain documentary evidence that the authority has been consulted and that their requirements have been met. This information is to be submitted to Council prior to the release of the Subdivision Certificate.
22. If the work involved in the erection or demolition of a building:
  - a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - b. building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

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The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Any such hoarding, fence or awning is to be removed when the work has been completed.

23. The developer shall submit to Council a letter from the energy supply authority and either Telstra or Optus, confirming that satisfactory arrangements have been made for the provision of underground telephone and power services, prior to the release of the Subdivision Certificate or Occupation. Application may be made to Energy Australia Phone No. 13 1525 and either Optus, Network Operations, Facsimile No 9837 9060, Phone No 9837 9010, or Telstra Phone No 12 455.

24. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

25. The fence and footings shall be constructed entirely within the boundaries of the property.
26. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
27. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
28. Where a new development is not commencing immediately following demolition, the demolition shall be limited to the extent of the footprint of the building/s on the site and no excavation shall be carried out.
29. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
30. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

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31. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
32. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
  - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
    - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
    - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
    - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
  - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
33. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.
34. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safely stockpiled and not likely to become a harbourage for vermin.
35. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
36. Fire hoses are to be maintained on site during the course of demolition.
37. Adequate precautions shall be taken to ensure the protection of adjoining premises and persons therein from damage and injury during the process of demolition.
38. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.
39. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - a. stating that unauthorised entry to the work site is prohibited, and
  - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

- a. building work carried out inside an existing building, or

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- b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
- 40. All demolition materials of value for re-use either on-site or elsewhere, shall be separated and made available for re-cycling.
- 41. The burning of undergrowth, foliage, building refuse and like matter on the site is prohibited.
- 42. Under no circumstances shall building materials, demolition waste, fill, soil or any other material from any source be placed or stored within any public reserve.
- 43. Sites shall not be re-shaped, re-contoured, excavated nor the levels on any part of the site altered without the Consent of the Council being obtained beforehand.
- 44. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
- 45. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council's Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council's Tree Preservation Order.

- 46. Landscape works shall be carried out in accordance with Landscape Drawing No la01 Rev B, LA02 Rev B, LA03 Rev B, La04 Rev B, La05 Rev B prepared by Taylor Brammer and dated 11 May 2005 submitted with the Development Application. The landscape works shall be completed prior to issue of the final Certificate of Compliance and be maintained in a satisfactory condition at all times.
- 47. Tree roots between 10mm and 50mm diameter, severed during excavation, shall be cut cleanly by hand and the tree subsequently treated with a root growth hormone and wetting agent, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.
- 48. No tree roots of 50mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period.

Tree/Location	Radius From Trunk
#1 <i>Arecastrum romanzoffianum</i> (Cocco's Palm) Adjacent to eastern/Culworth Ave site boundary	3.0m
#2 <i>Magnolia soulangeana</i> (Soul's Magnolia)	3.0m



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Adjacent to eastern/Culworth Ave site boundary

#3 *Nyssa sylvatica* (Tupelo)

4.5m on the north-west side

Adjacent to eastern/Culworth Ave site boundary

6.0m elsewhere

#4 *Malus floribunda* (Crabapple)

2.0m on the north-west side

Adjacent to eastern/Culworth Ave site boundary

4.0m elsewhere

#10 *Ulmus parvifolia* (Chinese Elm)

4.5m

Adjacent to northern site boundary

#28 *Eucalyptus acmenoides* (White Mahogany)

3.0m

Adjacent to western site boundary

#36 *Magnolia soulangeana* (Soul's Magnolia)

4.0m

Centrally located adjacent to north east site corner

#40 *Ulmus parvifolia* (Chinese Elm)

4.0m

Adjacent to northern site boundary

#41 *Liquidambar styraciflua* (Sweet Gum)

6.0m

Adjacent to northern site boundary

#42 *Cordyline australis* (Cabbage tree)

2.0m

Adjacent to northern site boundary

#47 *Eucalyptus saligna* (Bluegum)

11.0m

Adjacent to north-east site corner in neighbouring property

#50 *Jacaranda mimosifolia* (Jacaranda)

4.0m

Adjacent to eastern site boundary

#54 *Jacaranda mimosifolia* (Jacaranda)

4.0m

Adjacent to northern site boundary in neighbouring property

#55 *Acer palmatum* (Japanese Maple)

4.0m

Adjacent to northern site boundary in neighbouring property

49. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular reports from the Arborist to the principal certifying authority shall be required at quarterly/three monthly intervals. Documentary evidence of compliance with this condition shall be submitted to Council with the final Certificate of Compliance.

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50. Paving works within the specified radius of the trunk/s of the following tree/s shall be constructed to ensure that existing water infiltration and gaseous exchange to the tree/s root system is maintained. Details for the paving shall be submitted to the Principal Certifying Authority for approval by a suitably qualified professional prior to the commencement of paving construction:

Tree/Location	Radius From Trunk
#10 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.5m
#36 <i>Magnolia soulangeana</i> (Soul's Magnolia) Centrally located adjacent to north east site corner	4.0m
#50 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary	4.0m
#54 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	4.0m
#55 <i>Acer palmatum</i> (Japanese Maple) Adjacent to northern site boundary in neighbouring property	4.0m

51. No mechanical excavation of the proposed structure 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:

Tree/Location	Radius From Trunk
#3 <i>Nyssa sylvatica</i> (Tupelo) Adjacent to eastern/Culworth Ave site boundary	6.0m
#4 <i>Malus floribunda</i> (Crabapple) Adjacent to eastern/Culworth Ave site boundary	3.0m
#10 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.5m
#28 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.5m
#50 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary	4.0m

52. All excavation carried out within the specified radius of the trunk/s of the following tree/s shall be hand dug:

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Tree/Location	Radius From Trunk
#3 <i>Nyssa sylvatica</i> (Tupelo) Adjacent to eastern/Culworth Ave site boundary	4.0m
#4 <i>Malus floribunda</i> (Crabapple) Adjacent to eastern/Culworth Ave site boundary	2.0m
#10 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site boundary	4.5m
#28 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.0m
#36 <i>Magnolia soulangeana</i> (Soul's Magnolia) Centrally located adjacent to north east site corner	4.0m
#42 <i>Cordyline australia</i> (Cabbage tree) Adjacent to northern site boundary	2.0m
#50 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary	4.0m
#54 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	3.0m
#55 <i>Acer palmatum</i> (Japanese Maple) Adjacent to northern site boundary in neighbouring property	4.0m
53. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.	
54. Transplanting of the nominated trees/shrubs shown on the Landscape plan, shall be directly supervised by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.	
55. 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.	
56. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the interallotment drainage system benefitting the properties. New drainage line connections shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47.	
57. A mandatory rainwater re-use tank system comprising stormwater tanks and rainwater tanks of minimum volume required in chapter 6 of Councils Water Management Development	

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Control Plan 47 (DCP47), must be provided for the development. Retained water must be made available for garden irrigation, car washing, all toilet flushing and laundry use within each unit. A mains top-up shall be provided for periods of low rainfall, with a void space left for runoff storage purposes.

58. For stormwater control, 200mm wide grated channel/trench drains with heavy-duty removable galvanised grates are to be strategically placed to collect driveway runoff and must be connected to the main stormwater drainage system. The channel drain shall have an outlet of minimum diameter 150mm to prevent blockage by debris.
59. A maintenance period of six (6) months shall apply to all works in the public road reserve carried out by the applicant after works have been completed to Council's satisfaction. In that period, the applicant shall be liable for any section of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the operating conditions.
60. Where required, the adjustment or additions of any 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 responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
61. All public footways and accessways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the 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 circulation is diverted on to the roadway, 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, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
62. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. 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.
63. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 "Off-Street car parking" as a minimum requirement.

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64. For the purpose of any further plan assessment and works inspections by Council engineers, the corresponding fees set out in Councils adopted Schedule of Fees and Charges are payable to Council. A re-inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final sign-off from Council.
65. 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. Applicant shall refer to “Your Business” section of Sydney Water’s web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” 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.
66. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems shall be installed to control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority (PCA).
67. Geotechnical aspects of the development works, particularly excavation, support, retention and hydrogeological considerations must be undertaken in accordance with the recommendations of the Coffey Geosciences report of 13 December 2004 and subsequent geotechnical investigations, comprising cored boreholes, carried out for construction purposes.
68. Approval is to be obtained from Ku-ring-gai Council Traffic Committee for any temporary public road closures and/or placement of cranes on public land.
69. All construction traffic control and management measures shall be implemented in accordance with an approved *Construction Traffic Management Plan* to be submitted and approved by Council prior to the commencement of works. The Principal Certifying Authority shall monitor the traffic control and management situation over the course of construction works, and shall pay particular attention to traffic control during school drop off and collection hours. Where it is found that the Traffic control and management measures may be improved, this shall be undertaken under the supervision of qualified traffic control persons and in consultation with Council.
70. In order to allow unrestricted access for Council waste collection vehicles to the basement garbage storage/collection area, no doors or gates shall be provided in the access driveways to the basement car park which would prevent this service.

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71. All new public utility services, or appropriate conduits for the same, including electricity, gas, telephone, water and sewerage shall be provided underground by the developer in accordance with the specifications of the supply authorities.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

72. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

73. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal 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 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work 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).
74. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
75. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
- a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.

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- b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
- c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
- d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.

76. A contribution is to be paid for 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 development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF FIFTY-TWO (52) ADDITIONAL DWELLINGS IS CURRENTLY \$1,154,351.30. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. 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.

This contribution shall be paid to Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 30 June 2004, calculated for additional person as follows:

1. Community Facilities	\$1,117.76
2. Park Acquisition and Embellishment Works - Killara	\$6,384.75
3. Sportsgrounds Works	\$1,318.32
4. Aquatic / Leisure Centres	\$27.82
5. Traffic and Transport	\$150.28
6. Section 94 Plan Administration	\$100.04

To obtain the total contribution figure the following table of occupancy rates is to be used:

#### OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

Small dwelling (under 75sqm)	1.27 persons
Medium dwelling (75 - under 110sqm)	1.78 persons
Large dwelling (110 - under 150sqm)	2.56 persons
Very Large dwelling (150sqm or more)	3.48 persons
New Lot	3.48 persons
SEPP (Seniors Living) Dwelling	1.3persons

77. Prior to the issue of the Construction Certificate, the Applicant must consolidate the existing two Torrens lots. Evidence of lot consolidation, in the form of a plan registered with Land and Property Information, must be submitted for approval of the Principal Certifying Authority prior to the issue of the Construction Certificate. The condition is imposed to ensure a continuous structure will not be placed across the separate titles.

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78. A CASH BOND/BANK GUARANTEE of \$10,000.00 shall be lodged with Council as a Landscape Establishment Bond prior to the release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions.

Fifty percent (50%) of the bond will be refunded upon issue of the final Certificate of Compliance, where landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after issue of the building certificate, where landscape works has been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

79. A CASH BOND/BANK GUARANTEE of \$14,500.00 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the final Certificate of Compliance, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Tree/Location

#3 *Nyssa sylvatica* (Tupelo) \$4,000.00  
Adjacent to eastern/Culworth Ave site boundary

#4 *Malus floribunda* (Crabapple) \$500.00  
Adjacent to eastern/Culworth Ave site boundary

#10 *Ulmus parvifolia* (Chinese Elm) \$4 000.00  
Adjacent to northern site boundary

#28 *Eucalyptus acmenoides* (White Mahogany) \$2,000.00  
Adjacent to western site boundary

#36 *Magnolia soulangeana* (Soul's Magnolia) \$1,000.00  
Centrally located adjacent to north east site corner

#41 *Liquidambar styraciflua* (Sweet Gum) \$1,000.00  
Adjacent to northern site boundary

#49 *Stenocarpus sinuatus* (Q'ld Firewheel tree) \$1,000.00



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Adjacent to eastern site boundary

#50 *Jacaranda mimosifolia* (Jacaranda) \$1,000.00

Adjacent to eastern site boundary

80. To preserve the following tree/s, footings of the proposed works shall be isolated pier or pier and beam construction within the specified radius of the trunk/s. The piers shall be located such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to Council's Landscape Development Officer and be approved prior to release of the Construction Certificate.

Tree/Location

Radius in Metres

#10 *Ulmus parvifolia* (Chinese Elm)

4.5m

Adjacent to northern site boundary

#36 *Magnolia soulangeana* (Soul's Magnolia)

4.0m

Centrally located adjacent to north east site corner

81. Prior to issue of the Construction Certificate, a plan detailing services trenches in accordance with the relevant supply authorities (including electricity, gas, telephone, water and sewerage), shall be submitted for approval by the Principal Certifying Authority (PCA). The notice of requirements for Sydney Water must be obtained prior to issue of the Construction Certificate.
82. Prior to issue of the Construction Certificate the Applicant shall contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including cabling, need for substations or similar within the development) shall be submitted to the Principal Certifying Authority (PCA) for approval prior to Construction Certificate issue. Any structures or requirements of Energy Australia shall be reflected on the plans issued with the Construction Certificate to the satisfaction of the PCA. The requirements of the utility provider shall be met in full prior to issue of the Occupation Certificate.
83. Prior to issue of the Construction Certificate, footpath and driveway levels for the required driveway crossing between the property boundary and road alignment must be obtained from 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" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

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 alignment levels fixed by Council

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may affect these. **Approval of this Development Application is for works wholly within the property. DA 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 application documents.** The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. 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. Failure to submit this information may delay processing.

84. The applicant is to submit a design for the proposed pipe within the drainage easement through Selkirk Park and a junction pit over Council's underground stormwater drainage pipe. Approval is to be obtained from Council as the owner of Selkirk Park and submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.
85. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a Soil and Erosion Control Plan prepared in accordance with the LANDCOM document "Soils and Construction" (2004). A suitably qualified and experienced civil/environmental engineer or surveyor shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management DCP 47 (available on the Council website). The design may be generally in accordance with the Concept Stormwater Management & Environmental Site Management Concept Plans, C1 to C5, dated Dec 2004, by Appleyard Forrest Consulting Engineers submitted with the development application, and advanced as necessary for construction issue purposes.
86. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction details for the proposed method of achieving Council requirements for the mandatory re-use of water on the property including general garden irrigation, car-washing, laundry and toilet flushing within each unit. The necessary plumbing components for re-use, including pumps and back up power supply in the event of blackout, shall be shown on these plans to a detail suitable for installation by the plumbing services contractors. The plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer.
87. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), full construction drawings for the proposed method of achieving Council storage volume requirements for the on-site stormwater retention system. The minimum storage volumes and designs shall comply with Councils Water Management DCP 47 (available on the Council website and at Council customer services), any manufacturers' specifications and the relevant plumbing codes. Rainwater tank(s) shall be designed to capture and retain runoff from the entire roof area as a minimum. Overflow shall revert to the main drainage system. The design and construction plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer. The design is to be in accordance with the Concept Stormwater Management & Environmental Site Management Concept Plans, C1 to C5, dated Dec 2004, by Appleyard

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Forrest Consulting Engineers submitted with the development application, and advanced as necessary for construction issue purposes.

88. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention and detention devices. Plans and calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47. New connection points to the Council drainage system must be shown accurately on the plan and shall be made in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. The design of these drainage components may be in accordance with the Concept Stormwater Management & Environmental Site Management Plans, C1 to C5, dated Dec 2004, by Appleyard Forrest Consulting Engineers submitted with the development application, and advanced as necessary for construction issue purposes. **Water quality measures as described in Section 8.3 of DCP 47 are to be provided.**
89. The designing engineer is to certify with the Construction Certificate plans that measures have been included in the design of stormwater management measures which will prevent backflow from the underground system in Selkirk Park entering the retention storage during times of high stormwater flows in Council's system.
90. Prior to issue of the Construction Certificate, the applicant is to submit a geotechnical investigation report which contains specific recommendations for excavation support, vibration monitoring and dilapidation surveys if required.
91. **Prior** to the issue of a Construction Certificate the applicant shall lodge a \$50,000 (fifty thousand dollar) public infrastructure damage bond with Council. This bond is applied under Section 97 of the Local Government Act to cover the restoration by Council of any damage to public infrastructure not repaired in full, caused as a result of construction works, in close proximity to the subject development. The bond will also cover the finishing of any incomplete works required in the road reserve under this consent and/or as part of the approved development. The bond shall be refundable following completion of **all** works relating to the proposed development and **at the end of any maintenance period** stipulated by consent conditions upon approval by Council's Engineers. Further, Council shall have full authority to make use of the bond for such restoration works as deemed necessary by Council in the following circumstances:
  - a) Where the damage constitutes a hazard in which case Council may make use of the bond immediately, and
  - b) The applicant has not repaired nor commenced repairing the damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works.
  - c) Works in the public road associated with the development are to an unacceptable quality.

## Item 4

## CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

92. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.
93. External finishes and colours are to be sympathetic to the surrounding environment. Samples of materials and finishes are to be submitted to and approved by Council prior to the commencement of work.
94. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s is fenced off at the specified radius from the trunk 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.

Tree/Location	Radius in Metres
#1 <i>Arecastrum romanzoffianum</i> (Cocco's Palm) Adjacent to eastern/Culworth Ave site boundary	3.0m
#2 <i>Magnolia soulangeana</i> (Soul's Magnolia) Adjacent to eastern/Culworth Ave site boundary	3.0m
#26 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.0m
#27 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.0m
#28 <i>Eucalyptus acmenoides</i> (White Mahogany) Adjacent to western site boundary	3.0m
#30 <i>Camellia japonica</i> (Japanese Camellia) Adjacent to eastern site boundary	3.0m
#31 <i>Camellia japonica</i> (Japanese Camellia) Adjacent to eastern site boundary	3.0m
#32 <i>Camellia japonica</i> (Japanese Camellia) Adjacent to eastern site boundary	3.0m
#34 <i>Pittosporum undulatum</i> (Native daphne) Adjacent to northern site boundary	4.0m
#35 <i>Syzigium leuhmanii</i> (Small leaf lillypilly) Adjacent to northern site boundary	5.0m

Item 4

#36 <i>Magnolia soulangeana</i> (Soul's Magnolia) Centrally located adjacent to north east site corner	4.0m
#40 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site corner	3.0m
#41 <i>Liquidambar styraciflua</i> (Sweet Gum) Adjacent to northern site boundary	6.0m
#42 <i>Cordyline australis</i> (Cabbage tree) Adjacent to northern site boundary	2.0m
#44 <i>Ulmus parvifolia</i> (Chinese Elm) Adjacent to northern site corner	3.0m
#45 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to north-west site corner	5.0m
#47 <i>Eucalyptus saligna</i> (Bluegum) Adjacent to north-east site corner in neighbouring property	10.0m
#49 <i>Stenocarpus sinuatus</i> (Q'ld Firewheel tree) Adjacent to eastern site corner	3.0m
50 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary	4.0m
54 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to northern site boundary in neighbouring property	4.0m
#55 <i>Acer palmatum</i> (Japanese Maple) Adjacent to northern site boundary in neighbouring property	4.0m

95. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding that area of the proposed driveway shall be fenced off for the specified radius from the trunk 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:

Tree/Location	Radius From Trunk
#3 <i>Nyssa sylvatica</i> (Tupelo) Adjacent to eastern/Culworth Ave site boundary	6.0m
#4 <i>Malus floribunda</i> (Crabapple) Adjacent to eastern/Culworth Ave site boundary	3.0m

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96. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding that area of the proposed building shall be fenced off for the specified radius from the trunk 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:

Tree/Location	Radius From Trunk
#10 <i>Ulmus parvifolia</i> (Chinese Elm)	4.5m
Adjacent to northern site boundary	

97. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.
98. If it is essential for scaffolding to be erected within a protected area, fencing should be erected to provide just sufficient space for scaffolding. The ground between this fence and the building should be protected by boarding (eg scaffold boards). A single thickness of boarding laid on the soil surface will provide sufficient protection for pedestrian loads, but more substantial boarding sufficient to spread the load should be used for heavier traffic. The ground beneath the boarding should be left undisturbed and should be protected with a porous geotextile fabric. If necessary, sand should be laid on the fabric to level the ground. When required, the building scaffolding should be erected. The boarding should be left in place until the building works are finished.
99. If temporary vehicle access is required near a tree to be retained, 75x75x2000mm hardwood planks are to be lain over a mulched area to a depth of 100mm with organic material being 75% leaf litter and 25% wood to distribute weight and to minimise compaction of soil profiles beneath. Timber lengths are to be secured on top of such to avoid movement and the structure should be constructed to accommodate vehicles that are to be used on site. Structural soil or similar should be used as a subgrade placed above existing soil levels for alternate driveway surfaces to support larger site vehicles or more rigid type temporary sealed road surfaces.
100. Tree protection signage is to be attached to each tree protection zone and displayed in a prominent position and the sign repeated at 10.0m intervals or closer where the fence changes direction. The signs to be a minimum size of 600mm x 500mm. Example details, as following:
1. Tree Protection Zone
  2. This fence has been installed to prevent damage to the trees and their growing environment contained within, to allow those trees to be retained as components of the existing landscape for incorporation into the landscape works for this site. It is the intent of this tree management process to retain these trees in a condition that is safe, viable and healthy, or a condition not less than that at the time of the commencement of this development
  3. Due to the critical nature of the Tree Protection Zone with regards to the long term viability of the tree/s, if encroachment or incursion into this zone is deemed to be essential the consulting Arborist should be informed to the undertaking of such works

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4. Name, address, and contact details of the developer.
101. In the event of prolonged dry periods, or where a tree has been transplanted, or where excavation nearby, especially up slope, leads to the drying out of soil profiles closest to the tree/s, the tree/s is to be deep watered thoroughly at least twice a week. In the event of disrupted ground or surface water flows to the tree due to excavation, filling, or construction, an irrigation system is to be installed, consideration must be given to volume, frequency and drainage of water delivered, and this is to be in consultation with a qualified consulting Arborist.
102. Where tree protection measures are to be removed or altered this must be undertaken in consultation with the consultant Arborist to ensure tree protection is maintained.
103. Upon completion of the installation of the required tree protection measures you are required to contact the principal certifying authority to arrange an inspection of the site. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.
104. Prior to the commencement of any works on site the applicant shall submit **to Council** a full dilapidation report on the visible (**including photos**) and structural condition of the following public infrastructure:
  - a) Full road pavement width, including kerb and gutter, of Culworth Avenue over the site frontage.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both via photo and in written format) *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, and
- Council is able to refund infrastructure damage bonds, in full or parts thereof, with accuracy.

The developer may be held liable to all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition prior to the commencement of works. In this respect, the infrastructure damage bond lodged by the subject developer may be used by Council to repair the damage regardless.

A second dilapidation report, recording structural conditions of all structures originally assessed prior to the commencement of works, must be carried out at the completion of the works and be submitted to Council.

105. Prior to the commencement of *any* works on site the applicant must submit, for review by Council Engineers, a *Construction and Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

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**1. 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 any 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 any Work Zones in the frontage roadways,
- Location of proposed crane standing areas
- 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.
- The provision of an on-site parking area for employees, tradesperson and construction vehicles where possible

**2. Traffic Control Plan(s) for the site**

- All traffic control devices installed in the road reserve must be in accordance with the RTA publication “Traffic Control Worksite Manual” and designed by a person licensed to do so (minimum RTA ‘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.
- Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.

**3. 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 at all times.
- A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.  
In addition, the plan must address:
- A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements.
- 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 submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council shall be obtained and submitted to the Principal Certifying Authority prior to the commencement of



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any works on site. The 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.

106. 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'. The application must be made at least 15 days prior to the commencement of any works on site approved under this consent. Works 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. Works 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 Works Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit a copy of this to the Principal Certifying Authority for approval prior to commencement of any works on the 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 the site. Further, at the expiration of the Works Zone approval, the Applicant is required to remove the Works Zone signs and reinstate any previous signs, all at the Applicant's cost.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

107. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.
108. The landscape works shall be completed prior to release of the Certificate of Occupation and maintained in a satisfactory condition at all times.
109. On completion of the landscape works/tree planting or screen planting, the Landscape Architect or qualified Landscape Designer shall submit a report certifying correct installation, faithful to the landscape plan to the Principal Certifying Authority with a copy to Council, prior to issue of the Occupation Certificate.
110. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications is to be compiled in report format and submitted to the Principal Certifying Authority for approval.
111. Prior to issue of an Occupation Certificate the following works must be completed to the satisfaction of Council Engineers:
  - a) Completion of the new driveway crossing in accordance with levels and specifications issued by Council.

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- b) Restoration of footpath along the site frontage where required, in accordance with Council's standard detail.
- c) Removal of **all** redundant driveway crossings and kerb laybacks (or sections thereof). Full reinstatement of these areas to footway, turfed verge and upright kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
- d) Full repair and resealing of any road surface damaged during construction.
- e) 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. Any 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, crane use) must be fully repaired to the satisfaction of Council Engineers. This shall be at no cost to Council.

- 112. Prior to issue of an Occupation Certificate the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority (PCA).
- 113. Prior to issue of an Occupation Certificate a suitably qualified consulting civil/hydraulic engineer is to provide engineering certification for approval by the Principal Certifying Authority (PCA). The certification is to make **specific reference** to each of the following aspects of the installed drainage and stormwater management measures:
  - a) That construction of the stormwater drainage and management systems has been carried out by a contractor licensed to do so.
  - b) That all necessary Sydney Water approvals have been obtained for the domestic use of reticulated water.
  - c) That the as-built retention systems achieve the design storage volumes approved by the Principal Certifying Authority with the Construction Certificate (engineer must complete the form in the appendices of DCP47 in relation to the system).
  - d) The as-built drainage layout (including pits, pipes and ancillary plumbing) is in accordance with the relevant stormwater management and drainage plans approved by the Principal Certifying Authority with the Construction Certificate,
  - e) The overall as built drainage and stormwater management systems will achieve the discharge control intent of the approved construction plans and Councils Water Management DCP47.
  - f) The pipe within the drainage easement through Selkirk Park has been constructed in accordance with the approved plans.
- 114. Prior to issue of an Occupation Certificate the applicant shall submit a Works-as-Executed (WAE) drawing(s) to the Principal Certifying Authority in relation to the installed stormwater drainage and managements systems. These plans shall show:
  - a) As built location and indicative internal dimensions of the retention structures on the property (plan view) and horizontal distances to nearest adjacent boundaries and buildings on site

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- b) As built locations of all access pits and grates in the retention systems, including dimensions.
- c) The achieved capacity of the retention storages and derivative calculations.
- d) Top water levels of storage areas and indicative RL's through the escape flow path in the event of blockage of system.
- e) Size, depth and location of the overland flow path inlet pits, together with surface levels, invert levels and indicative grading levels in surrounding landscaped area.
- f) Location and dimensions of overland flow conveyance culverts through the basement structure.
- g) As built surface and invert levels for all drainage pits and junction points.
- h) Gradients of drainage lines, materials and sizes.
- i) As built level(s) at the approved point of discharge to the public drainage system.

The WAE(s) is to be prepared by a **registered surveyor** and shall show all critical constructed levels, materials and dimensions in comparison to those shown in the relevant designs approved by the Principal Certifying Authority with the Construction Certificate. All relevant details indicated must be denoted **in red** on the Principal Certifying Authority stamped construction certificate stormwater drawings. The plan shall not be prepared until final surfaces (such as landscaping) are laid.

115. Prior to issue of an Occupation Certificate the following must be provided to Council (attention Development Engineer):

- A copy of the approved Construction Certificate stormwater drainage plans which show the retention systems.
- A copy of all the works-as-executed drawings as specified in this consent relating to drainage and stormwater management,
- A copy of the Works as Executed plan of the pipe within the interallotment drainage easement through Selkirk Park,
- All Engineer's certifications specified in this consent.

This condition is required so Council may maintain its database of as-constructed on-site stormwater detention/retention systems, and also applies if the Principal Certifying Authority (PCA) is not the Council.

116. Prior to occupation or issue of an Occupation Certificate the applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the on-site stormwater retention 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 facilities - to the satisfaction of Council. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority (PCA) prior to issue of an Occupation Certificate. It is assumed that the legal instruments will transfer to any future subdivision plan at the time of registration.
117. Prior to issue of the Occupation Certificate an easement for waste collection must be provided. This is to permit legal access for Council, and Council's contractors, and their vehicles over the subject property for the purpose of collecting waste from the property. The

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terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection. It is assumed that the legal instruments will transfer to any future subdivision plan at the time of registration.

118. Prior to issue of the Occupation Certificate, a qualified civil/traffic engineer must undertake a site inspection of the completed basement vehicle access and accommodation areas which shall include full dimension measurements as necessary. At the completion of this site inspection, this engineer shall provide certification to the Principal Certifying Authority that:
  - a) Vehicle access and accommodation arrangements (including but not limited to space dimensions, aisle, ramp and driveway widths and grades, height clearances and the like) comply with Australian Standard 2890.1 – 2004 "Off-Street car parking" and
  - b) No security doors, grilles or gates are provided which would prevent access to the garbage storage area by Councils waste collection vehicle, including the truck manoeuvring area for forward egress.
119. Prior to issue of the Occupation Certificate the provision of separate underground electricity, gas, phone cable, sewer and water services shall be provided for the development in accordance with those utility providers. A suitably qualified and experienced engineer or surveyor is to provide certification to the Principal Certifying Authority that the development has ready underground access to the services of electricity, gas, phone cable, sewer and water. Alternatively a final compliance letter from the respective supply authorities may be supplied for approval.

## BUILDING CONDITIONS

120. The following are required details and must be submitted to the Principal Certifying Authority *prior to issue of the Construction Certificate*. Any matter listed below must have a Certificate attached from a suitably qualified person to the effect that the design or matter complies with the relevant design Standard or Code which the Certificate must identify.
  - a. Details prepared by a practicing structural engineer for all or any reinforced concrete, structural steel or timber framing.
  - b. Wind bracing details complying with AS 1684-1992 National Timber Framing Code, AS 1170.2-1989 Wind Load Code or AS 4055-1992 Wind Loads for Housing Code.
  - c. Upper floor joist details, engineered or complying with AS 1684-1992 National Timber Framing Code.
  - d. Retaining walls and associated drainage.
  - e. Wet area waterproofing details complying with the Building Code of Australia.
  - f. Mechanical ventilation details complying with Australian Standard 1668-1993 Mechanical Ventilation & Airconditioning.
  - g. Glazing details complying with AS 1288-1989 Glass in Buildings and Installation Code.
  - h. Stormwater disposal details complying with Council's Stormwater Management Manual and/or other conditions of this consent.
121. For fire safety an automatic fire detection and alarm system shall be installed throughout the dwelling in accordance with the following requirements:

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- a. A smoke alarm system complying with Part 3.7.2 of the Building Code of Australia Housing Provisions; or
- b. Smoke alarms which:
  - i. comply with Australian Standard 3786 or listed in the Scientific Services Laboratory Register of Accredited Products (all accredited products should have scribed on them the appropriate accreditation notation); and
  - ii. are connected to the mains and have a standby power supply; and
  - iii. are installed in suitable locations on or near the ceiling and as prescribed under Part 3.7.2 of the Building Code of Australia Housing Provisions.

To ensure compliance with this condition, a Compliance Certificate or documentary evidence from a suitably qualified person is to be submitted to the Principal Certifying Authority.

122. Termite protection which will provide whole of building protection in accordance with Australian Standard 3660 - *"Protection of Buildings from Subterranean Termites"* is to be provided.

Council has a non chemical policy for termite control but will consider proposals involving physical barriers in combination with approved chemical systems. Handspraying is prohibited.

Where a monolithic slab is used as part of a termite barrier system, the slab shall be constructed in accordance with Australian Standard 2870.1 or as designed by a structural engineer but in either case shall be vibrated to achieve maximum compaction.

To ensure compliance with this condition, a Compliance Certificate or documentary evidence from a suitably qualified person is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

S Watson  
**Executive Assessment Officer**

R Kinninmont  
**Team Leader - Assessment Team - South**

M Prendergast  
**Manager Development & Regulation**

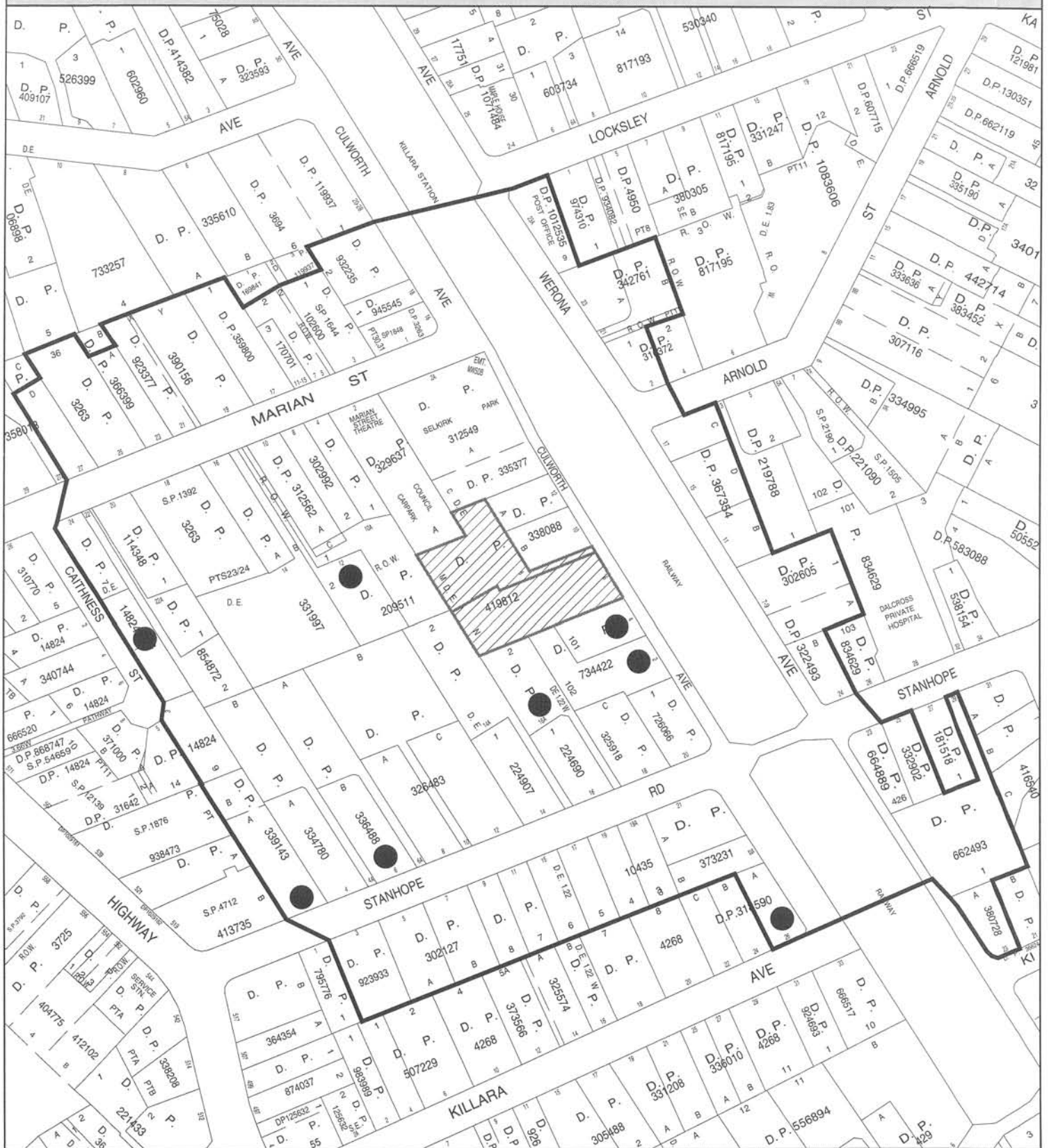
M Miocic  
**Director Development & Regulation**

**Attachments:**  
Locality map  
Zoning extract  
Site plan  
Architectural drawings  
Shadow diagrams  
Landscape plan  
Photos

# LOCATION SKETCH

## 6 Culworth Avenue, KILLARA NSW

### DEVELOPMENT APPLICATION No 1369/04



INCLUDES 4 OBJECTIONS FROM OUTSIDE AREA OF MAP



Scale : 1:3000

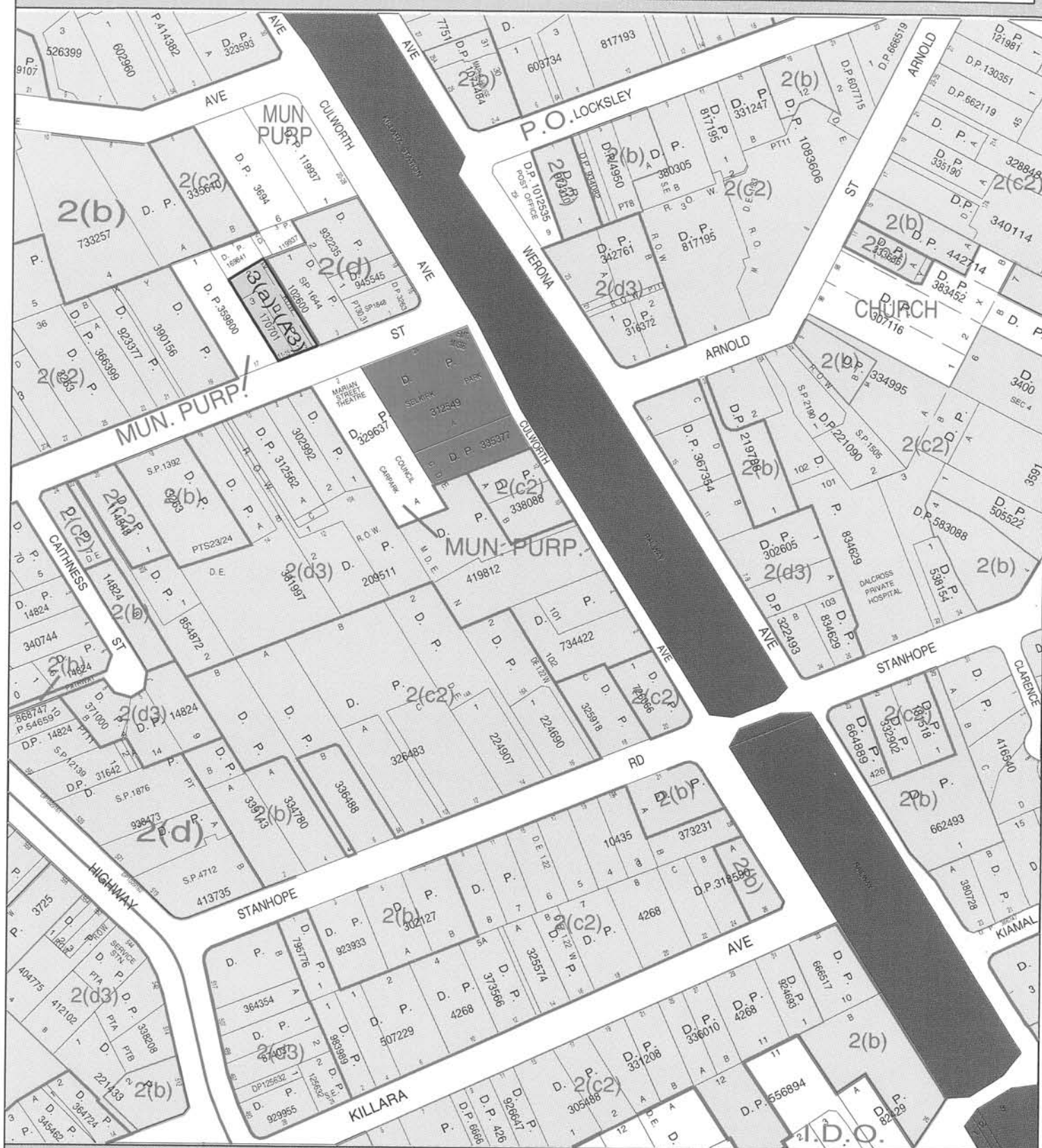
08-07-2005

- |  |              |  |                 |
|--|--------------|--|-----------------|
|  | AGREEMENT    |  | PETITION        |
|  | OBJECTION    |  | SUBMISSION      |
|  | SUBJECT LAND |  | CIRCULATED AREA |
















## 6-8 CULWORTH AVE KILLARA



08-07-2005

**Scale = 1:3000**

- |   |   |
|---|---|
|  BUSINESS 3(a)-(A3)        |  RESIDENTIAL 2(d)                |
|  EXISTING COUNTY ROAD      |  RESIDENTIAL 2(d3)               |
|  INTERIM DEVELOPMENT ORDER |  RESIDENTIAL 2(e)                |
|  RECREATION EXISTING 6(a)  |  SPECIAL USES 5(a) (Schools etc) |
|  RESIDENTIAL 2(b)          |  SPECIAL USES 5(b) (Railway)     |
|  RESIDENTIAL 2(c2)         |   |

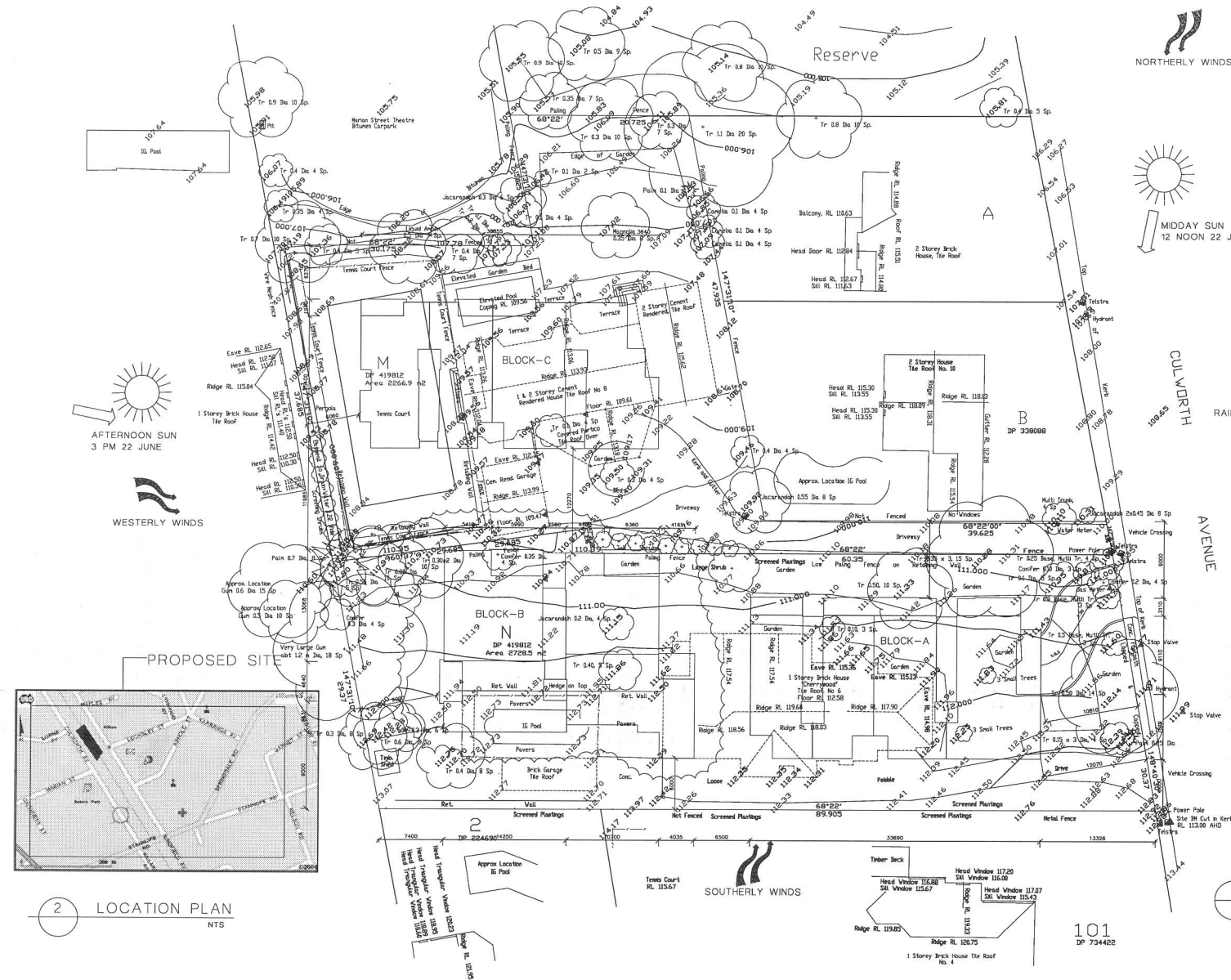


DATE	DESCRIPTION	DRAWN	ISSUE
12.05.05	AMENDED BLOCK-B & RE-ISSUED FOR COUNCIL	TM	D
29.11.04	ISSUED FOR CONSULTANTS	TM	A
07.12.04	ISSUED FOR DA	TM	B
12.01.05	AMENDED & RE-ISSUED FOR DA	TM	C

## SITE ANALYSIS DATA

ITEMS	DESCRIPTION	COMMENT
1.	SITE DIMENSIONS	AS PER SURVEY
2.	SITE AREA	4995.4 sqm
3.	NORTH POINT	AS PER SURVEY
4.	EXISTING BUILDING LOCATION USE	SHOWN ON PLAN CURRENTLY RESIDENTIAL DWELLINGS
5.	PREVIOUS USE	SINGLE DWELLING RESIDENTIAL
6.	TREE POSITIONS EXISTING	AS SURVEYED
7.	PEDESTRIAN & VEHICULAR ACCESS	AS PER SURVEY PEDESTRIAN - CULWORTH AVE
8.	EXISTING SPOT LEVELS	AS PER SURVEY
9.	UTILITY SERVICES	AS PER SURVEY TELECOMMUNICATIONS ELECTRICAL POLE STORMWATER FIRE HYDRANT
10.	EXISTING VIEW LINES TO, FROM & THROUGH THE SITE	ADJACENT DWELLINGS & SITE FEATURES
11.	SIGNIFICANT NOISE SOURCES	NOISE FROM NORTHSHORE RAILWAY LINE
12.	PREVAILING WINDS	AS SHOWN ON PLAN
13.	PROXIMITY TO KILLARA RAILWAY STATION	200 METRE APPROX.

NOTE  
SURVEY & LEVELS TO AHD AS PER T.J. GILBERT & ASSOCIATES  
SURVEY REFERENCE NO. 4158  
ORIGIN OF LEVELS SITE BENCHMARK CUT IN KERB AHD113.000



1 SITE ANALYSIS PLAN  
SCALE 1 : 200

NOTE:  
\* PROVIDE R10 INSULATION TO ALL GROUND FLOOR UNITS WALLS  
\* PROVIDE SISALATION TO ALL ROOFS & R2.5 CEILING INSULATION TO ALL TOP FLOOR APARTMENTS  
\* PROVIDE HEAVY DRAPES & PELMETS TO ALL LIVING & BEDROOMS WINDOWS

## APARTMENT DEVELOPMENT

### 6-8 CULWORTH AVE KILLARA

CLIENT:  
STALDONE CORPORATION PTY LTD

DESIGN BY:  
WINTER  
UNIT  
ROSEWORTH  
AVENUE  
KILLARA  
NSW  
2011  
Ph: (02) 9987 0340  
Fax: (02) 9987 0448  
Web: www.staldonecorp.com.au

Architects and Designers  
Incorporating Whelan, Clarke, Smith & Associates Pty Ltd

DRAWING TITLE  
SITE ANALYSIS & SITE PLAN

DRAWN TM	SCALE 1 : 200	CHECKED	DATE MAY. 2005
DRAWING NUMBER 20425 DA-01			REV. D

SCALE  
0 1 2 4 8M











RENDERED BRICKWORK WITH APPLIED FINISH  
 SELECTED METAL BALUSTRADE  
 SELECTED AL. FRAME WINDOW  
 SELECTED FACE BRICK

SELECTED ROOF TILE  
 PITCH 22°  
 SELECTED GUTTER DOWLING  
 G. 123,700

2700  
 LEVEL 4  
 PFL 121,000  
 LEVEL 3  
 PFL 118,000  
 LEVEL 2  
 PFL 115,000  
 LEVEL 1  
 PFL 112,000  
 PFL 108,000

RENDERED BRICKWORK WITH APPLIED FINISH  
 SELECTED AL. FRAME WINDOW

1800 HG

5 SOUTH ELEVATION (BLOCK-C)  
SCALE 1 : 200



## APARTMENT DEVELOPMENT



DATE	DESCRIPTION	DRAWN	ISSUE
07.12.04	ISSUED FOR DA	KC/TM	A

BLOCK-A

EXTERNAL BRICKWORK  
BORAL "MURRAY RIVER" & OFF WHITE MORTAR

CONCRETE ROOF TILES  
"CHARCOAL" SHINGLE STYLE

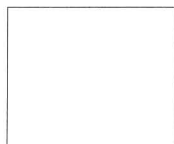
FACIA AND GUTTER  
COLOUR: "GUN METAL"

BALUSTRADES  
COLOUR: "BLACK"

RENDERED WALLS  
DULUX "BREAD CRUMB" P11.D1

BLOCK-B

F.F.L. 111.285



EXTERNAL BRICKWORK WITH RENDER FINISH  
DULUX "BREAD CRUMB" P11.D1



ROOF TILES  
CONCRETE ROOF TILES  
"CHARCOAL" SHINGLE STYLE



EXTERNAL FACE BRICK  
BORAL "MURRAY RIVER" WITH OFFWHITE MORTAR



FACIA AND GUTTER  
COLOUR "GUN METAL"

## APARTMENT DEVELOPMENT

6-8 CULWORTH AVE  
KILLARA

CLIENT:  
STALDONE CORPORATION PTY LTD

DESIGN BY:

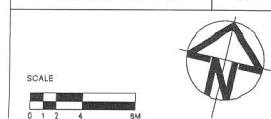


Architects and Designers  
Incorporating Wholman Charnsworth & Associates Pty Ltd

DRAWING TITLE  
EXTERNAL COLOUR SCHEDULE

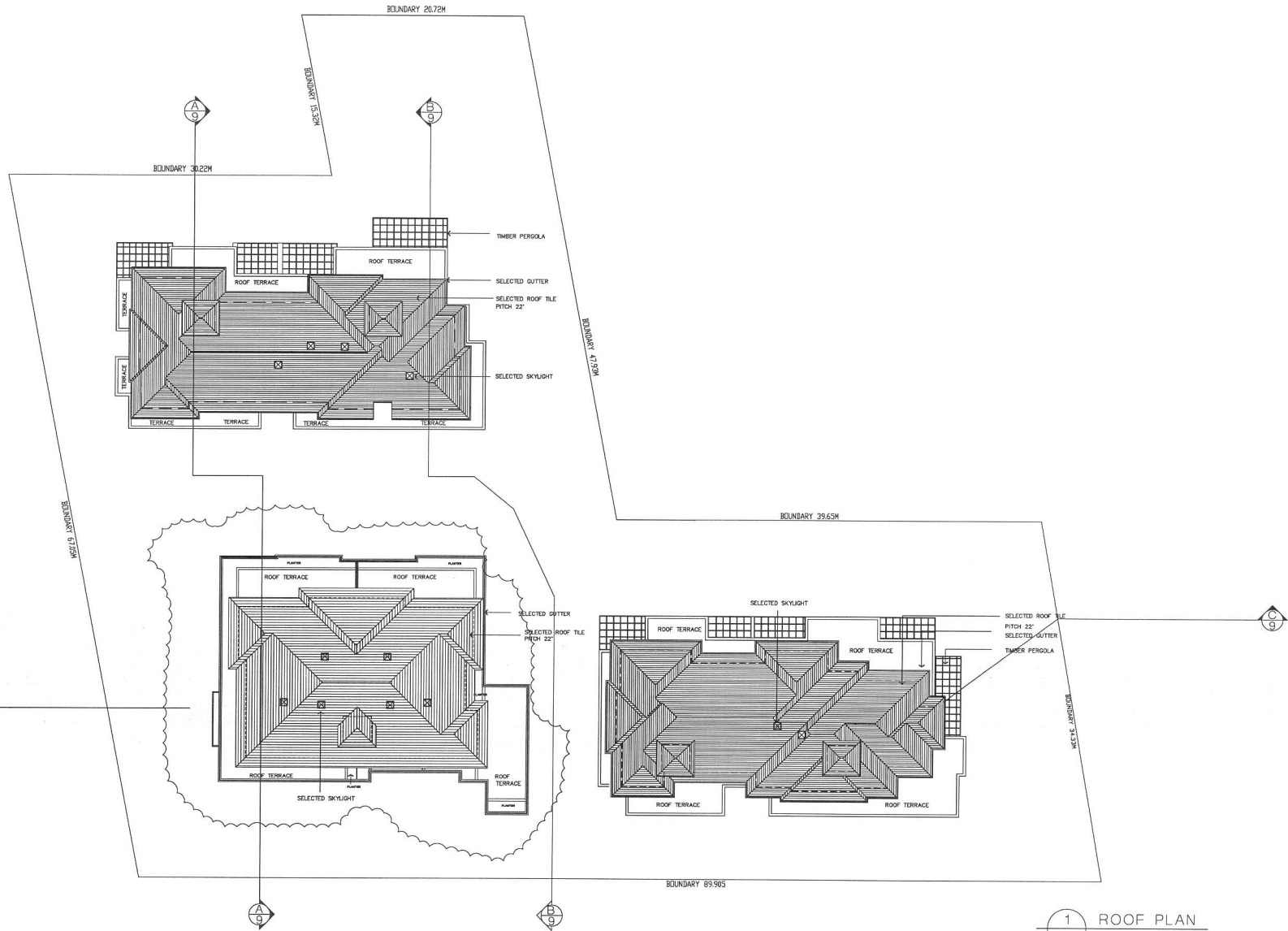
DRAWN TM	SCALE 1 : 200	CHECKED	DATE DEC. 2004
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DRAWING NUMBER 20425 DA-15	REV. A
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DATE	DESCRIPTION	DRAWN	ISSUE
28.11.04	ISSUED FOR CONSULTANTS	KC/TM	A
07.12.04	ISSUED FOR DA	KC/TM	B
10.01.05	AMEND AND RE-ISSUED	KC/TM	C
12.05.05	AMENDED BLOCK-B AND RE-ISSUED FOR DA	KC/TM	D



1 ROOF PLAN  
SCALE 1 : 200

NOTE:  
 \* PROVIDE R10 INSULATION TO ALL GROUND FLOOR UNITS WALLS  
 \* PROVIDE SISALATION TO ALL ROOFS & R2.5 CEILING INSULATION TO ALL TOP FLOOR APARTMENTS  
 \* PROVIDE HEAVY DRAPES & PELMETS TO ALL LIVING & BEDROOMS WINDOWS

# APARTMENT DEVELOPMENT

6-8 CULWORTH AVE  
KILLARA

CLIENT:  
STALDONE CORPORATION PTY LTD

DESIGN BY:  

 WINTER  
 18/74  
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 Web: www.winterarchitects.com.au

DRAWING TITLE  
ROOF PLAN

DRAWN	SCALE	CHECKED	DATE
KC/TM	1 : 200		MAY. 2005
DRAWING NUMBER	REV.		
20425 DA-08	D		

SCALE

## PROJECT DETAILS

### SITE INFORMATION

Lot N DP 419812 & Lot M 419812  
6 - 8 Culworth Ave Killara

DP N419812 is currently improved by brick single storey dwelling with a tiled roof and detached brick garage & tiled roof and has an inground swimming pool

DP M419812 is currently improved by 1 & 2 storey cement rendered with tiled roof dwelling and a detached cement rendered garage with tiled roof. It has an inground elevated pool and a concrete tennis court.

### DEVELOPMENT DESCRIPTION

Building works -  
Residential unit development comprised of 30X3 Bed room apartments and 24X2 Bed room apartments with 2 levels of basement car parking which contains 102 parking spaces (87 residents + 15 visitors)  
Demolition works - full demolition of existing dwellings. Full demolition of garage and shed structures.  
Excavation works - some removal of existing trees & vegetation. Removal of fill.  
Excavation for basement parking

## RESOURCE

www.resource.nsw.com.au

**BUILDING DESIGNERS ASSOCIATION OF NSW**  
www.bdanew.com.au

### On-Line Tools

#### Purchasing Recycled Products

<http://www.wasteboards.nsw.gov.au/directory/recycling/>  
<http://ecopacific.rml.edu.au/flash.htm>

#### Recycling Contractors and Outlets

<http://www.wasteboards.nsw.gov.au/directory/>

#### Waste Centres (Includes Landfill Sites)

<http://www.wasteboards.nsw.gov.au/directory/>

#### Waste Transporters and Skip Companies

<http://www.wasteboards.nsw.gov.au/directory/>

#### Recycling Signs

<http://www.wasteboards.nsw.gov.au/facilities/data/recycling/signs/welcome.html>

The whole works to be in accordance with the Building Code of Australia, Local Council Building Code and all other governing authorities concerned.

All dimensions in millimetres unless otherwise stated.

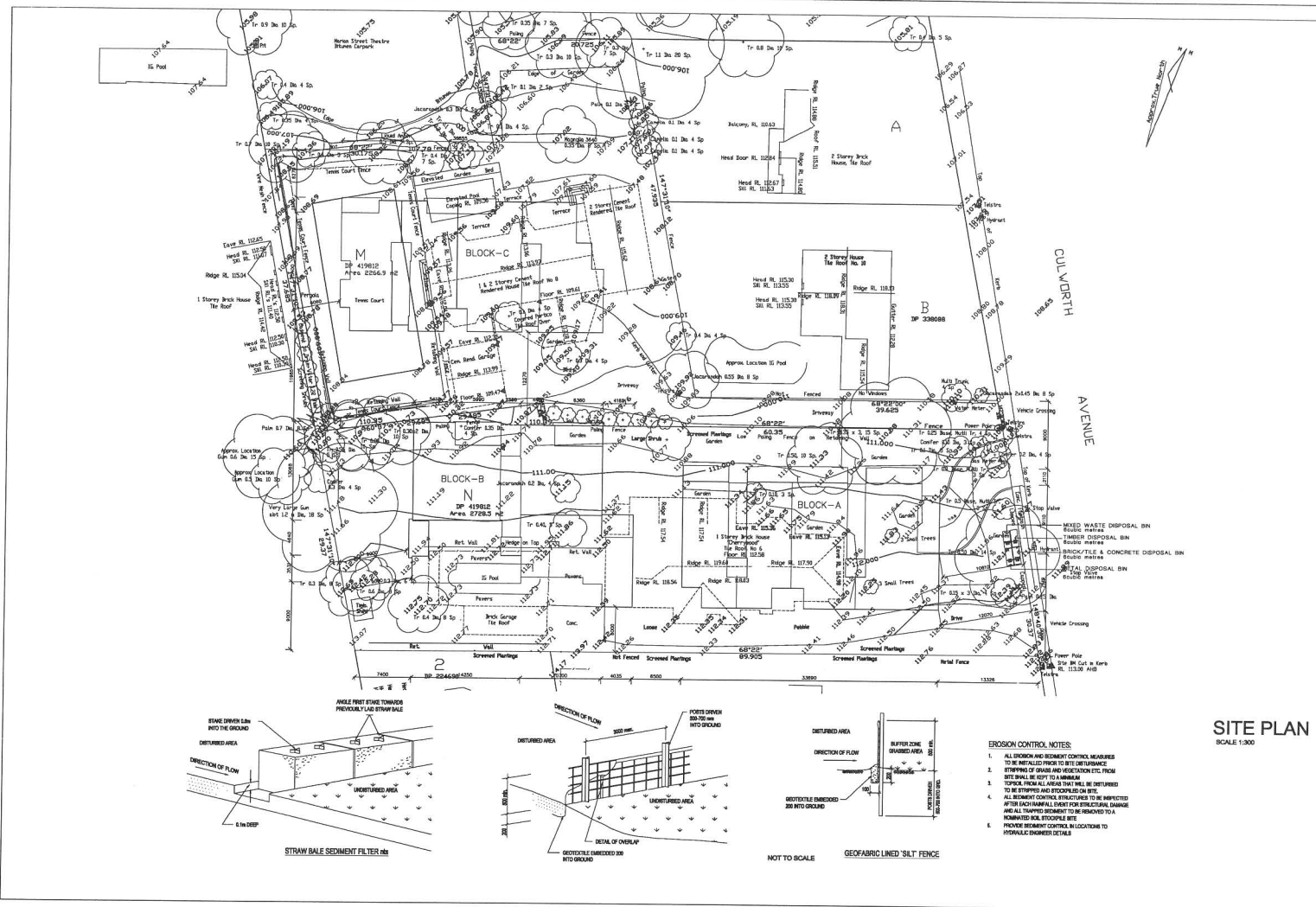
Use written dimensions in preference to scaled dimensions.

The builder to check all dimensions prior to the commencement of work.

No responsibility will be accepted by the designer for builder's details, methods, select or design considerations, nor sound variations and conditions.

### ESTIMATING CONSTRUCTION WASTE

MATERIAL	Average % waste	Tonnes per m <sup>3</sup> cube
Bricks	5 - 10%	
Concrete	3 - 5%	
Plasterboard	5 - 20%	
Roof Tiles	2 - 5%	
General Site Waste	100%	
Paper/Cardboard	NA	
Steel - Roofing	NA	
Steel - Structural	NA	
Steel - Reinforcing	NA	
Timber	5 - 7%	



### SITE PLAN

SCALE 1:300

## Waste Minimisation Tips for Builders

### Before You Start Building

Plan your site to reduce waste at the different stages:  
 \*Demolition/Excavation;  
 \*Building Structure;  
 \*Envelope;  
 \*Interior Fit Out;  
 \*Finishing  
 Insert clauses in sub-contractors contracts so you make them:

\*Follow your site waste management plan;  
 \*Responsible for their waste  
 \*If the job is large, allocate staff to implement parts of the site waste management plan

Research new practices and materials that reduce wastage  
 Plan ahead the number of skips you intend to use and your total waste budget

Set a weekly target so you can see quickly if your waste budget is blowing out  
 When You Order and Purchase Materials

Estimate accurately, aim for nil waste allowance

Control purchasing and over ordering

Purchase materials that have recycled content. Especially steel reinforcement and concrete.

Purchase material and components that can be reused and / or recycled

Use durable, low maintenance materials

Use pre-fab and modular components

### Reduce Packaging

Negotiate with your suppliers to:

\*not deliver excess packaging;  
 \*only use packaging that is reusable or recyclable;  
 \*take back packaging

### Negotiate With Your Waste Contractor

Do you need one? - can you stockpile materials and:

\*take them to a recycler yourself or;  
 \*arrange to have them transported there

Negotiate with a reputable waste contractor to take waste for recycling

Get monthly reports from your waste contractor on how much was recycled or which landfill it went to

### Train Your Staff and Subcontractors

Include your waste management plan in your site induction

Train your labourers-the people at the sharp end of waste avoidance

Keep staff and subbies up to date on progress - reward good progress

### After the Job is Finished

Evaluate your success

A JOINT INITIATIVE OF RESOURCE NSW AND BUILDING DESIGNERS ASSOCIATION OF NSW

## APARTMENT DEVELOPMENT

### 6-8 CULWORTH AVE

### KILLARA

CLIENT:

STALDONE CORPORATION PTY LTD

DESIGN BY:

WINTER UNIT 36/37  
EDGEMOOR DRIVE  
KILLARA NSW 1585  
Ph: (02) 9987 0366  
Fax: (02) 9987 0488  
Web: www.staldone.com.au



Architects and Designers  
Incorporating Wholens Chartered & Associates Pty Ltd

DRAWING TITLE

WASTE MANAGEMENT PLAN

DRAWN

KFC

SCALE

1 : 300

CHECKED

DATE

MAY 2005

REV.

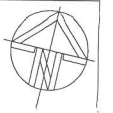
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20425 DA-14

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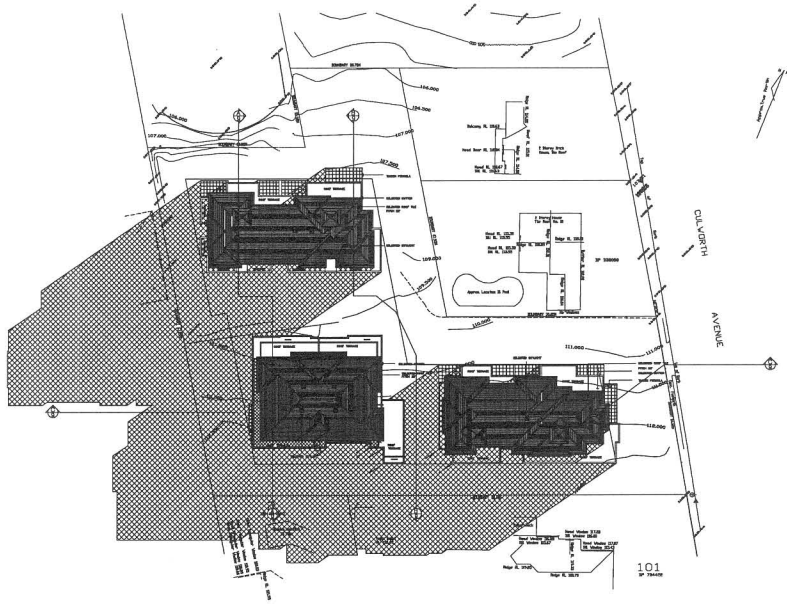
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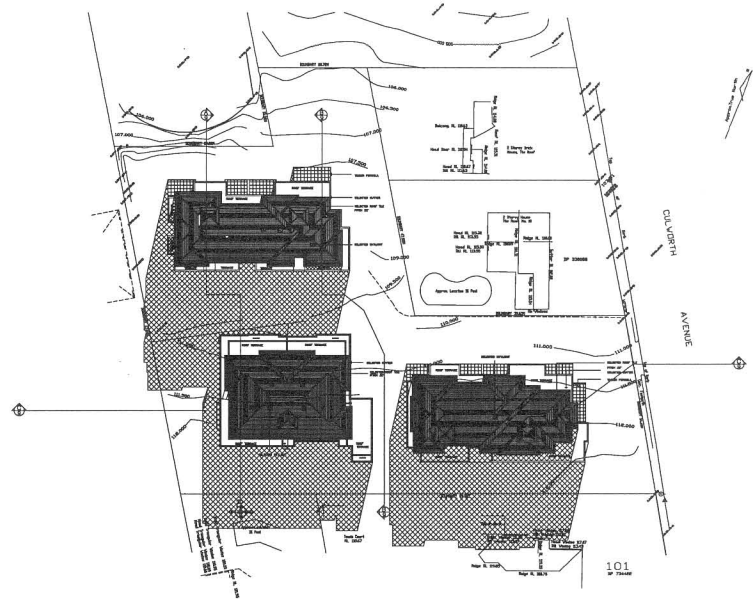




DATE	DESCRIPTION	DRAWN	ISSUE
03.11.04	PRELIMINARY ISSUE	WMC	A
14.12.04	ISSUED FOR DA	KFC	B
11.01.05	AMENDED & RE-ISSUED	TM	C
02.05.05	AMENDED & RE-ISSUED	TM	D



1 SHADOW DIAGRAM  
22ND JUNE 9:00AM  
SCALE 1:500



2 SHADOW DIAGRAM  
22ND JUNE NOON  
SCALE 1:500



3 SHADOW DIAGRAM  
22ND JUNE 3:00PM  
SCALE 1:500

- NOTE:
- PROVIDE R1.0 INSULATION TO ALL GROUND FLOOR UNITS WALLS
  - PROVIDE SISALATION TO ALL ROOFS & R2.5 CEILING INSULATION TO ALL TOP FLOOR APARTMENTS
  - PROVIDE HEAVY DRAPES & PELMETS TO ALL LIVING & BEDROOMS WINDOWS

## APARTMENT DEVELOPMENT

6-8 CULWORTH AVE  
KILLARA

CLIENT:  
STALDONE CORPORATION PTY LTD

DESIGN BY:  
WINTER  
UNIT 10/14  
EDMUNDSTON DRIVE  
HOBART TAS 7000  
PH (03) 9987 0388  
Fax (03) 9987 0388  
Email: info@wintergroup.com.au  
Web: www.wintergroup.com.au

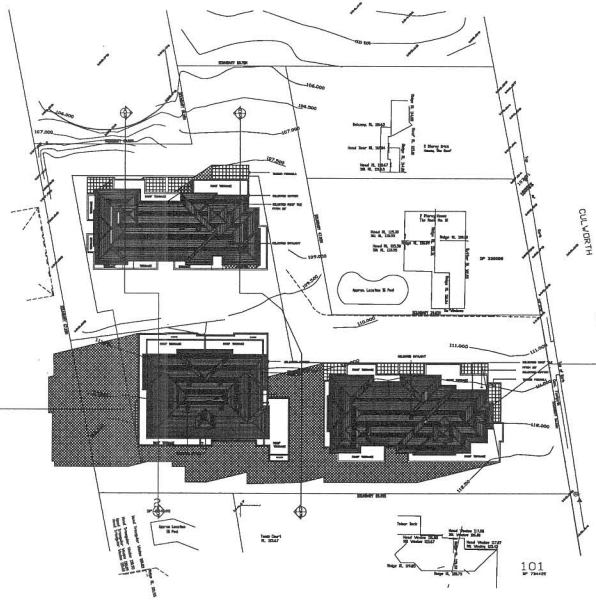
Architects and Designers  
Incorporating Whistman Charteredworth & Associates Pty Ltd

DRAWING TITLE  
SHADOW DIAGRAM

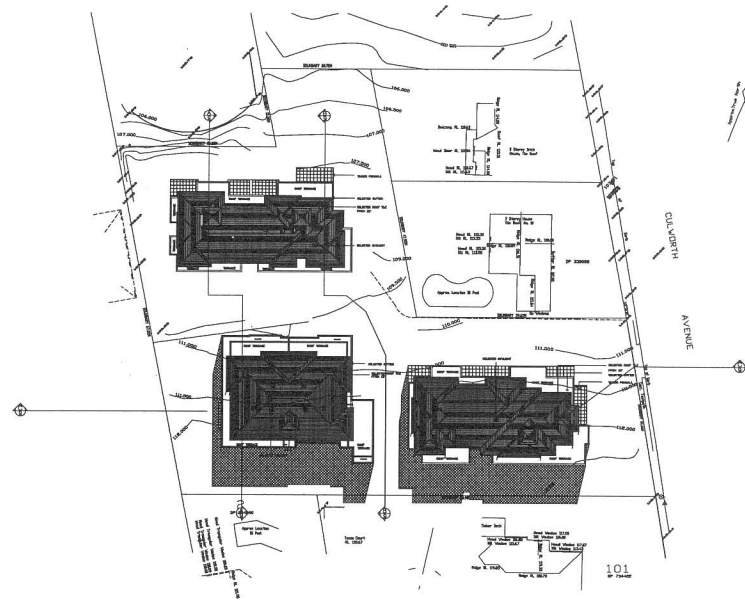
DRAWN	SCALE	CHECKED	DATE
KC/TM	1 : 500		MAY 2005
DRAWING NUMBER	REV.		
20425 DA-11	D		



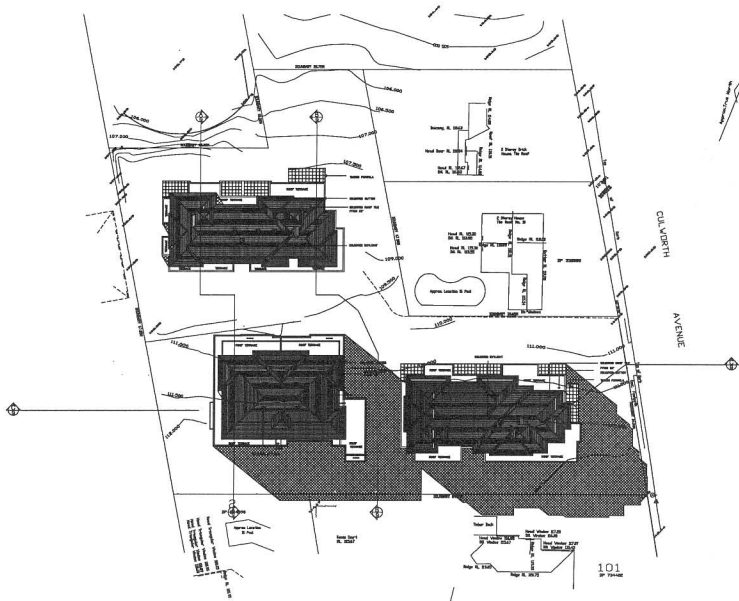
DATE	DESCRIPTION	DRAWN	ISSUE
11.05.05	INFORMATION ONLY	TM	A



1 SHADOW DIAGRAM  
21TH SEP 9:00AM  
SCALE 1:500



2 SHADOW DIAGRAM  
21TH SEP NOON  
SCALE 1:500




3 SHADOW DIAGRAM  
21TH SEP 3:00PM  
SCALE 1:500

- NOTE:
- PROVIDE R10 INSULATION TO ALL GROUND FLOOR UNITS WALLS
  - PROVIDE SISALATION TO ALL ROOFS & R2.5 CEILING INSULATION TO ALL TOP FLOOR APARTMENTS
  - PROVIDE HEAVY DRAPES & PELMETS TO ALL LIVING & BEDROOMS WINDOWS

## APARTMENT DEVELOPMENT

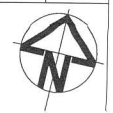
6-8 CULWORTH AVE  
KILLARA

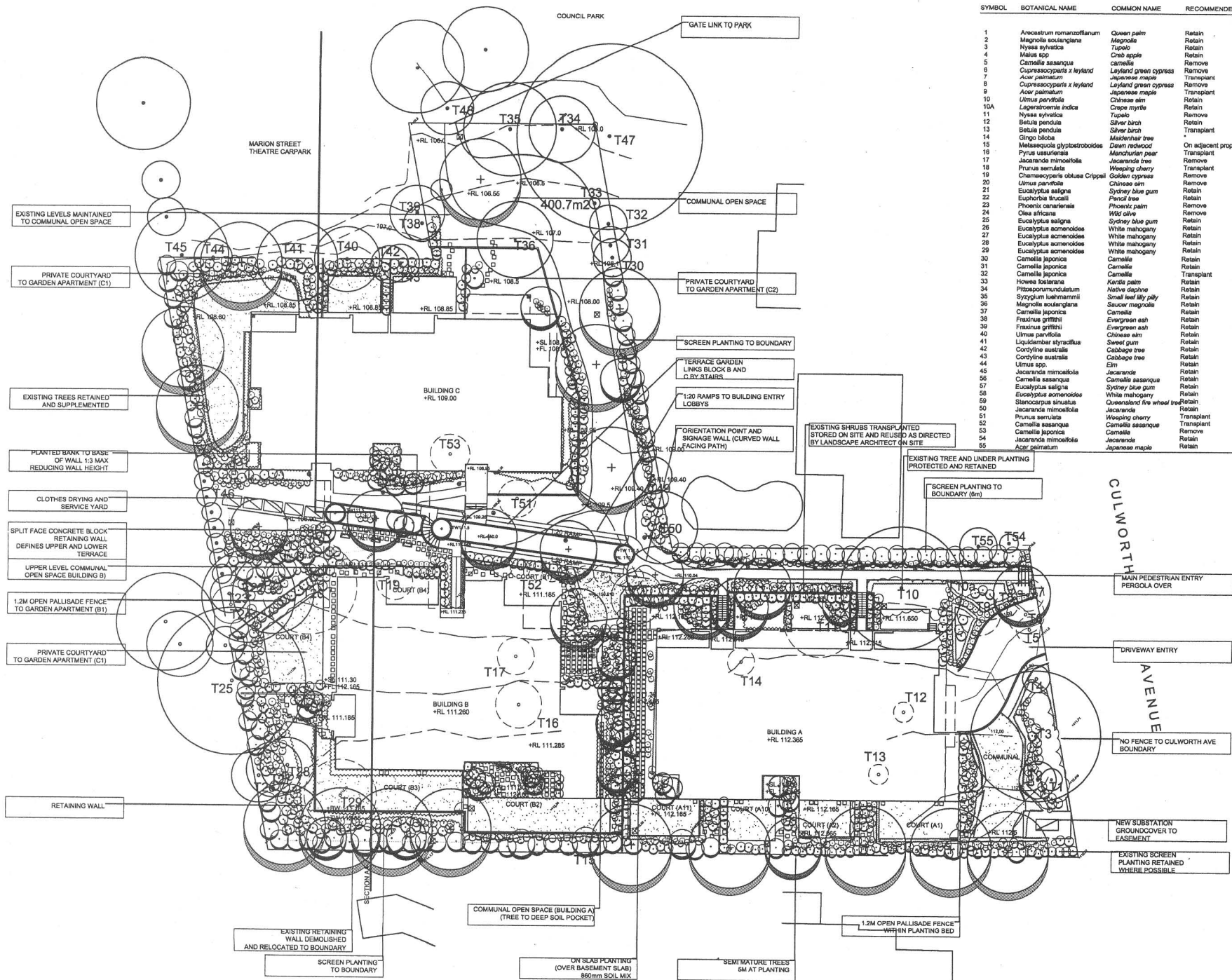
CLIENT:  
STALDONE CORPORATION PTY LTD

DESIGN BY:  

 WINTER  
UNIT 10/14  
EDGEMOOR AVENUE  
MORTSHBY N.S.W.  
P.O. BOX 9987  
CARRINGTON, VIC 3113  
Web: www.winterarchitects.com.au

DRAWING TITLE  
SHADOW DIAGRAM on 21th SEP

DRAWN	SCALE	CHECKED	DATE
TM	1 : 500		MAY 2005
DRAWING NUMBER	REV.		
20425 DA-16	A		





EXISTING TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	RECOMMENDED ACTION
1	Anacardium occidentale	Queen palm	Retain
2	Magnolia soulangeana	Magnolia	Retain
3	Nyssa sylvatica	Tupelo	Retain
4	Malus spp	Crab apple	Retain
5	Camellia	Camellia	Remove
6	Cupressocyparis x leyland	Leyland green cypress	Remove
7	Acer palmatum	Japanese maple	Transplant
8	Cupressocyparis x leyland	Leyland green cypress	Remove
9	Acer palmatum	Japanese maple	Transplant
10	Ulmus parvifolia	Chinese elm	Retain
10A	Lagerstroemia indica	Crape myrtle	Retain
11	Nyssa sylvatica	Tupelo	Remove
12	Betula pendula	Silver birch	Retain
13	Betula pendula	Silver birch	Transplant
14	Ginkgo biloba	Maidenhair tree	On adjacent property
15	Metasequoia glyptostroboides	Dawn redwood	Transplant
16	Pyrus ussuriensis	Manchurian pear	Remove
17	Jacaranda mimosifolia	Jacaranda tree	Remove
18	Prunus serrulata	Weeping cherry	Transplant
19	Chamaecyparis obtusa Cripps	Golden cypress	Remove
20	Ulmus parvifolia	Chinese elm	Remove
21	Eucalyptus saligna	Sydney blue gum	Retain
22	Euphorbia tirucalli	Fire tree	Retain
23	Phoenix canariensis	Phoenix palm	Remove
24	Olea africana	Wild olive	Remove
25	Eucalyptus saligna	Sydney blue gum	Retain
26	Eucalyptus acmenoides	White mahogany	Retain
27	Eucalyptus acmenoides	White mahogany	Retain
28	Eucalyptus acmenoides	White mahogany	Retain
29	Eucalyptus acmenoides	White mahogany	Retain
30	Camellia japonica	Camellia	Retain
31	Camellia japonica	Camellia	Retain
32	Camellia japonica	Camellia	Transplant
33	Howea forsteriana	Kentia palm	Retain
34	Pittosporum undulatum	Native daphne	Retain
35	Syzygium luehmannii	Small leafilly ally	Retain
36	Magnolia soulangeana	Saucer magnolia	Retain
37	Camellia japonica	Camellia	Retain
38	Fraxinus griffithii	Evergreen ash	Retain
39	Fraxinus griffithii	Evergreen ash	Retain
40	Ulmus parvifolia	Chinese elm	Retain
41	Liquidambar styraciflua	Sweet gum	Retain
42	Coryline australis	Cabbage tree	Retain
43	Ulmus spp.	Elm	Retain
44	Jacaranda mimosifolia	Jacaranda	Retain
45	Camellia sasanqua	Camellia sasanqua	Retain
46	Eucalyptus saligna	Sydney blue gum	Retain
47	Eucalyptus acmenoides	White mahogany	Retain
48	Stenocarpus sinuatus	Queensland fire wheel tree	Retain
49	Jacaranda mimosifolia	Jacaranda	Retain
50	Prunus serrulata	Weeping cherry	Transplant
51	Camellia sasanqua	Camellia sasanqua	Transplant
52	Camellia japonica	Camellia	Remove
53	Jacaranda mimosifolia	Jacaranda	Retain
54	Jacaranda mimosifolia	Jacaranda	Retain
55	Acer palmatum	Japanese maple	Retain

LEGEND

- SITE BOUNDARY
- EXISTING CONTOUR
- PROPOSED NEW CONTOUR
- EXISTING SPOT LEVEL
- PROPOSED SPOT LEVEL
- EXISTING TREE TO BE RETAINED
- EXISTING TREE TO BE REMOVED
- RETAINING WALL
- SANDSTONE FACING CAPPING
- FOOTPATH
- SANDSTONE PAVING
- PAVING TO ARCHITECTS DETAIL AND SELECTION
- PROPOSED TREE
- PROPOSED SHRUB
- PROPOSED GROUND COVER
- SEAT
- BOLLARD LIGHT
- CONCRETE STEPPING STONES
- CLOTHES DRYING LINE

REVISIONS TO CA	04.08.08
Additional external open space	
Northwest corner and western boundary	
Path new easement	
CA	
Issue	17.12.04
Description	Date

taylor  
brammer  
landscape architects

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project:  
6-8 CULWORTH AVE, KILLARA

drawing title:  
CONCEPT LANDSCAPE PLAN

client:

STALDONE DEVELOPMENT PTY LTD

scale: 1:200 (B1) drawn: AS  
date: 16.12.04 designed: AS  
job no: 04-1803 checked: DM  
job of drawing: Sheet 1 of 5

revised:

LA01 B

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**6 Culworth Ave from Street**



**Rear 6 Culworth Ave to south west**



**Rear of 8 Culworth Ave**



**Tennis Court 8 Culworth Ave looking north**



**View to site from Marian St theatre**



**View to site from Marian St theatre**

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## 49 TO 51 BILLYARD AVENUE, WAHROONGA

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### EXECUTIVE SUMMARY

<b>PURPOSE OF REPORT:</b>	For Council to consider the inclusion of 49-51 Billyard Avenue, Wahroonga in Schedule 7 (Heritage Items) of the Ku-ring-gai Planning Scheme Ordinance.
<b>BACKGROUND:</b>	Council recently approved a subdivision of the property known as 49-51 Billyard Avenue, Wahroonga and has identified the property as an item of potential heritage significance. Council engaged Glen Cowell Heritage Services to prepare an assessment of significance for the property at 49-51 Billyard Avenue to determine whether the property should be listed as a heritage item in Schedule 7 of the KPSO. Since engaging the consultant, a new DA has been lodged with Council to add a carport to the property, alter the existing pool, revise the interior layout, remove the parapets and put a new roof on the house and render the dwelling.
<b>COMMENTS:</b>	The assessment of significance completed by the consultant recommends that the identified significance of 49-51 Billyard Avenue, Wahroonga finds the property to exhibit some historical, aesthetic, technical/research and social significance. The assessment findings warrant the properties listing as an item of heritage significance in Schedule 7 of the KPSO.
<b>RECOMMENDATION:</b>	That Council prepare a Local Environmental Plan to amend the Ku-ring-gai Planning Scheme Ordinance (KPSO) to include 49-51 Billyard Avenue, Wahroonga in Schedule 7 (Heritage Items) of the KPSO.



## PURPOSE OF REPORT

For Council to consider the inclusion of 49-51 Billyard Avenue, Wahroonga in Schedule 7 (Heritage Items) of the Ku-ring-gai Planning Scheme Ordinance.

## BACKGROUND

49-51 Billyard Avenue, Wahroonga is a two storey residence located at the rear of a large landscaped allotment. The building is constructed of red textured brick with render detailing and is designed in the Inter-War Georgian Revival style with strong reference to the then popular 'modern' style.

At its meeting on 20 July 2004 Council approved a subdivision of the site from one lot into three lots. Council further received a Development Application for the demolition of the existing dwelling and the proposed construction of a detached dual occupancy development on Lot 1 – 49-51 Billyard Avenue, Wahroonga. On 20 April 2005 Council received confirmation that the applicant wished to withdraw the development application.

Council engaged Glen Cowell Heritage Services Pty Ltd to prepare an assessment of significance for 49-51 Billyard Avenue to determine whether consideration should be given to whether the building should be listed under Schedule 7 of the KPSO. Since engaging the consultant, a new DA has been lodged with Council to add a carport to the property, alter the existing pool, revise the interior layout, remove the parapets and put a new roof on the house and render the dwelling.

## COMMENTS

### History of the Site

49-51 Billyard Avenue, Wahroonga lies within the original land grant to John Terry Hughes. The area was originally developed as farmland. The area in the immediate vicinity of the site is dominated by remnant stands of indigenous trees including Sydney Blue Gum, Turpentine and Angophora.

The subject site was once part of the 'Vanceville Estate' and created as part of a 1927 subdivision. A small parcel of land was added to the subject site prior to 1938 to form a "T" shaped allotment. The house itself at No. 49-51 Billyard Avenue is thought to have been constructed c.1937-1938 as it appears in a Water Board map of 1938.

The owner of the site at the time of construction was a Sydney architect known as Hunt who designed the house at 49-51 Billyard Avenue and the residence at 47 Billyard Avenue. During the 1980s the subject property was home to television identity Mike Willesee. The garden has on several occasions been open to the public during the Knox Open Garden events.

See **Attachment 1** for more detailed information on the history of the site.

### The Current Context

Council has approved the subdivision of 49-51 Billyard Avenue from one lot into three allotments. The approved Development Application retains the existing residence on a reduced allotment. The subdivision allows the retention of the house within a reasonable amount of original curtilage and would result in the preservation of the building within a substantial portion of its original grounds. A Development Application has been lodged with Council to make alterations to the subject property including the construction of a carport, alterations to the existing pool, revising the interior layout of the dwelling, removing the parapets and replacing the existing roof and rendering the dwelling.

### The Existing Building

Glen Cowell Heritage Services assessment of the significance found 49-51 Billyard Avenue to be a:

*...substantial two storey red face brick residence originally designed in a traditional style combining Inter-War Georgian Style with detailing influenced by the modern Inter-War Functionalist Style. The style of the building appears to have been transitional with strong references to the Georgian style in the choice of fabric (heavily textured red face bricks and red tiled hip roof)...*

The consultant concludes that 49-51 Billyard Avenue has never been identified as a significant element within the Wahroonga precinct, largely due to its location at the rear of the large site and being largely hidden by the heavily planted gardens. For a more in depth description of the style of the building and its exterior, refer to **Attachment 1**.

### Statement Of Significance

The assessment of significance found the subject property to be of some historical, aesthetic, technical/research and social significance. The assessment noted that the residence is significant for the following reasons:

*“No. 49-51 Billyard Avenue, Wahroonga is significant as part of the early residential development of the suburb of Wahroonga during the 1930s when the construction of large houses on large landscaped allotments was at its peak...The building in its expansive landscaped grounds has significance as a reflection of the quality of residence which was being constructed in Wahroonga at this time.*

*....although having undergone some modifications to the original building, remains largely intact externally with its original stylistic detailing of parapeted roof and textured brick facades. The extant building has historic and aesthetic significance as a largely intact example of a transitional style which evolved from the desire of young Sydney architects to design houses in the new modern style, set against a growing movement within local government to ban flat roofed residences. The parapeted hip roof of this Inter-War Georgian Revival building reflects the conflict faced by architect and client who desired a residence in the starkly modern Inter-War Functionalist or Post-War International styles.*



*The building has some social significance as one of the early large residences in the district. The building also has social significance as the home of the well known television presenter Mike Willesee during the 1980s.*

*The largely intact and mature gardens surrounding the house are significant as the original curtilage to this early 20<sup>th</sup> Century residence. The stand of native trees along the Billyard Avenue boundary are significant as remnants of the original native trees prior to development of the area”.*

### **Recommendations**

The Assessment of significance recommends that the subject building be retained as a reflection of the stylistic challenges faced by the architect of the period and that:

- Consideration should be given to listing No. 49-51 Billyard Avenue, Wahroonga on the Kuring-gai Planning Scheme Ordinance as an item of cultural heritage of local significance
- Retention of the extant building in its present form and fabric as a single residential unit in a reduced curtilage is recommended. Removal of the extant roof parapet or painting or rendering of the external face brick facades should not be allowed.
- Consideration should be given to internal modification to the extant building as long as these changes do not impact on the external style, detailing and fabric of the extant building
- No. 49-51 Billyard Avenue, Wahroonga should be retained as an isolated building on a separate, if reduced, garden allotment. Existing terraced gardens should be retained intact. Driveways and garaging should be kept to a minimum and retained where possible in the original location within the subdivided allotment.
- The reduced curtilage of No 49-51 Billyard Avenue, Wahroonga should be retained as an individual allotment with no future option for Dual Occupancy subdivision.
- Retention of original landscape plantings throughout the subdivided sites is recommended where appropriate, with retention of the stand of remnant native trees within the street frontage allotment as a minimum requirement. A landscape plan identifying significant mature plantings to be retained should be required prior to any excavation of the subdivided allotments.

### **CONSULTATION**

No public consultation has been undertaken to date, however should a draft Heritage LEP be prepared for 49-51 Billyard Avenue, Wahroonga, public consultation will take place during the exhibition of the draft policy.

### **FINANCIAL CONSIDERATIONS**

Item 12

**P34936**  
**1 August 2005**

All financial costs associated with the preparation of an amending LEP and the inclusion of 49-51 Billyard Avenue into the KPSO through a draft Heritage Local environmental Plan are covered by the Urban Planning budget.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

There has been consultation with Council's Heritage Advisor in relation to each of the subject properties, his comments assisted in determining Council's opinion on the matter.

## **SUMMARY**

Council engaged an independent consultant Glen to conduct an assessment of significance for the property known as 49-51 Billyard Avenue, Wahroonga to determine whether the property should be listed under Schedule 7 of the KPSO. The heritage assessment recommended that consideration be given to listing the building on the Ku-ring-gai Planning Scheme Ordinance as a heritage item of local significance, with retention as a single residential unit on its subdivided allotment.

## **RECOMMENDATION**

- A. That Council prepares a draft Heritage Local Environmental Plan to include the property at 49-51 Billyard Avenue, Wahroonga in Schedule 7 (Heritage items) of the Ku-ring-gai Planning Scheme Ordinance.
- B. That Council notifies the Department of Infrastructure, Planning and Natural Resources of its intension to prepare a draft amending Local Environmental Plan and draft Heritage Local Environmental Plan in accordance with Section 54 of the Environmental Planning & Assessment Act (EP&A Act) 1979 and notify relevant authorities in accordance with Section 62 of the EP&A Act 1979.
- C. That Council notifies the owner 49-51 Billyard Avenue, Wahroonga and all affected properties of its relevant decision.
- D. That the draft Heritage Local Environmental Plan be placed on exhibition in accordance with the requirements of the EP&A Act 1979 and Regulations.
- E. That a report be brought back to Council at the end of the exhibition period.

Louise O'Flynn  
**Heritage Planner**

Antony Fabbro  
**Manager Urban Planning**

Steven Head  
**Director Open Space and  
Planning**

**Attachments:**      **Attachment 1 - Glen Cowell, Heritage Consultant - Heritage Assessment of 49-51 Billyard Avenue, Wahroonga - No 516154**  
                             **Attachment 2 - Glen Cowell, Heritage Consultant, NSW State Heritage**

**Inventory Form for 49-51 Billyard Avenue, Wahroonga - No 516155**

KU-RING-GAI COUNCIL

**Assessment of Significance  
for**

**49-51 BILLYARD AVENUE  
WAHROONGA**



REPORT WRITTEN BY  
GLEN COWELL HERITAGE SERVICES PTY. LTD.  
ARCHITECTS AND HERITAGE CONSULTANTS  
**10<sup>th</sup>. July 2005**

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# 1.0

## INTRODUCTION

### 1.1 CONTEXT OF THE REPORT

This Assessment of Significance has been prepared at the request of Ku-ring-gai Council to identify the significance of the property known as 49-51 Billyard Avenue, Wahroonga.

49-51 Billyard Avenue, Wahroonga is a large allotment addressing Billyard Avenue. The site presently features a well planted garden at the front of the house with a curving driveway through the trees and shrubs to a two storey red textured brick residence towards the rear of the allotment. The building was designed in an Inter-War Georgian Revival style with a terra cotta tiled hip roof and a high parapet partly hiding the roof.

This property has not previously been identified as a significant element on its site probably due to the fact that it is located at the rear of a heavily planted garden and cannot be easily viewed from the street. It does however hold some social/historical significance as at one time being the home of well known television personality Mike Willesee.

A subdivision of the site was recently approved by Ku-ring-gai Council which would have allowed the retention of the existing house in reduced grounds. However, this report has been commissioned following submission of an application for demolition and more recent application for retention but with substantial modification of the exterior of the extant house.

### 1.2 DOCUMENTARY AND PHOTOGRAPHIC SOURCES

Documentary research for this assessment consists primarily of assessment of data relating to Inter-War period housing in Sydney and research undertaken by Ms. Glen Cowell, Director of Glen Cowell Heritage Services Pty. Ltd. Supplementary research and information provided by Ku-ring-gai Council is included.

All contemporary photographs were taken in March 2005 specifically for this report. Similarly, a preliminary inspection of the site and the exterior of the building was conducted in March 2005.

### 1.3 AUTHORSHIP

This report has been prepared by Glen Cowell, Director of Glen Cowell Heritage Services Pty. Ltd., Architects and Heritage Consultants. Ms Cowell is a Conservation Architect and recognised Heritage Consultant who was employed as a Conservation Architect and Associate Director for Graham Brooks and Associates Pty. Ltd., Conservation Architects and Heritage Consultants between 1994 and 2000. She has

also been employed as Heritage Advisor to Manly Council from 1995-2000, as a Heritage Planner for Woollahra Council from 2000-01, as Heritage Assessor for North Sydney Council during 2001-02, as Heritage Advisor to Kogarah Council from 2001-03 and is currently employed as Heritage Advisor to Auburn Council. (See Addenda 1 for CV of author).

## 1.4 SITE IDENTIFICATION

The property under consideration is known as 49-51 Billyard Avenue, Wahroonga. The title description is Lot 1, DP 735609. The property is not part of an Urban Conservation Area (UCA) and is not located within a National Trust UCA.

49-51 Billyard Avenue, Wahroonga is bounded to the north by Billyard Avenue with the remnants of an old brick fence and a later wire fence. A large gate and gateposts are located at the entrance to the driveway which meanders through the heavy planting on the site. The house is screened with mature trees and shrubs and is only visible from the fence in glimpses. The building presents its major frontage to the northern façade and there is a stone paved terrace with planter boxes forming a formal garden area in front of the house.

The subject building is a large two storey red textured brick residence located to the rear of a large garden allotment on the southern side of Billyard Avenue, Wahroonga. A tennis court is located to the front and eastern side of the house and a swimming pool is located between the house and the rear boundary to the south.

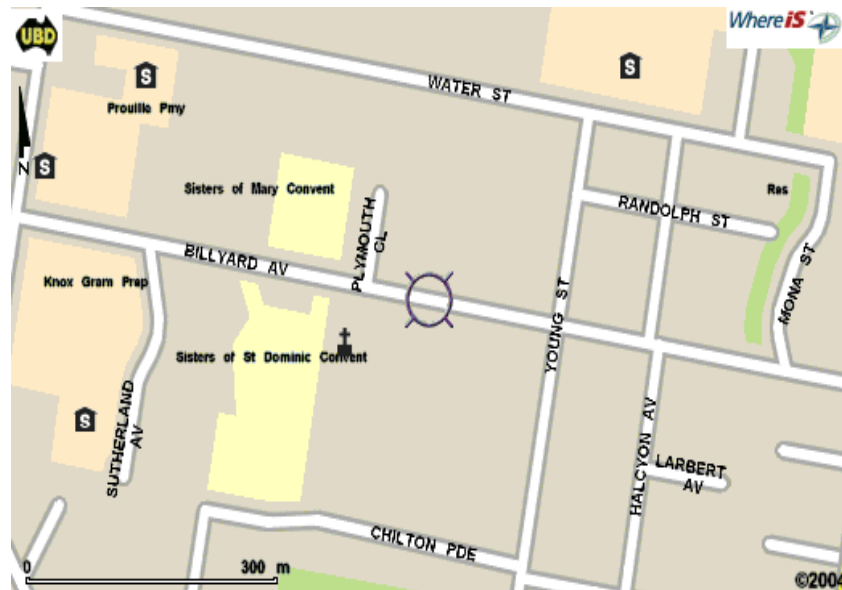


FIG. 1. LOCALITY PLAN, 49-51 Billyard Avenue, Wahroonga

# 2.0

## HISTORICAL OUTLINE

### 2.1 BACKGROUND

The site of 49-51 Billyard Avenue, Wahroonga lies within the original land grant to John Terry Hughes which was named the “Big Island Estate”. The area was originally developed as farmland. The area in the immediate vicinity of the subject site is dominated by remnant stands of indigenous trees including Sydney blue gums, turpentines and angophoras.

The area provides historic evidence of the subdivision pattern of the ‘Big Island Estate’ into large suburban allotments with semi-rural character. The subject site was once part of the Vanceville Estate where large to medium sized blocks of land were subdivided after the turn of the century for the construction of large Federation or Inter-War period houses. Many of the residences in the area were designed by prominent Sydney architects and in the early days of the twentieth century, the local residents formed themselves into the Wahroonga Progress Association, a local association which preceded local government. A prominent member of the association was Sir John Sulman, a distinguished architect and town planner who had a strong influence on the future development of the suburb.

The character of the suburban area includes streets dominated by large trees with grand Federation and Inter-War period houses set well back from the street boundary to allow expansive gardens and tennis courts.

### 2.2 DEVELOPMENT OF THE SITE

The site of 49-51 Billyard Avenue, Wahroonga lies within the original land grant to John Terry Hughes. After the death of Hughes the land was held by a number of persons until it was eventually subdivided as the Vanceville Estate. A number of subdivisions were made of this estate and the subject site was created as part of a 1927 subdivision of a large portion of the estate. A small parcel of land was added to the subject site prior to 1938 to form the present day “T” shaped allotment. The house itself at No 49-51 Billyard Avenue is thought to have been constructed c.1937-38 as it appears in a Water Board map of 1938.

The owner of the site at the time of construction was named Hunt. Hunt also owned other allotments in Billyard Avenue and had an interest in the site of the present Catholic Church at 33 Billyard Avenue, Wahroonga. When looking at the design of the house at No 47 Billyard Avenue, it is considered possible that it was also designed as a residence for Hunt or his family, as it has a strong resemblance to the design of No 49-51 Billyard Avenue. This house was also constructed in similar red textured bricks (now painted white) with a red terra-cotta roof.



## 2.3 OCCUPATION OF THE SITE

There is no Sands Directory records of occupation of the house as the directory was produced between the 1860s and early 1930s and finished before this house was constructed in c.1937. Recent research of Council records, into the background of the property has identified the owner at the time of construction as Mr. Hunt.

It is also known that the house at No 49-51 Billyard Avenue, Wahroonga was owned and occupied by the well known national television presenter Mike Willesee sometime during the 1980's. The garden was open to the public during the "Knox Open Garden" events on several occasions.



Fig 2 Subdivision plan, 49-51 Billyard Avenue Wahroonga shown outlined. Allotment containing subject house is the battleaxe block to the left.

# 3.0

## THE EXISTING BUILDING

### 3.1 THE URBAN CONTEXT

The property under consideration is known as 49-51 Billyard Avenue, Wahroonga. It is identified within the suburb of Wahroonga and falls within the local government area of Ku-ring-gai. Billyard Avenue is located on the eastern side of the Main Northern Railway line and is a street with early properties consisting mainly of large two storey residences on one to three acre allotments. The houses were large, mainly designed by architects and occupied by politicians, business and professional men and their families.

The immediate context of the subject property at 49-51 Billyard Avenue is currently residential. A medium sized two storey residence, about the same age as the subject house, is located close to the street to the west of the site. A similar sized allotment adjoins the subject site to the east with a more modern residence located closer to the street. The properties located opposite on Billyard Avenue are large two storey modern residences. The overall character in the immediate vicinity is of a largely residential streetscape with a variety of residences of mixed sizes, periods and styles. The character of the area has been retained fairly intact up to a few years ago, but this character is now changing with the subdivision of the large properties and construction of dwellings on much smaller allotments.

As identified in the 'Built Heritage Analysis' of the 'Ku-ring-gai Heritage and Neighbourhood Character Study' Wahroonga (Godden Mackay Logan, Part B, p.314), this site is not located within a National Trust Urban Conservation Area (UCA) or Potential Conservation Area (PCA).



Fig. 3 Front façade of 49-51 Billyard Avenue. Note terra cotta tile hip roof just visible behind parapet. Front entrance with curved copper roofed porch and columns.



Fig. 4 Plantings and lawn in area immediately in front of existing house



Fig. 5 Looking south along the existing driveway towards the front façade of house



Fig. 6 Front façade of red brick house showing terraced garden in front of residence  
Note: Large ground floor windows to right side possibly replaced original garage door opening.





Fig. 7 Front façade of house looking at southern end with conservatory at ground floor and later balcony above. Upper floor over living room doors in centre of picture appears to be a later addition



Fig. 8 Glazed conservatory windows at eastern end of original house. Looking into living area.



Fig. 9 Looking through conservatory windows to living room, Note faceted cement columns Which define end of living area.



Fig. 10 Timber pergola continuing around southern corner of house with stone paved courtyard



Fig. 11 Rear of house showing timber pergola and later balcony structure at first floor



Fig. 12 Looking under rear balcony to back door. Glazed roof addition at left side of photo appears to be a pantry or sauna room.





Fig.13 Western end of house showing French doors out onto paved courtyard and windows of bedroom above. This area was possible original garage at front.



Fig. 14 Front façade of 49-51 Billyard Avenue looking at front entrance from western side of house



Fig. 15 Carport with cabin behind at eastern side of house, looking east from driveway.



Fig. 16 Interior of "Cabana" at eastern side of swimming pool at rear of house



Fig. 17 Rear balcony addition of 49-51 Billyard Avenue with swimming pool in foreground



Fig. 18 Eastern end of 49-51 Billyard Avenue with conservatory

## 3.2 THE STYLE OF THE EXTANT BUILDING

49-51 Billyard Avenue, Wahroonga is a substantial two storey red face brick residence originally designed in a transitional style combining the popular Inter-War Georgian Style with detailing influenced by the modern Inter-War Functionalist Style. The style of the building appears to have been transitional with strong references to the currently fashionable Georgian style in the choice of fabric (heavily textured red face bricks and red tiled hip roof), the multi-pane fenestration and the very simple but classical façade detailing. The addition of a distinctively modern element in the raised face brick parapet which almost completely hides the traditional hip roof form, indicates an attempt by the architect to combine the modern fashion for curved walls and flat roofs hidden behind parapets. The late 1930s was a period of experimentation with many architects testing the ground with similar transitional styles displaying the traditional hipped roof but with a roof parapet as a distinctly “modern” feature.

Sydney architects of this period were torn between the popular “romantic” styles and the severe clean lines of the modernist movement. The cutting edge of design demanded “European modern architecture of the 1920s and 1930s [emphasising] ‘functionalism’, ‘clean lines’ and complete dissociation from styles of the past.”<sup>1</sup> The architect’s clients and administrators in local government however, were still largely captivated by the revivalist styles of ‘Georgian’, ‘Mediterranean’ ‘Spanish Mission’ and ‘Classicism’ particularly for suburban residences.

An example of the local government distaste for the new ‘modern’ style of residence is given with a house by Sydney Archer at North Curl Curl. The design was the subject of a 1948 law-suit by the owner against Warringah Shire Council. The Council claimed that the design was ‘ugly’, and unsuccessfully insisted on a parapet to hide its flat roof.<sup>2</sup>

The building at 49-51 Billyard Avenue Wahroonga is a typical example of an architectural solution to the problems encountered by the architects of the period, with an attempt to design in the ‘modern’ style while satisfying both the client and the local authorities. This building has never been identified as a significant element within the Wahroonga precinct, largely due to its location at the rear of the large site and being largely hidden by the heavily planted gardens.

## 3.3 DESCRIPTION OF THE BUILDING EXTERIOR

49-51 Billyard Avenue, Wahroonga is a two storey residence located at the rear of a large landscaped allotment in the suburb of Wahroonga. The building is constructed of red textured brick with render detailing and is designed in the Inter-War Georgian Revival style with strong references to the then popular Modern style.

The front façade features a number of projecting sections which breaks up the planar quality and emphasises a projecting entrance with a semi-circular copper roofed entry porch.

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<sup>1</sup> Apperly, Irving, Reynolds, *A Pictorial Guide to Identifying Australian Architecture*, Angus & Robertson, Sydney 1989, p.187

<sup>2</sup> Robert Irving, compiled, *The History and Design of the Australian House*, ‘Two Centuries of Change; Between the Wars’ Oxford University Press, Melbourne 1985, p.138



The front door is defined by this semi-circular porch with the copper roof supported on cement columns. The window openings either side of the entrance are finished with paired multi paned French doors and the upper floor windows are defined by two white painted cement bands which provide a strong horizontal emphasis with the main tiled hipped roof hidden behind a red brick parapet. The windows and French doors each feature a set of louvred shutters painted white.

From an inspection of the exterior of the house, it appears that the original massing of the front façade was a two storey symmetrical central section with a single storey garage to the right and a single storey living room to the left. Additions to the original house include additional bedrooms on the upper floor to both sides over the garage and living rooms with a semi-circular glazed conservatory extending out from the living room on the ground floor with a upper level balcony off the first floor bedrooms above.

The rear of the house has been extended with a masonry room with glazed roof immediately outside the rear door and a first floor balcony opening off the bedrooms at the rear. The interior has been modified with contemporary kitchen, family room and dining room located in the area which was most probably the site of the original garage. As the extant driveway now terminates immediately in front of the house and to the northern side, it appears probably that a garage was originally located in the main envelope of the house opening from the end of the main driveway. This garage space has now been modified into a large open plan kitchen and family living room, with windows replacing the garage doors and two sets of large bi-fold doors opening to the northern courtyard. A large carport has more recently been constructed to the left side of the house immediately in front of the existing tennis court with a small timber cottage located immediately behind and hidden by the carport.

The gardens appear to have retained native trees and vegetation to the street boundary with fairly traditional original plantings of mature shrubs and fruit trees planted in groves and as individual specimens throughout the main landscaped areas. The area immediately in front of the house is terraced with sandstone with raised planters and terrace levels. The area at both ends of the house are paved with an open timber pergola out from the living areas and an open courtyard off the family room /kitchen.

Behind the house, a multi level terrace is paved with early sandstone slabs in "crazy paving" pattern and more recent square slabs with an upper level timber terrace giving shelter to the ground floor courtyard. A series of levels extends the garden terrace area out from the rear of the house and a swimming pool is located towards the rear boundary on the left hand side with a cabana structure at the southern end.

A tennis court is located along the side boundary on a lower level from the house and pool.

# 4.0

## HERITAGE MANAGEMENT FRAMEWORK

### 4.1 AUSTRALIAN HERITAGE COMMISSION

No 49-51 Billyard Avenue Wahroonga is not recorded on the register of the National Estate

### 4.2 NSW HERITAGE COUNCIL

No 49-51 Billyard Avenue Wahroonga is not recorded as an item of State Significance.

### 4.3 KU-RING-GAI COUNCIL

No 49-51 Billyard Avenue Wahroonga is not listed in Ku-ring-gai Council Local Environmental Plan as an item of local significance.

### 4.4 NATIONAL TRUST OF AUSTRALIA (NSW)

No 49-51 Billyard Avenue Wahroonga was not included on the National Trust of Australia (NSW) Register

### 4.5 ROYAL AUSTRALIAN INSTITUTE OF ARCHITECTS (NSW)

No 49-51 Billyard Avenue Wahroonga is not listed on the register of Significant Twentieth Century Buildings

# 5.0 ASSESSMENT OF SIGNIFICANCE

## 5.1 EVALUATION CRITERIA

This section establishes the criteria which are used to establish significance and identifies the reasons for the cultural values of the site and components.

“Heritage significance”, “cultural significance” and “cultural value” are all terms used to describe an items importance or value to our society. This value may be contained within the fabric of an item, its setting and its relationship to other items, the response that the item stimulates in those who value it now and in the historical records that allows us to understand it in its own context. The assessment of what has significance is not static. Significance may increase as more is learnt about the past and as items become rare, endangered or illustrate aspects that achieve a new recognition of importance.

Determining the cultural value is at the basis of all planning for places of historic value. A clear determination of significance permits informed decisions for future planning that will ensure that the expressions of significance are retained, enhanced or at least minimally impacted upon. A clear understanding of the nature and degree of significance will determine the parameters for, and flexibility of, any future development.

An analysis and understanding of the physical evidence provides the context for assessing the significance of an item. These are presented in the preceding sections. The NSW Heritage Office has produced standard evaluation criteria for assessing the cultural significance of potential items which are used in this assessment.

There are four criteria used to assess the significance of an item, they are:

- Criterion 1 historical significance (evolution and association). An item having this value is significant because of the importance of its association with, or position in the evolving pattern of our cultural history.
- Criterion 2 aesthetic significance (scenic / architectural / qualities / creative accomplishment). An item having this value is significant because it demonstrates positive visual or sensory appeal, landmark qualities and / or creative or technical excellence.
- Criterion 3 technical/research significance ( archaeological, industrial, educational, research potential and scientific significance values). Items having this value are significant because of their contribution or potential contribution to an understanding of our cultural history or environment.
- Criterion 4 social significance ( contemporary community esteem). Items having this value are significant through their social, spiritual or cultural association with a recognisable community.

There are two criteria used to assess the degree of significance:

- **Rarity** (An item is significant because it represents a rare, endangered or unusual aspect of the history of a place or its historic environment.)
- **Representative** (Items of this quality are significant because they represent an important class of historic items or environments and are good or excellent examples of that class.)

Other criteria which can also be used to qualify the nature of significance include:

- Intactness (of the physical fabric of the item)
- Seminal (an important early work of a major architect)
- Climactic (an important work which demonstrates the culmination of a particular architectural style)
- **Criterion 1 historical significance:** No. 49-51 Billyard Avenue, Wahroonga has some historical significance as a largely intact example of an Inter-War residential building which reflects the early evolving pattern of residential development within the suburb of Wahroonga. The building, with its tiled hip roof largely hidden by a brick parapet, has some historic significance as an example of the measures taken by modern architects of the time, to overcome the negative attitude of both local councils and the general public to the severity of the new modern functionalist style of the late 1930s.
- **Criterion 2 aesthetic significance:** No 49-51 Billyard Avenue Wahroonga has some aesthetic significance as a largely intact external example of a “transitional” style typified by Inter-War Georgian Revival with Modernist tendencies. The building has been identified by the author as a “transitional” style which combines basic massing, detailing and fabric of the Inter-War Georgian Revival style (such as textured red brick walls and white painted multi-paned windows) with specific modern ‘Functionalist’ details such as the high roof parapet which was used to disguise the flat roofs of the modern style building.
- **Criterion 3 technical/research significance:** The building has some technical /research potential for its intact detailing externally which displays an unusual combination of Inter-War Georgian Revival with modernist tendencies.
- **Criterion 4 social significance:** No 49-51 Billyard Avenue, Wahroonga has some social significance as one of the early large residences in large landscaped gardens which were characteristic of the development of the area prior to the Second World War. The property has significance as the home of the well known national television presenter, Mike Willesee during the 1980s.

## 5.2 COMPARATIVE ANALYSIS

No. 49-51 Billyard Avenue, Wahroonga has some aesthetic significance as an unusual combination of transitional detailing combining Inter-War Georgian Revival and the modern 'Functionalist' style which was breaking ground in Sydney in the mid to late 1930s. The building which is largely hidden from the street at the rear of a densely vegetated site, does not contribute to the streetscape character. The building is however, a rare example of the transition between fashionable 'romantic revival' styles of the 1920s and 1930s and the growing popularity of the 'Functionalist' movement which generated the Post-War International Style in Europe and Australia.

The unusual detailing of the subject residence, particularly the brick parapet hiding a traditional terra-cotta hip roof, is indicative of the reaction of contemporary architects to the negative criticism and public distaste which was focused on the new 'modern' style of flat roofed residence which was gaining in popularity throughout the end of the Inter-War period.

In Europe during the 1920s and 1930s, Le Corbusier, Walter Gropius and Mies van der Rohe had been designing suitable housing for the twentieth century in the "International Style". These designs were imported to Australia by way of contemporary journals and the many young architects who travelled overseas during the depression of the 1930s. Arthur Baldwinson and Sydney Ancher were two architects who returned to Sydney inspired by the International Style. The Prevost house by Sydney Ancher, Bellevue Hill (1937) is an early example of the International Style in Sydney. However, "Despite its advocates, the development of a modern style was punctuated by criticism, debate and a reluctance to accept change from a traditional form."<sup>3</sup> By the mid 1930s flat roofs were considered desirable, "but if local authorities did not permit this innovation, then high parapets were built to disguise a low pitched roof behind."<sup>4</sup>

The Inter-War Georgian Revival detailing of this c1937 house with its textured red brick walls and parapeted hip roof, is an early example of the transition from traditional to modern styles within the Sydney suburbs. The residence in its extant form and fabric is significant as an example of the evolution of the International Style in Sydney and of the measures taken by local designers to provide their clients with the most up-to-date style of residence.

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<sup>3</sup> Robert Irving, "The History and Design of the Australian House", "Between the Wars", p. 136

<sup>4</sup> Ibid, p.135

# 6.0

## STATEMENT OF SIGNIFICANCE

### 7.1 STATEMENT OF SIGNIFICANCE

No. 49-51 Billyard Avenue, Wahroonga, is a two storey red face brick residence with rendered detail constructed c1937 and located on a large landscaped site on the south side of Billyard Avenue between Young Street and Sutherland Avenue. The residence is significant for the following reasons:

No. 49-51 Billyard Avenue, Wahroonga is significant as part of the early residential development of the suburb of Wahroonga during the 1930s when the construction of large houses on large landscaped allotments was at its peak. The construction of the house is dated c.1937 however the architect and builder remain unknown. The building in its expansive landscaped grounds has significance as a reflection of the quality of residence which was being constructed in Wahroonga at this time.

No. 49-51 Billyard Avenue, Wahroonga, although having undergone some modifications to the original building, remains largely intact externally with its original stylistic detailing of parapeted roof and textured brick facades. The extant building has historic and aesthetic significance as a largely intact example of a transitional style which evolved from the desire of young Sydney architects to design houses in the new modern style, set against a growing movement within local government to ban flat roofed residences. The parapeted hip roof of this Inter-War Georgian Revival building reflects the conflict faced by architect and client who desired a residence in the starkly modern Inter-War Functionalist or Post-War International styles.

The building has some social significance as one of the early large residences in the district. The building also has social significance as the home of the well known television presenter Mike Willesee during the 1980s.

The largely intact and mature gardens surrounding the house are significant as the original curtilage to this early 20<sup>th</sup> Century residence. The stand of native trees along the Billyard Avenue boundary are significant as remnants of the original native trees prior to development of the area.

# 7.0

## RECOMMENDATIONS

No. 49-51 Billyard Avenue, Wahroonga is one of the early large residences constructed in Billyard Avenue, still remaining in a largely intact condition and in its original expansive gardens. The last few years has seen the subdivision of many large properties with the construction of smaller residences on reduced allotments. The extant building at 49-51 Billyard Avenue is a rare example of the evolution of Sydney housing from traditional to modern reflecting the conflict faced by Sydney architects attempted to produce new modern style residences during a period of public apathy towards the flat roofed Inter-War Functionalist version of the traditional home.

The subject building should be retained as a reflection of the stylistic challenges faced by the architect of the period and the way that these challenges were overcome.

The fabric and detailing of this residence is expressive of a transitional style which evolved from the architects attempt at bridging the gap between traditional and modernist theories of design. The design of the extant residence is the result of general public and local government distaste for the stark modernist geometric forms with flat roofs and plain unadorned masonry and glass surfaces of the modern styles.

The site known as No. 49-51 Billyard Avenue, Wahroonga has been approved for subdivision into smaller allotments. The current approved Development Application for the site retains the existing residence intact but on a reduced allotment. This subdivision allows the retention of the house within a reasonable amount of original curtilage and would certainly result in the preservation of the building within a substantial portion of its original grounds.

The form, scale, massing and fabric of the building is traditional with the most interesting characteristic being the combination of a typical Georgian Revival red tile hip roof all but hidden behind a high red brick roof parapet. The roof parapet and the red textured face brickwork are the most important elements to the understanding of this residence as an example of the transitional style which was forced on the architect and client who desired a modern flat roofed residence.

As the interior of the building has not been inspected it is therefore not included in this assessment. There is some visual evidence on the exterior of modifications to the original layout and obvious bedroom additions to both ends of the upper floor. The intactness of the interior will not add greatly to the overall significance of the residence, however this aspect should be investigated prior to any approvals for modification.

- Consideration should be given to listing No. 49-51 Billyard Avenue, Wahroonga on the Ku-ring-gai Planning Scheme Ordinance as an item of cultural heritage of local significance

- Retention of the extant building in its present form and fabric as a single residential unit in a reduced curtilage is recommended. Removal of the extant roof parapet or painting or rendering of the external face brick facades should not be allowed.
- Consideration should be given to internal modification to the extant building as long as these changes do not impact on the external style, detailing and fabric of the extant building
- The building currently known as No. 49-51 Billyard Avenue, Wahroonga should be retained as an isolated building on a separate, if reduced, garden allotment. Existing terraced gardens should be retained intact. Driveways and garaging should be kept to a minimum and retained where possible in the original location within the subdivided allotment.
- The reduced curtilage of No 49-51 Billyard Avenue, Wahroonga should be retained as an individual allotment with no future option for Dual Occupancy subdivision.
- Retention of original landscape plantings throughout the subdivided sites is recommended where appropriate, with retention of the stand of remnant native trees within the street frontage allotment as a minimum requirement. A landscape plan identifying significant mature plantings to be retained should be required prior to any excavation of the subdivided allotments.



# 8.0

## BIBLIOGRAPHY

1. Apperly, Irving, Reynolds, *A Pictorial Guide to Identifying Australian Architecture*, Angus & Robertson, Sydney 1989
2. Irving, Robert (compiled), *The History and Design of the Australian House*, Oxford University Press, Melbourne 1985,
3. Ku-ring-gai Council, "Heritage Nomination, Executive Summary ".

## 9.0 ADDENDA 1

### Curriculum Vitae

**Name:** Glennis Cowell (Ms.)  
**Address:** 9 Whitton Street,  
Heathcote, NSW. 2233  
**Telephone:** 9520-6731  
**Fax:** 9520-1128  
**email:** [glen@gheritage.com](mailto:glen@gheritage.com)

**Business Address:**

GLEN COWELL HERITAGE SERVICES PTY. LTD.  
STUDIO 2 / 9 Oliver Street,  
HEATHCOTE, NSW 2233

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### PROFESSIONAL DEVELOPMENT

**2001** Master of Architecture by Research.  
School of the Built Environment  
University of New South Wales.

**1989** Bachelor of Architecture Degree  
University of Technology, Sydney

**1982** Architectural Draftsman's Certificate  
St. George College of TAFE, Kogarah.  
Honours Certificate. BRONZE MEDALIST.

**1997** Victorian Society Summer School  
London, England

**2001** Victorian Society Summer School  
Newport, Rhode Island USA

**1996** NSW Government Heritage Office  
Heritage Advisor's Short Course

**1995-2004** Heritage Office of NSW:  
Training Seminars for Heritage Advisors

**1993** Basic Methods of Instruction.  
Teacher Training, Sydney Institute of Technology

**1991** CAD Operators Training Course, St. George TAFE.

## PROFESSIONAL EMPLOYMENT

2000-2005 Glen Cowell Heritage Services Pty. Ltd  
Director

Conservation Architect and Heritage Consultant

1994-2000 Graham Brooks and Associates P/L  
Associate Director (1996-2000)

Conservation Architect and Heritage Consultant

1995-2000     Heritage Advisor to Manly Council

2000-2001     Part Time Heritage Planner Woollahra Council

2001-2002     Heritage Assessor North Sydney Council

2001-2003     Heritage Advisor Kogarah Council

2003- 2005     Heritage Advisor Auburn Council

1980-1994     Graduate Architect in various architectural offices in Sydney

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## TEACHING EXPERIENCE

**1992-93**     University of New South Wales.  
Faculty of the Built Environment  
Part Time Tutor: School of Architecture

**1992**     University of New South Wales.  
Part Time Tutor: Graduate School of the Built  
Environment, Master of the Built Environment

Research Methodology; History of Architecture

**1993-95**     Sydney Institute of Technology  
Design College, Enmore  
Associate Diploma of Applied Science

**1989-92**     St. George College of TAFE.  
School of Building and Architectural Drafting  
Associate Diploma of Applied Science,  
Architectural Drafting  
Disabled Unit Drawing Technology  
Associate Diploma of Applied Science, Building.

**1988**     Sydney College of TAFE  
Architectural Drafting

## PROFESSIONAL ACTIVITIES

**1998** University of Santo Tomas, Manila  
Visiting Professor

*Post Graduate Course in Conservation*  
Lecture in Conservation Practices  
and Heritage Management

**1996** Member of AusTrade Delegation to Malasia  
to promote Australian Cultural Activities

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### Memberships:

**R A I A, NSW.** Chartered Architect,  
Member

**RAIA**  
Architectural  
Conservation Committee Committee Member  
1992-1995

**ICOMOS** Australia Current Member

**National Trust**  
Historic Buildings Committee Member  
Committee Member  
1993-2004

**Victorian Society of Australasia**  
President  
1999- 2003

**Victorian Society of  
England and America** Alumni member  
1997-2004

**Society of Architectural Historians  
Australia and New Zealand** Secretary  
1995-1996  
Member 1994-2004

**Historic Houses Trust** Member. 1995-1997

**University of New South Wales**  
Freeland Collection Committee Acting Chair  
1994-1996

## PROFESSIONAL AWARDS:

CONSERVATION ARCHITECT / PROJECT MANAGER

### **UNESCO**

ASIA – PACIFIC HERITAGE  
AWARD FOR  
CULTURAL HERITAGE CONSERVATION  
**AWARD OF DISTINCTION**  
“THE AUSTRALIAN HALL”  
Elizabeth Street, SYDNEY

2001

**NATIONAL TRUST of AUSTRALIA**  
INDIGENEOUS HERITAGE AWARD 2001  
“THE AUSTRALIAN HALL”  
Elizabeth Street, SYDNEY

2001

**MASTER BUILDERS ASSOCIATION**  
CONSERVATION AWARD 2001  
“THE AUSTRALIAN HALL”  
Elizabeth Street, SYDNEY

# NSW State Heritage Inventory form

ITEM DETAILS						
Name of Item	49-51 Billyard Avenue Wahroonga					
Other Name/s Former Name/s						
Item type (if known)	Built form plus curtilage					
Item group (if known)						
Item category (if known)	House					
Area, Group, or Collection Name						
Street number	49-51					
Street name	Billyard Avenue					
Suburb/town	Wahroonga				Postcode	2076
Local Government Area/s	Ku-ring-gai LGA					
Property description	Two storey red textured brick residence located on a large landscaped allotment on the southern side of Billyard Avenue Wahroonga. The house is hidden behind a remnant stand of native trees lining the street boundary and a heavily planted garden containing mature shrubs and ornamental trees. The property contains a tennis court, swimming pool, cabana, carport and cabin and ancillary sheds and structures.					
Location - Lat/long	Latitude				Longitude	
Location - AMG (if no street address)	Zone		Easting		Northing	
Owner						
Current use	Residence					
Former Use	Residence					
Statement of significance	<p>No. 49-51 Billyard Avenue, Wahroonga, is a two storey red face brick residence with rendered detail constructed c1937 and located on a large landscaped site on the southern side of Billyard Avenue between Young Street and Sutherland Avenue. The residence is significant for the following reasons:</p> <p>No. 49-51 Billyard Avenue, Wahroonga is significant as part of the early residential development of the suburb of Wahroonga during the 1930s when the construction of large houses on large landscaped allotments was at its peak. The construction of the house is c.1937 however the architect and builder remain unknown. The building in its expansive landscaped grounds has significance as a reflection of the quality of residence which was being constructed in Wahroonga at this time.</p> <p>No. 49-51 Billyard Avenue, Wahroonga, although having undergone some modifications to the original building, remains largely intact externally with its original stylistic detailing of parapeted roof and textured brick facades. The extant building has historic and aesthetic significance as a largely intact example of a transitional style which evolved from the desire of young Sydney architects to design houses in the new modern style, set against a growing movement within local government to ban flat roofed residences. The parapeted hip roof of this Inter-War Georgian Revival building reflects the conflict faced by architect and client who desired a residence in the starkly modern Inter-War Functionalism or Post-War International styles.</p> <p>The building has some social significance as one of the early large residences in the district. The building also has social significance as the home of the well known television presenter Mike Willesee during the 1980s.</p> <p>The largely intact and mature gardens surrounding the house are significant as the original curtilage to this early 20<sup>th</sup> Century residence. The stand of native trees along the Billyard Avenue boundary are significant as remnants of the original native forests in the area prior to subdivision and development of the area.</p>					
Level of Significance	State <input type="checkbox"/>			Local <input checked="" type="checkbox"/>		

# NSW State Heritage Inventory form

DESCRIPTION						
Designer	Unknown					
Builder/ maker	Unknown					
Physical Description	<p>49-51 Billyard Avenue, Wahroonga is a two storey residence located at the rear of a large heavily landscaped allotment. The building is constructed of red textured brick with render detailing and is designed in the Inter-War Georgian Revival style with strong references to the modern Inter-war Functionalist style.</p> <p>The front façade is divided into three distinct sections which breaks up the planar quality and emphasises the symmetrical central pavilion with projecting semi-circular copper roofed entry porch. The front door is sheltered by this semi-circular porch with the copper roof supported on cement columns. The window openings either side of the entrance are finished with paired multi paned French doors and the upper floor windows are defined by two white painted cement bands which provide a strong horizontal emphasis with the main tiled hipped roof hidden behind a red brick parapet. The windows and French doors each feature a set of louvred shutters painted white.</p> <p>The original massing of the front façade appears to have been a symmetrical two storey central section with a single storey garage to the right and a single storey living room to the left. Additions to the original house include additional bedrooms on the upper floor to both sides over the garage and living rooms with a semi-circular glazed conservatory extending out from the living room on the ground floor. A rear upper level balcony has access off the first floor bedrooms and a timber pergola shelters the ground floor windows and continues around with a paved terrace opening off the living rooms.</p> <p>The rear of the house has been extended with a masonry room with glazed roof immediately outside the rear door which appears to be either a laundry or pantry. The ground floor interior to the western end has been modified with a contemporary kitchen, family room and dining room located in the area which was most probably the location of a garage at the end of the driveway. This space has now been modified into a large open plan kitchen and family living room, with windows now in place of garage doors and two sets of large bi-fold doors opening onto a paved northern courtyard. A large carport has more recently been constructed to the left side of the house immediately in front of the existing tennis court with a small timber cottage located immediately behind and hidden by the carport.</p> <p>The gardens appear to have retained native trees and vegetation to the street boundary with fairly traditional original plantings of mature shrubs, ornamental and fruit trees planted in groves or as individual specimens throughout the main landscaped areas. The area immediately in front of the house is terraced with sandstone and raised planters.</p> <p>Behind the house, a multi level terrace is paved with sandstone slabs in "crazy paving" pattern and more recent square slabs with the first floor level timber terrace giving shelter to the ground floor courtyard. A series of levels extends the garden terrace area out from the rear of the house and a swimming pool is located towards the rear boundary on the left hand side with a cabana structure at the southern end. A tennis court is located along the side boundary on a lower level from the house and pool.</p>					
Physical condition and Archaeological potential	<p>The condition of the house is good with no structural faults being visible in the outside brickwork. The archaeological potential is minimal as there seems to have been considerable excavation and fill on the site throughout the life of the house.</p>					
Construction years	Start year c.1937		Finish year C1937-38		Circa	<input type="checkbox"/>
Modifications and dates	<p>Modifications to original garage on western end of building; first floor Bedroom additions to eastern and western ends of building; open balcony on top of conservatory; rear first floor balcony; Modernisation of kitchen family room; Construction of glazed roof room on rear terrace outside family room; construction of sauna / cabana and swimming pool; tennis court; carport and cabin; Date of modifications unknown.</p>					
Further comments	<p>The external modifications to the building have not impacted on the significance of the item as an example of the evolutionary designs related to traditional styles and Inter-War Functionalism and Post-War International.</p>					

# NSW State Heritage Inventory form

## HISTORY

Historical notes	<p>The site of 49-51 Billyard Avenue, Wahroonga lies within the original land grant to John Terry Hughes which was named the "Big Island Estate". The area was originally developed as farmland. After the death of Hughes the land was held by a number of persons until it was eventually subdivided as the Vanceville Estate where large to medium sized blocks of land were subdivided after the turn of the century for the construction of large Federation or Inter-War period houses.</p> <p>Many of the residences in the area were designed by prominent Sydney architects and in the early days of the twentieth century, the local residents formed themselves into the Wahroonga Progress Association, a local association which preceded local government. A prominent member of the association was Sir John Sulman, a distinguished architect and town planner who had a strong influence on the future development of the suburb.</p> <p>A number of subdivisions were made of the Vanceville Estate and the subject site was created as part of a 1927 subdivision of a large portion of the estate. A small parcel of land was added to the subject site prior to 1938 to form the present day "T" shaped allotment. The house itself at No 49-51 Billyard Avenue is thought to have been constructed c.1937-38 as it appears in a Water Board map of 1938.</p> <p>The owner of the site at the time of construction was named Hunt. Hunt also owned other allotments in Billyard Avenue and had an interest in the site of the present Catholic Church at 33 Billyard Avenue, Wahroonga. Hunt was also connected with a company named "Pertrona".</p> <p>The house at No 49-51 Billyard Avenue, Wahroonga was owned and occupied by the well known national television presenter Mike Willesee sometime during the 1980's. The garden was open to the public during the "Knox Open Garden" events on several occasions.</p>
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## THEMES

<i>State historical theme</i>	Housing Land tenure Townships
<i>Local historical theme</i>	Suburban consolidation



APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	No. 49-51 Billyard Avenue, Wahroonga has historical significance as a largely intact example of an Inter-War residential building which reflects the early evolving pattern of residential development within the suburb of Wahroonga. The building, with its tiled hip roof largely hidden by a brick parapet, has historic significance as an example of the measures taken by modern architects of the day, to overcome the negative attitude of both local councils and the general public to the severity of the new modern functionalist style of the late 1930s.
Historical association significance SHR criteria (b)	
Aesthetic significance SHR criteria (c)	No 49-51 Billyard Avenue Wahroonga has aesthetic significance as a largely intact external example of a "transitional" style residence featuring a combination of Inter-War Georgian Revival detailing with Modernist tendencies. The building combines the basic massing, detailing and fabric of the Inter-War Georgian Revival style with specific modern 'Functionalist' details such as the high roof parapet and curved walling.
Social significance SHR criteria (d)	No 49-51 Billyard Avenue Wahroonga has some social significance as one of the large residences situated in large landscaped gardens which were characteristic of the development of the area prior to the Second World War. The property has social significance as the home of the well known national television presenter, Mike Willesee during the 1980s. The grounds of No 49-51 Billyard Avenue Wahroonga have significance as being opened as part of the "Knox Open Garden" events on a number of occasions.
Technical/Research significance SHR criteria (e)	No 49-51 Billyard Avenue Wahroonga has a degree of technical /research potential for its intact detailing externally which displays an unusual combination of Inter-War Georgian Revival with modernist tendencies and is a largely intact example of an evolutionary style which appeared in the late 1930s early 1940s as a result of Community and Local Government dislike of flat roofed houses.
Rarity SHR criteria (f)	
Representativeness SHR criteria (g)	No 49-51 Billyard Avenue Wahroonga is representative of the early movement towards architectural modernism within Sydney.
Integrity	No 49-51 Billyard Avenue Wahroonga has a high degree of integrity in the fabric and detailing of the residence and the integrity of the landscaped grounds.

# NSW State Heritage Inventory form

HERITAGE LISTINGS	
Heritage listing/s	

INFORMATION SOURCES				
Include conservation and/or management plans and other heritage studies.				
Type	Author/Client	Title	Year	Repository

RECOMMENDATIONS	
Recommendations	<ul style="list-style-type: none"> <li>Consideration should be given to listing No. 49-51 Billyard Avenue, Wahroonga on the Ku-ring-gai Planning Scheme Ordinance as an item of cultural heritage of local significance</li> <li>Retention of the extant building in its present form and fabric as a single residential unit in a reduced curtilage is recommended. Removal of the extant roof parapet or painting or rendering of the external face brick facades should no be allowed.</li> <li>Consideration should be given to internal modification to the extant building as long as these changes do not impact on the external style, detailing and fabric of the extant building</li> <li>The building currently known as No. 49-51 Billyard Avenue, Wahroonga should be retained as an isolated building on a separate, if reduced, garden allotment. Existing terraced gardens should be retained intact. Driveways and garaging should be kept to a minimum and retained where possible in the original location within the subdivided allotment.</li> <li>The reduced curtilage of No 49-51 Billyard Avenue, Wahroonga should be retained as an individual allotment with no future option for Dual Occupancy subdivision.</li> <li>Retention of original landscape plantings throughout the subdivided sites is recommended where appropriate, with retention of the stand of remnant native trees within the street frontage allotment as a minimum requirement. A landscape plan identifying significant mature plantings to be retained should be required prior to any excavation of the subdivided allotments.</li> </ul>

SOURCE OF THIS INFORMATION			
Name of study or report	N/A	Year of study or report	N/A
Item number in study or report	N/A		
Author of study or report	N/A		
Inspected by	G. Cowell		
NSW Heritage Manual guidelines used?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
This form completed by	Glen Cowell	Date	July 2005

**IMAGES - 1 per page**

Please supply images of each elevation, the interior and the setting.

Image caption					
Image year	2005	Image by	G. Cowell	Image copyright holder	Ku-ring-gai Council



NSW  
Heritage  
Office

# NSW State Heritage Inventory form

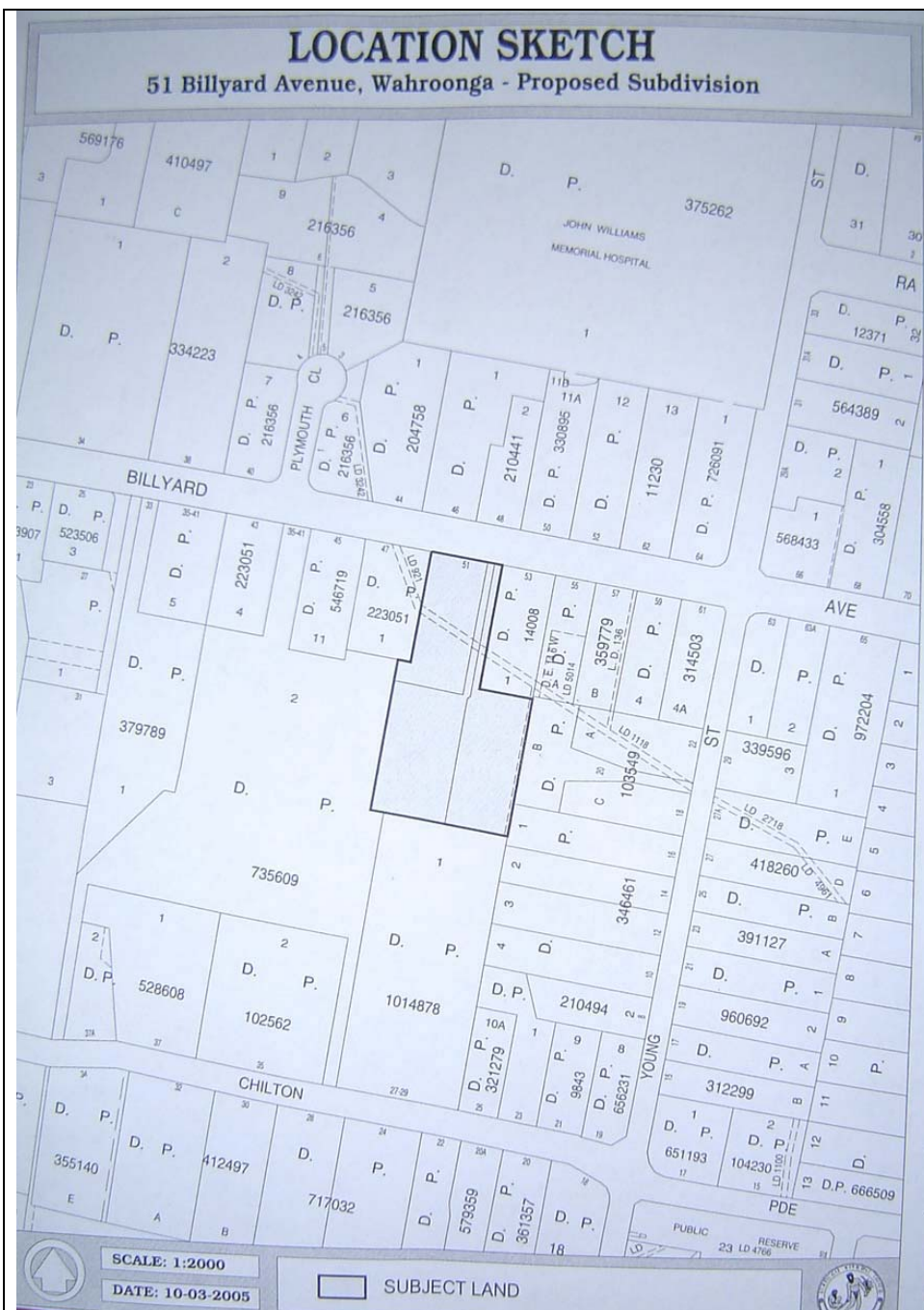


Fig. 1 49-51 Billyard Avenue, Wahroonga, subdivision sketch.



Fig. 2 Original front section of house which had ground floor wings on either side.  
Later first floor additions to either end.





Fig.3 Front façade of house with centre symmetrical section containing upper bedrooms and ground floor entrance as original first floor section of house.  
The single window to the left and triple windows to the right appear as a later addition to first floor.  
Note high brick parapet with hipped tile roof behind.



Fig.4 Eastern end of house with semicircular conservatory and later balcony addition.  
First floor bedroom opening onto balcony appears to be a later addition



Fig. 5 Timber pergola at eastern end of house with sandstone crazy paved terrace





Fig.6 Rear façade with timber pergola and upper balcony



Fig. 7 Paved courtyard opening off family room at eastern end of house



Fig.8 Swimming pool at rear of house. Note upper balcony opening from bedrooms.





Fig.9 Glazed ground floor conservatory at eastern end of house



Fig.10 Glazed roofed laundry or pantry.



Fig.11 End of driveway, approaching terraces and front of house.  
Note full height timber and glazed doors immediately in front of drive  
which were probably entrance to original garage on western end of house.  
Mature shrubs and ornamental trees within lawns in front of house.





Fig.12 Carport and cabin at end of tennis court on eastern boundary.



Fig.13 Heavily planted driveway, just inside gateway from Billyard Avenue.





Fig.14 House at Np. 47 Billyard Avenue which appears similar in age and fabric to No. 49-51 Billyard Avenue.  
Note curved entry foyer and staircase and semicircular eastern end to building.

## IMAGE

photograph, sketch, map

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## HERITAGE ADVISORY COMMITTEE MEETING - MINUTES OF 27 APRIL 2005

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

That Council receive and note the Minutes of the Heritage Advisory Committee meetings from 27 April 2005.

**BACKGROUND:**

The Heritage Advisory Committee meeting was held on 27 April 2005. A range of heritage issues were discussed and several recommendations made.

**COMMENTS:**

The next meeting will be held on 29 August 2005.

**RECOMMENDATION:**

That Council receive and note the Minutes of the Heritage Advisory Committee.

## PURPOSE OF REPORT

That Council receive and note the Minutes of the Heritage Advisory Committee meetings from 27 April 2005.

## BACKGROUND

The Heritage Advisory Committee is an advisory committee comprised of community members, Councillors and Council officers to assist in running the committee. The aim of the committee is to provide advice to Council on heritage matters and to provide assistance to Council in promoting an understanding and appreciation of heritage through specific activities and events.

## COMMENTS

The minutes from the Heritage Advisory Committee were confirmed with amendments at the meeting held on 27 June 2005 (**Minutes attached**). The next meeting will be held on 29 August 2005.

A number of matters were discussed at the meeting on Wednesday 27 April 2005.

### Potential Heritage Item Review Update

The Committee concluded that of the items recommended for no further review in this study, 8 items would be investigated at each committee meeting to ensure that permanent removal is justified.

A request was made that the owners of the properties to be reviewed be provided with information that outlines the significance of owning a heritage item and the potential benefits. Council staff will be designing such a brochure in the future based on one developed at Warringah Council in 2004.

### Comment

This project has now commenced with Consultants engaged to complete the project by January 2006.

The Heritage Advisory Committee recommendation to Council was that the items of the 'recommended properties' list be put out to tender following the amendments suggested at the meeting.

### 517 Pacific Highway, Killara ("The Oaks") Update

The Committee discussed the matter that a letter was received from the NSW Heritage Office explaining that an Interim Heritage Order (IHO) will not be issued in the short term as not appeal against Council's decision to refuse a demolition application for the above stated property has been

Item 13

S03816  
3 August 2005

lodged with the Land and Environment Court NSW. It was suggested that council put in place a process whereby if an appeal does go to court regarding 517 Pacific Highway Gordon that Council will immediately notify the Heritage Office.

The Heritage Advisory Committee recommendation to Council was that a process be investigated that enables Council to notify the NSW Heritage Office of a court appeal after the initial request for the issuing of an IHO has been lodged.

**Comment**

This matter will be discussed with the relevant staff of Council and to be reported back to the Committee.

**Patrician Brothers Site – 134 to 138 Eastern Road, Wahroonga update**

The Committee heard that following the exhibition of Draft (Heritage Conservation) LEP No 31, Council was notified by the Land and Environment Court that the Interwar building, the subject of the Draft Plan, has been approved for demolition. The court overruled the importance of the building as a heritage item on several grounds.

**Comment**

The Draft LEP for this site has been reported to Council and formally abandoned. The NSW Heritage office has been advised of Council's decision.

**51 Billyard Avenue, Wahroonga update**

The Committee was informed that an independent heritage consultant, Glen Cowell Heritage Services Pty Ltd is in the process of preparing a report for the site.

**Comment**

A report on this matter will be presented to Council on 23 August 2005.

**34-45 Water Street, Wahroonga Update**

Concern was raised that the site has been subject to frequent vandalism. It was suggested that Council write to the manager of the site and inform them of the situation and the impact it has on the importance of the site. Heritage Advisory Committee recommendations to Council were that Council notify the management of the site requesting that actions to deter vandalism be implemented.

**Comment**

A letter has been sent to the State Government making them aware of the issues of security.

### **Draft (Heritage Conservation) LEP No 30 – UTS Lindfield update**

The Committee was informed that Council resolved to adopt Draft Heritage LEP No 30 at its meeting of 26 April 2005.

### **RDS Stage 2 Power Point presentation**

The Committee viewed a power point presentation on Stage 2 of the RDS and the potential implications of the proposed town centres development on listed heritage items and general building character of these areas. Staff explained that in planning for these areas, Council will undertake site inspections and hold consultation meetings with key stakeholders to identify heritage issues. Staff suggested that should members of the committee come across a site that they believe may be of heritage importance, they should forward an image of the site to Council staff for investigation.

### **Tulkiyan Plan of Management**

It was requested that the Tulkiyan Plan of Management be circulated to Committee members. This request was noted by Council staff.

### **Comment**

Copies circulated.

## **CONSULTATION**

The Heritage Advisory Committee comprises several members of established heritage organisations, community representatives and Councillors.

## **FINANCIAL CONSIDERATIONS**

The cost of running the committee is covered by the Department of Planning and Environment budget.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Where relevant consultation with other Departments is conducted.

## **SUMMARY**

The Heritage Advisory Committee meeting was held on 27 April 2005. A range of issues were discussed with several recommendations made. A number of issues were identified for future discussion.

## RECOMMENDATION

That Council receive and note the Minutes of the Heritage Advisory Committee meeting held on 27 April 2005.

Antony Fabbro  
**Manager**  
**Urban Planning**

Steven Head  
**Director Open Space and Planning**

**Attachments:      Minutes of 27 April 2005 - 518710**

# **MINUTES**

## **HERITAGE ADVISORY COMMITTEE MEETING**

**WEDNESDAY 27 April 2005**

**Council Chambers  
818 Pacific Highway, Gordon**

**MEETING OPEN: 6:35PM**

### **1.0 APOLOGIES**

#### **2.0**

Ian Stuchbury  
Guy John  
Vanessa Mack

### **3.0 ATTENDANCE**

#### **Community Members:**

Ms J Harvey (Ku-ring-gai Historical Society)  
Mrs Z Edwards (National Trust)  
Ms R Macdonald

#### **Councillors:**

Councillor L Bennett (Chair)  
Councillor A Andrew (Delegated Chair)  
Councillor I Cross  
Councillor M Shelley

#### **Council Officers:**

Ms L Webb, Director Planning and Environment  
Mr A Fabbro, Manager Urban Planning  
Mr P Dignam, Heritage Advisor  
Mr S Ratcliff, Student Planner

### **4.0 CONFIRMATION OF MINUTES OF 28 FEBRUARY 2005**

The minutes were accepted without amendment

Moved; Ms J Harvey  
Seconded; Unanimous

## **5.0 DECLARATIONS OF PECUNIARY INTERESTS**

None Declared

## **6.0 Potential Heritage Item Review Update**

Following the discussion of the February 2005 meeting where a presentation was given explaining the process used by Council's officers to arrive at the proposed list of items to be allocated funding for review, further discussion took place of the updated list that had been amended as a result of the issues raised.

The updated list consisted of 143 'Recommended Properties' for review. Items that had not been included in the list were either deferred for study at a later date or recommended that no further study on the item be undertaken.

It was concluded by the committee that of the 43 items recommended for no further review, 8 items would be investigated at each future committee meeting to ensure that permanent removal is justified. Details of the 8 items would be forwarded to committee members with the agenda.

The Manager of Urban Planning, Mr Fabbro, noted that submissions had been made by committee members calling for several items to be included in the 'Recommended Properties' list. These items were either previously on the 'Deferred Items' list or new properties that were not part of the original study.

Mr Fabbro explained that the newly introduced items should be placed on the 'Deferred Items' list for future review, however, the committee agreed that additional properties in Yosefa Avenue, Warrawee and Park Crescent, Pymble could justifiably be included as 'Recommended Properties' and reviewed as a group.

Councillor M Shelley expressed concern that an item (29 Roseville Avenue, Roseville) of the 'Recommended Properties' list required clarification as to the building of actual importance on the site.

Concern was also raised that a property (23 Victoria Street, Roseville) in the 'Recommended Properties' list had been rezoned to 2d3 under LEP200. If this is the case, this property should be removed from the list.

Mrs J Harvey requested that due to its potential importance, the property known as 'Yaamba' on the Pacific Highway should be included as a 'Recommended Property'. This was noted by Council staff.

Mr Fabbro explained that following finalisation of the 'Recommended Properties' list (resulting from the comments and issues raised at the committee meeting), Council will put the project out to tender. The



contract will be awarded to only one company who will investigate the entire list. A guideline of approximately 6 months will be given for the completion of the project.

Councillor L Bennett requested that the owners of the properties to be reviewed be provided with information that outlines the significance of owning a heritage item and the potential benefits. Mr Fabbro explained that Council staff will be designing such a brochure in the future based on one that had been developed for Warringah Council. The content of the brochure for Ku-ring-gai Council is to be discussed at the next committee meeting with the Warringah example circulated to committee members in the meantime.

#### **5.1 Heritage Advisory Committee Recommendations to Council are:**

- 1. That the items of the 'Recommended Properties' list be put out to tender following the amendments suggested at the committee meeting.**

The above recommendations

Moved by: Councillor Andrews  
Seconded: Unanimous

#### **7.0 517 Pacific Highway, Killara ("The Oaks") Update**

Council recently received a letter from the NSW Heritage Office explaining that they will not be issuing an Interim Heritage Order in the short-term as no appeal against Council's decision to refuse a demolition application has been lodged with the Land and Environment Court. This is because threat of demolition does not appear to be imminent. The Office has stated that they will closely monitor the situation for further developments.

Councillor Bennett suggested that Council put in place a process whereby if an appeal does go to court in a manner such as above, Council may immediately notify the Heritage Office.

#### **6.1 Heritage Advisory Committee Recommendations to Council are:**

- 1. That a process be investigated that enables Council to notify the NSW Heritage Office of court appeals after the initial request for the issuing of an Interim Heritage Order has been lodged.**

The above recommendations

Moved by: Councillor Bennett  
Seconded by: Unanimous

## **8.0 Patrician Brothers Site – 134 to 138 Eastern Road, Wahroonga Update**

Draft Ku-ring-gai (Heritage Conservation) Local Environmental Plan No 31 dealing with the site has been placed on exhibition from the 20 April 2005 to 19 May 2005.

Following the placement of the Draft Plan on exhibition, Council was notified by the Land and Environment Court that the Interwar building, the subject of the Draft Plan, has been approved for demolition. The court overruled the importance of the building as a Heritage Item on several grounds.

## **9.0 51 Billyard Avenue, Wahroonga Update**

Glen Cowell, Heritage consultant, is currently in the process of preparing a report for the site. The report will be circulated to committee members when it has been finalised.

## **10.0 34-45 Water Street, Wahroonga Update**

The site is currently out for tender but Council has so far been unable to retrieve the associated tender documents from the Department of Commerce website. Councillor Andrews suggested that she will be able to take care of this. The terms of the trust also require investigation.

Mr Fabbro has only recently received a copy of the Draft Conservation Plan prepared for the site which is yet to be reviewed. This document can be circulated if required.

Mrs Edwards explained that she had previously prepared a Heritage Inventory form for the site on the request of the NSW Heritage Office.

Concern was raised that the site has been subject to frequent vandalism. It was suggested that Council write to the manager of the site and inform them of the situation and the impact it has on the importance of the site.

## **9.1 Heritage Advisory Committee Recommendations to Council are:**

- 1. That Council notify the management of the site requesting that actions to deter vandalism be implemented.**

The above recommendations

Moved by:	Z. Edwards
Seconded by:	J. Harvey

## **11.0 Draft Ku-ring-gai (Heritage Conservation) Local Environmental Plan No 30 – UTS Lindfield Update**

Council resolved to adopt Draft Heritage LEP No 30 at its meeting of 26 April 2005.

## **12.0 General Matters**

### **11.1 RDS Stage 2 Presentation by Antony Fabbro**

Mr Fabbro gave a Power Point presentation regarding Stage 2 of the RDS strategy and the various impacts that the development of the town centres may have on listed items and the general building character of these areas. The presentation contained images of heritage buildings that have been subject to sympathetic alterations in order to retain their character.

Mr Fabbro explained that in planning for these areas, Council will undertake site inspections and hold consultation meetings with key stake holders to identify heritage issues.

Ms Webb suggested that should members of the committee come across a site that they believe may be of Heritage Importance, they should forward an image of the site to Council staff for investigation.

### **11.2 Funding for the Revitalisation of Commercial Districts**

Councillor Shelley explained that she had conducted research into the actions of Burwood Council that have made funding available to owners of shops in main streets to assist them in contributing to the revitalisation of the area and improving appearance. Councillor Shelley suggested that such a practice may be adopted by Council following the completion of Stage 2 of the RDS.

### **11.3 81 Clanville Road, Roseville and Informing Committee Members of Heritage Items that go before the Court**

Councillor Shelly requested that Committee members be kept updated on the developments in the Court relating to Council's refusal of a proposed child care centre at 81 Clanville Road, Roseville. It was also suggested that the committee be notified of any Heritage Listed properties that go before the Court. This suggestion was noted by Council staff.

### **11.4 Tulkiyan Plan of Management**

It was requested that the Tulkiyan Plan of Management be circulated to committee members. This request was noted by Council staff.

### **11.5 Federal Productivity Commission**

Mrs Edwards advised the committee that the Federal Productivity Commission is currently undertaking a review of heritage associated issues. Mrs Edwards has been asked to forward a submission to the commission but suggested that Council may wish to create their own submission also. This was noted by Council staff.

### **13.0 NEXT MEETING**

The next meeting will be on 27 June 2005.

### **14.0 CLOSE**

The meeting closed at 8:30 PM

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## AMENDMENT TO DEVELOPMENT CONTROL PLAN NO 55 - NOMINATED AREA PROVISIONS FOR LINDFIELD & TURRAMURRA

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To report to Council on the public exhibition and consultation of Draft Amendments to Development Control Plan No 55 (DCP55) relating to nominated area provisions for Lindfield and Turramurra and to present a final amendment to Council for consideration for adoption.

**BACKGROUND:**

On 5 April 2005 Council resolved to place on public exhibition draft nominated area controls to be incorporated into DCP 55 for precincts in Lindfield and Turramurra. The draft amendments were placed on public exhibition from 13 April 2005 until 11 May 2005.

**COMMENTS:**

During the exhibition period 27 written submissions were received. There have been a number of amendments to the draft nominated area controls addressing issues raised during the exhibition and consultation. The nature of the amendments do not require re-exhibition prior to Council adoption.

**RECOMMENDATION:**

That Council adopt the amended nominated area controls for Lindfield and Turramurra as an amendment to "Ku-ring-gai Multi-Unit Development Control Plan No 55 - Pacific Highway/Railway Corridor and St Ives Centre".

## PURPOSE OF REPORT

To report to Council on the public exhibition and consultation of Draft Amendments to Development Control Plan No 55 (DCP55) relating to nominated area provisions for Lindfield and Turramurra and to present a final amendment to Council for consideration for adoption.

## BACKGROUND

The draft LEP 194 adopted by Council in November 2003 included the provisions for the development of Special Area Plans. The 'Special Areas' were considered as areas in Ku-ring-gai that required more detailed planning if they were to be developed for the purpose of multi unit housing. The Minister removed the Special Area provisions from LEP 194 prior to gazettal.

Urban design consultants have been engaged to prepare detailed design objectives and controls for the Milray Street Precinct in Lindfield (former Special Area 3) and the Finlay Road, Lamond Drive and Duff Streets precinct in Turramurra (former Special Area 5).

The consultants provided a briefing to councillors at the Planning Committee meeting on 22 February 2005. Following feedback from councillors, amendments were made to the proposed planning principles and controls to apply to these areas.

On 5 April 2005, Council resolved to place on public exhibition the draft nominated area controls to for the Milray Street Precinct in Lindfield and the Finlay Road, Lamond Drive and Duff Street Precinct in Turramurra as draft amendments to DCP 55..

The draft amendments were on public exhibition from 13 April 2005 until 11 May 2005.

## COMMENTS

During the exhibition period, 27 written submissions were received. There have been a number of amendments to the draft nominated area controls addressing issues raised during the exhibition and consultation period. The issues and proposed solutions are considered below.

### Milray Street Precinct in Lindfield

#### Issue: *Public consultation*

- *Inadequate consultation with the owners of the affected properties during the consultation process.*

#### Discussion:

There has been extensive consultation on the nominated area controls for the Milray Street precinct. This has included a forum with residents, landholders, developers and architects in October 2004.

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The draft controls were publicly exhibited as a draft amendment to DCP 55 in accordance with the EP&A Regulation 2000

**Issue: *Lot amalgamations***

- *Difficulty in enforcing the draft nominated area controls to DCP55 as some lots identified for amalgamation have just recently been redeveloped and are unlikely to be redeveloped again in the short term.*

**Discussion:**

The proposed lot amalgamations presented in the nominated area controls are the preferred lot amalgamation patterns that are considered necessary to achieve the intended design objectives and developed outcomes sought in the precinct. They are to guide the long term redevelopment of the precinct. They are not intended to be mandatory amalgamation patterns. Should different amalgamation patterns be proposed, the nominated design objectives for the precinct would still need to be achieved. This position has been reinforced in the text of the DCP.

- *The controls will not be effective in improving the diversity of housing choice as a result of lot amalgamations to create 5 storey development sites.*

**Discussion:**

One of the objectives of LEP 194 is to provide increased housing choice. The nominated area controls are consistent with the development standards contained in LEP 194. These development standards promote lot amalgamations of over 2400sqm to permit 5 storey developments. The controls do not prevent smaller lot amalgamations than those identified in the plan, provided it can be demonstrated that future development can occur in accordance with the objectives of the nominated area controls.

**Issue: *Building zones***

- *It has been noted that many comments from the submissions have misinterpreted the term "building zone" as "building footprint".*

**Discussion:**

"Building Zone" is an area of a site within which a building can be constructed. The reason to introduce a "Building Zone" instead of a "Building Footprint" in the draft nominated area controls to the DCP is to allow flexibility to the design of the development (i.e. built form articulation). The draft controls specify building zones for each of the proposed amalgamated sites which occupy 36-38% of the site area. While future development on the site will be required to satisfy the maximum 35% site coverage under LEP 194, the larger building zones allow greater flexibility for articulation of buildings within these nominated zones, leading to better design outcomes.

**Recommended solution**

- It is proposed to provide a definition of the term "building zone" in the DCP to avoid any confusion.

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- The 18m depth in the building zone controls should be deleted as it does not necessarily provide for good environmental amenity and performance.

**Discussion:**

All building zones have a maximum depth of 18 metres, which is the accepted standard to provide for good environmental amenity and performance of future buildings. This is consistent with the SEPP 65 Residential Flat Design Code.

**Issue: *Zone interface***

- *There is insufficient setbacks shown on the map between building on land within Zone 2(d3) and the site boundary of the building on land that is not within Zone No 2(d3).*

**Discussion:**

All setbacks in the nominated area control plan are consistent with those contained in LEP 194 and the body of DCP 55. (There is a minor discrepancy on Site I which is discussed below.) Buildings adjacent to zone boundaries will be required to comply with Cl 25(L)(2) of LEP194 which requires the third and fourth storey of any building to be set back at least 9 metres from the zone interface boundary.

**Issue: *Building length***

- *Concerns that the building length for various sites shown on the map is significantly longer than 36 metres.*

**Discussion:**

It should be noted that building length shown is actually of a building zone, not a building footprint. However, it is also acknowledged that in some instances the controls will result in buildings with a street frontage longer than the 36 metres maximum in DCP55. This is particularly the case with Site H. The longer building zones and subsequent building length have been necessary in order to protect significant existing vegetation on sites and reinforce the desired street setbacks, yet still allow each site to achieve the 35% building footprint.

It is also acknowledged that in the case of the longer building length, designs would still require adequate building articulation to limit the street presentation of a building to no more than 36m as required in Cl. C-4 under Section 4.4 of DCP 55.

**Issue: *Setbacks***

- *The 12m setback to Kochia Lane is excessive as this is only a pedestrian walkway and public car park.*

**Discussion:**

The setbacks along Kochia Lane have been set at 10-12m to allow the preservation of important landscape characteristics and to reinforce the lane's role as a solely residential address.



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**Issue: *Pedestrian access***

- *The proposed pedestrian access between Milray Street and Havilah Lane is dangerous and unnecessary*

**Discussion:**

The proposed pedestrian link is to provide better public access and will connect directly with the new street proposed on the Minister's Targeted site between Lindfield Avenue and Havilah Lane. The issue of pedestrian safety in the area will need to be addressed through design solutions and treatments for the pedestrian link and Havilah Lane. These will be dealt with at the development application stage.

**Issue: Site D – 2 – 8 Milray Street and 10 Havilah Lane**

- *The 12m setback along Havilah Lane is unnecessary for Site D (the site bounded by Havilah Lane, Kochia Lane and Milray Street) as significant open space provision has been specified for the site.*
- *The 12m setback to Kochia Lane is excessive*

**Discussion:**

The variable setbacks along Havilah Lane are to allow for landscape on the residential side of the lane, but also recognising the lane's role in servicing commercial uses on the adjacent Minister's SEPP 53 site.

Following further consideration of the setbacks on Site D to Havilah Lane, there is a case for a reduced setback, given that there is currently and will continue to be a non-residential use on the opposite side of the lane following any future redevelopment of the Minister's SEPP 53 site. A reduced setback at this part of the site to 6 metres is considered appropriate to provide adequate deep soil landscaping along the lane frontage. This will have the added benefit of allowing the building zone on the site to be reconfigured so as to reduce the building lengths along Milray Street.

A reduction of the setback along Kochia Lane is not supported. The 10-12metre setback is considered import to protect the existing significant turpentines and reinforce the landscape setting of the buildings on the site and their residential character.

**Recommended solution**

- The setback of building zones on Site D is to be reduced to 6 metres from Havilah Lane.
- The building zones on Site D be reconfigured to provide for a separation between building fronting Milray Street.

**Issue: Site I – 20- 24 Tryon Road**

- *Problems with lots amalgamation at 20, 22 and 24 Tryon Road (Site I on the map)*

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- *Street setbacks are too large for Nos. 20-22 Tryon Road (part of Site I) as they are affected by three street frontages.*

**Discussion:**

The proposed amalgamations of the properties at 20, 22 and 24 Tryon Road (Site I on the draft plan) was based on previous redevelopment proposals for the site presented to Council and reflects the land included in Draft LEP 189, which was formally exhibited 2002. Draft LEP 189 was superseded by the gazettal of LEP 194.

It has been indicated in the submissions that, due to changed circumstances, the owners of 24 Tryon Road will not pursue redevelopment of their land in the near future. However, owners of 20 and 22 Tryon Road have indicated that redevelopment of their site is imminent. This would require the lot at 24 Tryon Road (which is approx 1300sqm in area) to be either redeveloped independently or in conjunction with the adjoining Cromehurst School.

**Recommended solution**

In order to cater for this likely development scenario and so as not to undermine the overall precinct plan, the proposed amalgamation pattern and controls have been amended with 20 & 22 Tryon Road forming a single site. In order to achieve a desirable development outcome on this site, the site setbacks have needed to be reconfigured. The revised controls for the site present a slightly reduced setback of 8-10m for a corner element on the Tryon Road/Milray Street corner of the site. This setback will also result in a better urban design outcome by reinforcing a consistent built form on that intersection resulting from the commercial building opposite and the Minister's SEPP 53 targeted site, which is currently under construction.

The revised plans propose that the lot at 24 Tryon Road be left as an individual development site. This will allow this site to be redeveloped at some time in the future independently and not to be reliant on any future redevelopment of the adjoining Cromehurst School. The revised controls will facilitate the redevelopment of 24 Tryon Road for 2.6 storey townhouses. The proposed controls for the Cromehurst School site have also been revised to cater for this.

**Finlay Road, Lamond Drive and Duff Street Precinct**

**Issues: *Public consultation***

- *Council has deliberately not consulted with the relevant land owners in its decision making process.*
- *The public notification carried out by Council is inadequate as the applicants on the land affected were not formally notified.*

**Discussion**

The draft controls have been publicly exhibited as a draft amendment to DCP 55 in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

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In addition to the statutory requirements, all land holders in the precinct and surrounding residents were notified to the report to Council to consider the draft controls prior to exhibition and again prior to the formal exhibition.

**Issue: *Bushland Protection Zone***

- *The DCP should not be performing what an LEP does which is to determine zones or exclusion zones.*

**Discussion:**

The draft controls designate an area of the precinct as a “Bushland Protection Zone”. The zone is actually an area, not a land use zone. The purpose of this area is to regenerate the local Blue Gum High Forest Community. A development control plan can identify areas to exclude from development. The exclusion of the area for bushland regeneration does not actually prevent the achievement of the 35% building footprint permissible under LEP 194 from being achieved for that part of the site. This is indicated by the building zones contained in the plan.

**Recommended solution**

To avoid any unnecessary confusion and misinterpretation, it is proposed that part of the site be labelled ‘Regeneration Area’.

- The area nominated as a bushland protection zone has little bushland to protect, and has no potential for bushland regeneration.
- It is inappropriate for Council to impose such a zone as it does not appear to be a result of the site analysis of the existing tree and canopy.

**Discussion:**

Previous Council mapping and further on site investigations have demonstrated that the site does contain part of the Sydney Blue Gum High Forest, an endangered ecological community, protected under the Threatened Species Conservation Act. However, it is acknowledged that much of the undergrowth on the site has either been modified or has significant weed infestation. The local community regards very highly the value of this vegetation habitat, therefore, it needs to be protected and regenerated.

Further investigations during the exhibition period has suggested that the proposed bushland regeneration area be reconfigured so that higher quality area of the remnant bushland be retained and regenerated.

The exclusion of the area for bushland regeneration does not actually prevent the achievement of the 35% building footprint permissible under LEP 194 from being achieved for that part of the site.

**Recommended solution**

- The bushland regeneration area be reconfigured so that higher quality area of the remnant bushland be retained and regenerated.

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- Council to look at supplementing and enhancing the planting of native vegetation within this zone to assist in creating a denser buffer.

**Discussion:**

It is acknowledged that the remnant Blue Gum High Forest community on the site is in a degraded form and that regeneration is necessary. In order to facilitate the regeneration of the area to an appropriate level, a bushland management plan should be prepared as part of any development application, setting out steps to be undertaken to regenerate the Blue Gum High Forest habitat within this area. It is also highly desirable that the future landscaping on the remainder of the site be consistent with Blue Gum High Forest community.

**Recommend solution**

- A control to be added requiring that the part of the site labelled 'Regeneration Area' be undisturbed during construction and a bushland management plan prepared as part of any development application setting out steps to be undertaken to regenerate the Blue Gum High Forest habitat within this area.
- A control be added that requires that landscaping between buildings be consistent with Blue Gum High Forest species.

**Issue: *Heritage***

- *The minimum curtilage requirement around heritage building would prevent existing houses adjacent to the heritage listing building to be redeveloped.*

**Discussion:**

It has been identified that there were mapping errors in the draft controls on the sites adjoining the two heritage items in the precinct at 1428 and 1458 Pacific Highway.

In relation to the heritage item at 1458 Pacific Highway, the adjoining building zones are to be amended so as to provide a 9.0m setback from each boundary. This is consistent with the zone interface provisions in LEP 194. Any development in this part of the precinct would also be subject to the heritage provisions of LEP 194 and require a heritage impact assessment as part of the development application process.

In relation to the heritage item at 1428 Pacific Highway, it is also necessary to provide the setbacks required by LEP 194 for zone interfaces. It is noted that the adjoining lots at 2 and 4 Lamond Drive and 1426 Pacific Highway and 8 Lamond Drive do not have the same constraints with topography and vegetation as other sites in this precinct. Therefore, the removal of the lots from the nominated area controls would not compromise the overall objectives for the precinct.

It is considered that the heritage item at 1428 Pacific Highway would be adequately protected through the existing heritage provisions of DCP 55 and LEP 194.

**Recommended solution**

- Amend the setback of the building zones adjacent to 1458 Pacific Highway to provide a 9.0m setback to each boundary.

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- Exclude Lots at 2 and 4 Lamond Drive and 1426 Pacific Highway and 8 Lamond Drive from the nominated area controls.

**Issue: *Site Analysis***

- *Insufficient site analysis*

**Discussion:**

It is acknowledged that the site analysis presented in the draft controls only focuses on topography and existing vegetation and there is no information of other aspects such as existing built form, land use and access. Although not presented in the draft control document, all aspects of site analysis were undertaken for the precinct and used to inform the development of the final structure plan.

In order to prevent any confusion of what information contained in the controls document is analytical and what constitutes actual controls, the figures and information relating to existing topography and the existing tree canopy are to be removed. Only information which related to the objectives of the precinct and actual development controls should be retained.

**Recommended solution**

- Removal of any analytical diagrams and information and retention the written objectives and controls and control diagrams only.

**Issue: *Building zones***

- *Location of the building zones do not follow the terraced areas formed by existing dwellings, pools and tennis courts.*
- *The building zones would not be achievable as their location is contradictory to the tree canopy presented in figure 2.*

**Discussion:**

It is acknowledged that the proposed building zones in the control diagram do not necessarily comply with the site analysis diagram contained in the draft controls showing the existing tree canopy and building footprints (figure 2). As discussed above, this figure was purely analytical and not intended to show areas to be excluded from future development.

There has been some reconfiguration of the building zone in the area between Lamond Drive and Finlay Avenue to address issues associated with reconfiguration of the bushland regeneration area and setback to the heritage item at 1458 Pacific Highway. These issues are discussed above. The final building zones cover 38% of the various amalgamated site areas. While future development on the site will be required to satisfy the maximum 35% site coverage under LEP 194, the larger building zones allow greater flexibility for articulation of buildings within the nominated zones, leading to better design outcomes.

- *No indication as to the number of units that could be expected to be built on each building zone.*

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It should be noted that the proposed amendment to the DCP is a long term concept for the future planning of the precinct. It is difficult to determine the expected number of units to be built on each building zone. This will solely depend on the design and articulation of the built form of each development application.

**Issue: Views**

- *Difficult to achieve regional views at all through the precinct from the Pacific Highway.*
- *The proposed provision for regional public views is another constraint, which will restrict development of the site.*

**Discussion**

The proposed and revised building zones have been located and orientated in a way that will retain and facilitate further regional views from the Pacific Highway and from within the site.

Compliance with the identified building zones should ensure that the desired views are achieved.

**Issue: Vehicular access**

- *Duff Street is dangerously narrow and steep.*

**Discussion:**

It is acknowledged that there will be increased traffic flow from the future redevelopment of the area. The density of future development in the precinct is a matter determined by LEP 194 and can not be limited by the DCP controls. The nominated area controls identify what are considered to be the most appropriate vehicular access points to each site. Taking into consideration the issues of pedestrian safety, efficiency and safety of vehicle movements and limiting the need for excavation.

- *Inadequate access to the Pacific Highway for city-bound traffic.*

**Discussion:**

Access to the Pacific Highway for city-bound traffic is currently available at Finlay Road and Lamond Drive with no traffic lights. The control of these intersections is an RTA matter and cannot be achieved through a development control plan. The access and traffic arrangements contained in the nominated area controls are designed to provide the safest and most efficient access to the site as possible.

- *The visual impact of the elevated driveway (new raised bridge) and its elevation above natural ground level.*

**Discussion:**

Submissions have raised concerns about what the new raised 'bridge' will look like and the degree of impact to the surrounding environment. To clarify the matter, it is proposed to have a diagram of the new raised 'bridge' driveway be included in the nominated area controls.

It should be noted that the raised bridge will be a private road for internal access only. It will not provide a public thoroughfare through the site.

### **Recommended solution**

- Inclusion of a diagram to demonstrate the intended design and function of the raised bridge driveway.

### **Issue: *Setbacks***

- *Proposed setbacks are excessive and will prevent the achievement of the development capacity permitted under LEP 194.*

### **Discussion:**

All setbacks in the revised nominated area control plan will be consistent with those contained in LEP 194 and the body of DCP 55. This includes 10 – 12 metres setback from all street frontages.

The designated building zones indicate that the 35% building footprint under LEP 194 can be achieved throughout the precinct.

### **Issue: *Pedestrian access***

- *Concern over the proposed pedestrian walkway from Lamond Drive through to Duff Street.*

### **Discussion:**

The proposed pedestrian walkway between Lamond Drive and Duff Street is considered an important link to provide better pedestrian access from the precinct to the nearby Turrumurra shopping centre and railway station from Finlay Road and Lamond Drive. The issue of pedestrian safety in the area will need to be addressed through design solutions and treatments for the pedestrian link. These will be dealt with at the development application stage.

It is acknowledged that residents and visitors of those units facing the Pacific Highway would be more likely to use the Pacific Highway footpaths to access Turrumurra Station instead of using the proposed walkway.

### **Issue: *Mapping errors***

### **Discussion:**

Feedback from written submissions identified that there are a number of errors shown in various figures of the draft nominated area provisions for Turrumurra. All those matters raised have been carefully considered and addressed in the revised control diagrams. The various amendments are discussed above.

### **Review of design principles – objectives and controls**

During the exhibition period, a review was undertaken of written design principals, objectives and controls for both the Lindfield and Turrumurra precincts. This was to ensure that they are in a form

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that is concise and enforceable and reflects the amendments to the plans that have resulted from consideration of submissions.

The proposed final revised nominated area plans and associated written objectives and controls for the Milray Street Precinct, Lindfield and Finlay road, Lamond Drive and Duff Street Precinct, Turramurra are included as **Attachment A and Attachment B** to this report, respectively.

### Definition of building zone

As noted above, many comments in the submissions have misinterpreted the term ‘building zone’ as ‘building footprint’. To help overcome such misinterpretations, it is proposed that the following definition for ‘building zone’ be incorporated into the definitions in Section 1.12 of DCP 55.

*“building zone means that area of a site in which a building footprint is to be located.”*

***Note:** Specified building zones are contained in Nominated Area Controls in Part 7 of the DCP. Building Zones are generally larger than the allowable building footprint for a site to allow flexibility for articulation of buildings within the building zone.*

## CONSULTATION

The draft amendments to DCP 55 were placed on public exhibition from 13 April 2005 until 11 May 2005 in accordance with the Environmental Planning and Assessment Regulation 2000. this included a notification in the North Shore Times and written notification to all landholders and surrounding residents. Information and explanatory material was displayed at Council’s libraries at Lindfield, Gordon and Turramurra, at the Council Chambers and on Council’s website.

Approximately 27 written submissions were received as a result of the exhibition.

## FINANCIAL CONSIDERATIONS

Nil.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Ongoing consultation has been conducted with relevant officers from Development and Regulations, Technical Services, Open Space and Community Services.

## SUMMARY

There have been a number of amendments made to the draft nominated area controls as a result of the exhibition and consultation process.



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These amendments include:

***Milray Street Precinct in Lindfield***

- The setback of building zones on Site D reduced to 6 metres on Havilah Lane.
- That the building zones on Site D be reconfigured to provide for a separation between building fronting Milray Street.
- Proposed amalgamation pattern and controls amended for Site 1 with 20 and 22 Tryon Road forming a single site amalgamated. The revised controls for the site present a slightly reduced setback of 8 – 10 metres on the Tryon Road/Milray Street corner of the site.
- The lot at 24 Tryon Road be left as an individual development site to facilitate the redevelopment of 24 Tryon road for 2.6 storey townhouse development.

***Finlay Road, Lamond Drive and Duff Street Precinct***

- The proposed bushland protection zone be labelled 'Regeneration Area' and reconfigured so that the higher quality area of the remnant bushland be retained and regenerated.
- Controls added requiring that the part of the site labelled 'Regeneration Area' be undisturbed during construction, and a bushland management plan be prepared.
- A control be added that requires that landscaping between buildings be consistent with Blue Gum High Forest species.
- Amendment of the setback of the building zones adjacent to the heritage item of 1458 Pacific Highway to provide a 9.0 metre setback to each boundary.
- Exclusion of the sites of 2 and 4 Lamond Drive and 1426 Pacific Highway and 8 Lamond Drive from the nominated area controls.
- Removal of any analytical diagrams and information and only retain the written objectives and controls and control diagrams.
- Inclusion of diagrams to demonstrate the intended design and function of the raised bridge driveway between Finlay Road and Lamond Drive.

***Other proposed Amendments***

- Rewording of objectives and controls for both the Lindfield and Turramurra precincts to ensure that they are in a form that is concise and enforceable and reflects the amendments to the precinct plans that results from consideration of submissions.
- Inclusion of a definition for 'building zone' in Section 1.12 of the DCP.

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Although there are a number of amendments proposed to be made to the draft nominated area controls, the nature of the amendments is not considered to change the overall objectives of each precinct. The amendments also do they prevent future development from achieving the development standards contained in LEP 194 on sites where site constraints would not otherwise prohibit it. As a result, the proposed amendments are not considered significant enough to warrant re-exhibition prior to adoption by Council.

**RECOMMENDATION**

- A. That Council adopt the Nominated Area Controls for the Milray Street Precinct, Lindfield as contained in Attachment A as an amendment “Ku-ring-gai Multi-Unit Housing Development Control Plan No 55”.
- B. That Council adopt the Nominated Area Controls for Finlay Road, Lamond Drive and Duff Street Precinct, Turramurra as contained in Attachment A as an amendment to “Ku-ring-gai Multi-Unit Housing Development Control Plan No 55”.
- C. That Council amend Ku-ring-gai Multi-Unit Housing Development Control Plan No 55 to include the definition of “building zone” in Section 1.12.
- D. That the Development Control Plan takes effect upon notice of its adoption by Council appearing the local newspaper.
- E. That those persons who made a submission on the Draft DCP be advised of Council’s Resolution.

Craige Wyse  
Senior Urban Planner

Steven Head  
Director Open Space and  
Acting Director Planning and  
Environment

Michael Miocic  
Director  
Development and Regulation

**Attachments:**     **A - Nominated Area Controls - Milray Street Precinct, Lindfield - 522943**  
                             **B - Nominated Area Controls - Finlay Road, Lamond Drive and Duff**  
                             **Street Precinct, Turramurra - 522946**

## **ATTACHMENT A**

### **NOMINATED AREA CONTROLS FOR THE MILRAY STREET PRECINCT, LINDFIELD.**

#### **1. Site location and site analysis.**

The planning principles and controls contained in this section apply to land in Milray Street, Woodside Avenue, Havilah Road, Havilah Lane, Kochia Lane and Tryon Road in Lindfield as shown in Figure 1 below.

The area is characterised by:

- close proximity to Lindfield commercial precinct and Lindfield Railway Station;
- steeply falling topography from Lindfield Avenue and Tryon Road towards the existing creek line between Milray street and Nelson Road;
- significant stands of large trees in the centres of blocks, particularly in the centre of the block between Nelson, Milray, Tryon and Havilah Road;
- large trees in the front yards of existing houses and on the footpath reserves in wide streets, which create a heavily landscaped character in Milray Street, Kochia Lane, Havilah Road and Tryon Road;
- a significant line of drainage easements and reserves cross the site from Woodside Avenue through to Havilah Road and Milray Street. The drainage reserve takes the form of a small creek between Milray Street and Nelson Road;
- predominantly one and two storey detached houses in Nelson Road and Havilah Road adjoining the precinct to the north and the east;
- the Minister's SEPP 53 Targeted sites Lindfield Avenue and Tryon Road which adjoin the precinct and allow a more substantial scale of development than previously undertaken in the area

#### **2. Design objectives**

These design objectives provide a framework for the orderly development of all lots in the precinct. The design objectives are to:

- 0-1 Provide enhanced pedestrian access and amenity with through site links from the residential area to the Lindfield commercial precinct and Railway Station.
- 0-2 Relate buildings to the steeply sloping topography with regular steps in the built form. Excessive projections of car parking and retaining walls are to be avoided at ground level. Stepped roof forms are to be integrated into the building design.
- 0-3 Retain existing significant trees in the centre and on the perimeter of blocks.
- 0-4 Protect and enhance the landscaped setting by building within the building envelopes and providing substantial large scale tree planting in front, side and rear setbacks.
- 0-5 Reduce the visual impact of 4.6 storey development, by stepping the buildings in relation to the topography and retaining and enhancing the landscaped setting.

- 0-6 Amalgamate sites as shown in Figure 1, so that other objectives may be achieved, including the retention of existing trees and the provision of adequate front, side and rear setbacks.
- 0-7 Provide a transition of built form and landscape between the existing house lots in Nelson Road, Woodside Avenue and Havilah Road and development on land zoned 2(d3).
- 0-8 Provide an attractive pedestrian link from Nelson Road to Havilah Lane along Kochia Lane, with well set back buildings, the retention and planting of trees in front setbacks and upgraded footpaths, lighting and street furniture
- 0-9 Provide an attractive pedestrian link between Milray Street and Havilah Lane, to align with the proposed street in the adjoining Minister's SEPP 53 Targeted site.
- 0-10 Set back buildings along Havilah Lane to allow for the establishment of appropriate landscaping on the residential side of the lane, while recognising the lane's role in serving the commercial uses on the adjacent Minister's SEPP 53 Targeted site

### **3. Design Controls**

The design controls for this precinct are contained in Figure 1 below. The controls include

- lot amalgamations
- building zone controls
- setbacks
- pedestrian access through the precinct and
- vehicular access to sites

#### ***C- 1 Lot amalgamations.***

The proposed lot amalgamations are Council's preferred scheme for achieving the intended design objectives and developed outcomes in this precinct. The amalgamation of sites in this amalgamation pattern is necessary to achieve:-

- i. adequate building setbacks
- ii. retention of significant trees
- iii. avoidance of blank walls on lot boundaries
- iv. development capacity in accordance with LEP 194, while achieving the other design objectives and controls.

#### ***C-2 Building zones controls.***

The nominated building zones for each of the proposed amalgamated sites occupy 36% to 38% of site the area. While future development on the site will be required to satisfy the maximum 35% site coverage under LEP 194, the larger building zones allow flexibility for the articulation of buildings within these building zones. The articulation of building facades in plan and elevation is desirable to avoid monotonous, flat facades.

All building zones have a maximum depth of 18 metres so as to provide for good environmental amenity and performance of future buildings.

### **C-3 Setbacks**

The setback controls are generally consistent with those contained in the body of the DCP, with the following exceptions:

- i. Setbacks along Kochia Lane are to be 12 metres to preserve the existing landscape characteristics and to reinforce the lane's role as a solely residential address.
- ii. Setbacks along Havilah Lane vary from 6 to 9 metres to allow for landscaping on the residential side of the lane, but recognising the lanes role in serving the commercial uses on the adjacent Minister's SEPP 53 Targeted site.
- iii. Minimum setbacks along the creek line between Milray Street and Nelson Road of 6m to 10 m to establish a riparian zone in accordance with Council's Riparian Policy adopted in December 2004.

Should an applicant propose a different solution to that presented in Figure 1, the onus is on the applicant to demonstrate how the alternative solution achieves the nominated design objectives while not preventing Council's preferred solution from being achieved in the remainder of the precinct.

### **C-4 Pedestrian access**

Provide through site links as shown in Figure 1.

The preferred locations for pedestrian access to buildings is shown in Figure 1. Alternative pedestrian access points may be provided, based on internal building circulation or other design criteria.

### **C-5 Car Access**

The preferred locations for car access to underground car parking is shown in Figure 1. Alternative car access points may be provided, based on car park design or other design criteria.



## NOMINATED AREA CONTROLS - MILRAY STREET PRECINCT

SITE	AREA	LEP 194 35% SITE	BUILDING ZONE	ZONE %	HEIGHT
A	4676	1637	1683	36%	4.6
B	3198	1119	1170	36%	4.6
C	3626	1269	1377	38%	4.6
D	6671	2335	2531	38%	4.6
E	4006	1402	1522	38%	4.6
F	2481	868	892	36%	4.6
G	5840	2044	2098	36%	4.6
H	7630	2670	2799	36%	4.6
I	3039	1064	1064	35%	4.6
J	1293	517 (40%)	517	40%	2.6
K*	5082	1779	1909	38%	4.6

\*Site K is occupied by Cromehurst Special School

### NOTE ON SETBACKS:

Setbacks along Kochia Lane to be 12m to preserve important landscape characteristics and is consistent with the lane's role as a solely residential address.

Setbacks along Havilah Lane to vary consistent with DCP 55 between 6m and 9m to allow for landscape on the residential side of the lane, but recognising the lane's role in servicing commercial uses on the adjacent Minister's SEPP 53 Site.

Setback to Site I on the corner of Tryon Road and Milray Street is reduced to 8-10m which is an identical setback to the Minister's Site opposite on Tryon Road and mediates between the neighbouring commercial building setback to the west and the typical 10-12m setback.

### AMALGAMATIONS

2M CONTOURS

EASEMENTS/OPEN CHANNEL

EXISTING BUILDINGS

SEPP 53 ENVELOPES

BUILDING ZONES

40% ARTICULATION ZONE

DCP 55 SETBACKS

ZONE INTERFACE

PROPOSED PEDESTRIAN CONNECTION

EXISTING TREES/REMOVED

CAR PARK ACCESS

STREET ADDRESS

Studio 5, Level 5  
66-72 Westborough Avenue  
Sunny Hills NSW 2010  
T: 02 9281 0181  
F: 02 9281 9171  
E: rroup@bigpond.net.au

**olsson & associates architects**

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ISSUE	DESCRIPTION	DATE
F	AMENDMENTS	11/03/05
G	DRAFT FOR EXHIBITION	07/04/05
H	AMENDMENTS SITE D AND J	24/06/05
I	AMENDMENTS SITE I AND K	28/07/05
J	AMENDMENTS TEXT	15/08/05

SCALE 1:2000@A3

0 20 40 60 80 100m N

### NOMINATED AREA CONTROLS DCP 55 MILRAY STREET PRECINCT, LINDFIELD FOR KU-RING-GAI COUNCIL

DATE	DRAWN	TITLE	JOB NO	DWG NO	ISSUE
JUL 2005	MZ	DRAFT NOMINATED AREA CONTROLS	0409	M01	J

Figure 1.

## **ATTACHMENT B**

### **NOMINATED AREA CONTROLS - FINLAY ROAD, LAMOND DRIVE AND DUFF STREET PRECINCT, TURRAMURRA**

#### **OBJECTIVES**

- O1 Retain the character of the Blue Gum High Forest, retain the community value, and promote regeneration of the habitat.
- O2 Avoid development on the steepest slopes on the site.
- O3 Reduce changes to the ground water / moisture levels.
- O4 Limit excavation.
- O5 Reduce the impact of driveways and vehicle access on the site.
- O6 Provide adequate amenity between 2(d3) zoned land and land zoned for single dwellings.
- O7 Encourage a broken street wall along the highway, retaining a significant quantity of mature vegetation.
- O8 Provide adequate setback from the street and between buildings.
- O9 Provide adequate curtilage to heritage buildings on adjoining sites.
- O10 Provide articulation of building form, reducing the perceived bulk of buildings.
- O11 Promote the use of local endemic plant species.

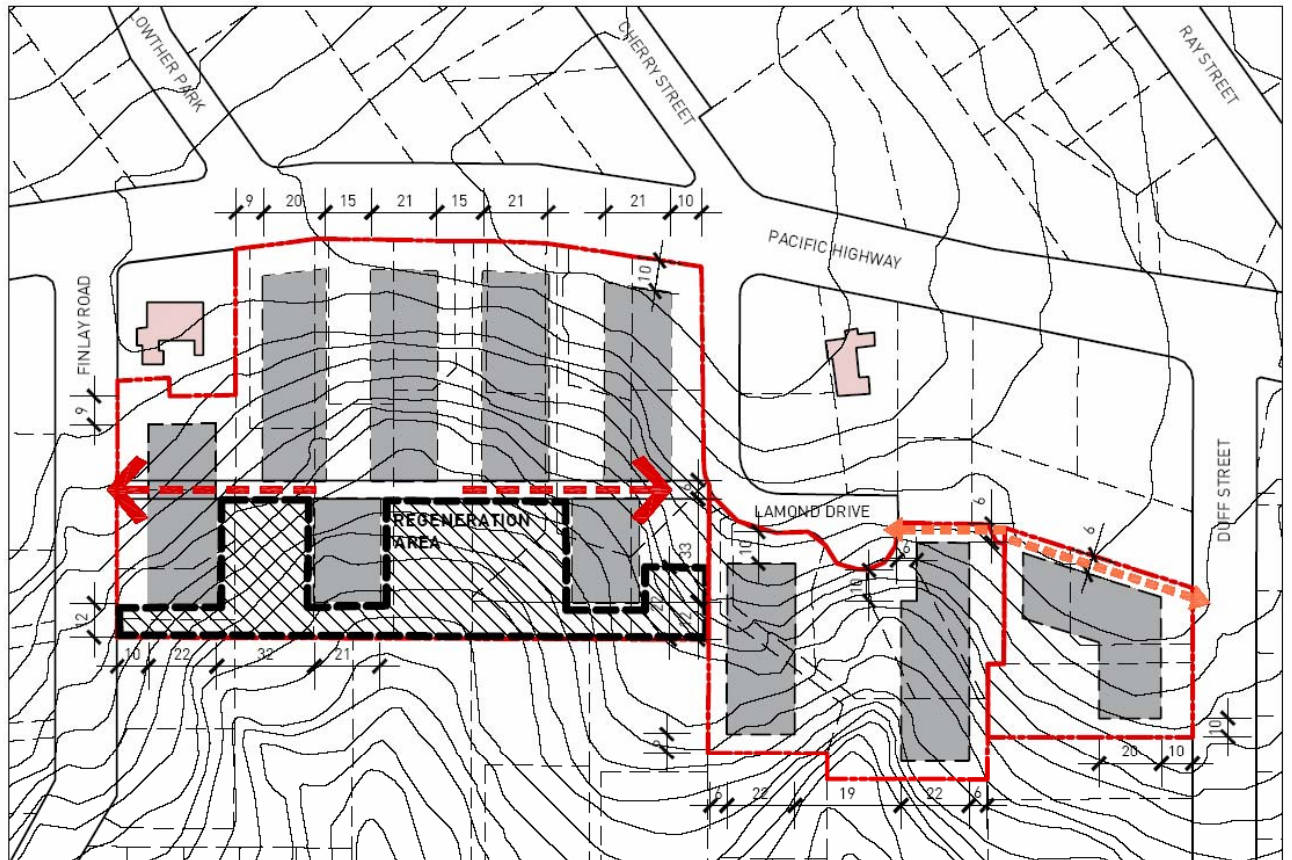
#### **CONTROLS**

- C1 Buildings are to be located within the building zones illustrated in FIG 01. Buildings located within these zones achieve the following:
  - i. reduce the visual bulk and overshadowing impact on adjoining, single dwelling zoned, properties,
  - ii. avoid development on the steep lower slopes
  - iii. allow part of the site to be undisturbed and allow regeneration of the Blue Gum High Forest
  - iv. provide adequate curtilage to adjoining heritage buildings
  - v. allow views between buildings and maximise solar access to new dwellings.
  - vi. reduce the length of building elevations to Pacific Highway
- C2 Along the length of the buildings, articulation and stepping in both plan and elevation is to be used to reduce the perceived bulk of the buildings. Creating defined and recessed entrances to building can assist in providing articulation. (Fig 2C)
- C3 Vehicular access is to be by way of raised roadway. This will reduce excavation for driveways, provide efficient access into the car park and reduce impediments to

overland flow. An easement is to be created to benefit internal lots if required. Vehicular access is to be avoided from the Pacific Highway. (Fig 2A, 2B)

- C4 Existing levels around the base of new buildings are to be retained. Terracing and excess cut and fill of the landscape is to be avoided. Raised decks are to be used where access is required to reduce impacts on site hydrology
- C5 New landscaping between buildings is to be consistent with Blue Gum High Forest species. (Does Council have a reference or guideline for this?)
- C6 Significant trees may be located in close proximity or within the building zones shown on Fig 01. These trees are to be retained where possible. Tree protection zones are to be indicated on development applications.
- C6 That part of the site identified as 'Regeneration Area' on the Structure Plan is not to be disturbed during construction. A bushland management plan is to be submitted with any development application, setting out steps to be undertaken to regenerate the Blue Gum High Forest habitat within this area.





NEW RAISED 'BRIDGE' DRIVEWAY FOR  
PRIVATE ACCESS THROUGH SITE



PUBLIC ACCESS  
THROUGH SITE



RECOMMENDED AMALGAMATION



REGENERATION AREA



BUILDING ZONE

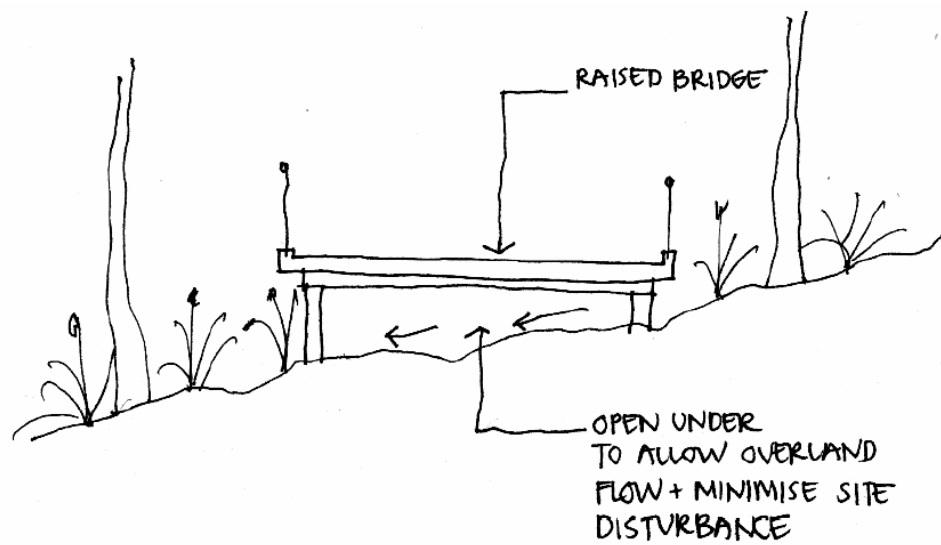


## CONTROL PLAN

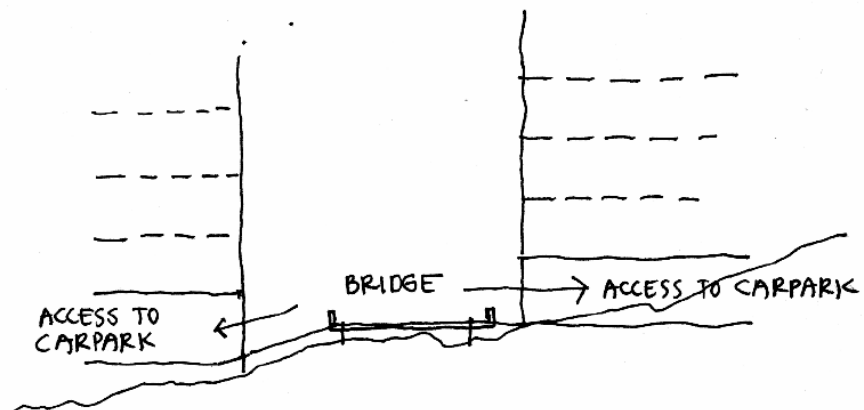
DCP 55. LAMOND FINLAY AND DUFF

# 01

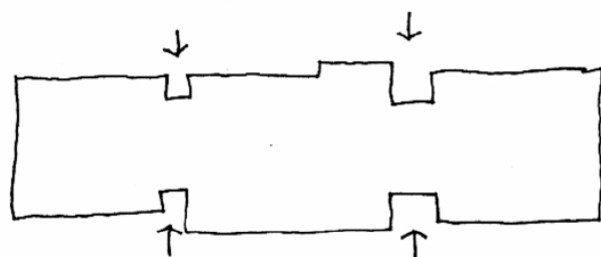




2A: RAISED BRIDGE DRIVEWAY FOR PRIVATE VEHICLE ACCESS



2B: SECTION SHOWING ACCESS FROM BRIDGE TO BASEMENT CARPARK

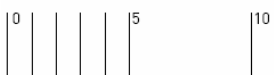


2C: ARTICULATION IN PLAN USING RECESSED ENTRANCES

DIAGRAMS

DCP 55. LAMOND FINLAY AND DUFF

02



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## LOCAL GOVERNMENT ASSOCIATION CONFERENCE 2005

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

For Council to determine its delegates to the 2005 Local Government Association of NSW Annual Conference.

**BACKGROUND:**

The Annual Conference will be held in Mudgee from Sunday, 22 October to Wednesday, 26 October 2005

**COMMENTS:**

The number of voting delegates allowable for each Council is dependant upon population. Based on Ku-ring-gai's population, Council will be entitled to 5 voting delegates.

**RECOMMENDATION:**

That Council determine its elected delegates and the General Manager accompany elected representatives to the Conference.

## **PURPOSE OF REPORT**

For Council to determine its delegates to the 2005 Local Government Association of NSW Annual Conference.

## **BACKGROUND**

The Annual Conference will be held in Mudgee from Sunday, 22 October to Wednesday, 26 October 2005.

## **COMMENTS**

The number of voting delegates allowable for each Council is dependant upon population. Based on Ku-ring-gai's population, Council will be entitled to 5 voting delegates.

## **FINANCIAL CONSIDERATIONS**

Registration for the Conference is \$770 per person which includes a number of social functions and the Conference sessions.

## **SUMMARY**

The Local Government Association Conference will be held in Mudgee from 22 to 26 October 2005 with the theme "Meeting Expectations....Can We?"

## **RECOMMENDATION**

- A. That Council determine its elected delegates to the 2004 Local Government Association Conference.
- B. That the General Manager accompany the elected representatives to the Conference.

Brian Bell  
**General Manager**

**Attachment: 2005 LGA Registration Guide - 520110**

2005



# Registration Guide **2005**

## Local Government Association of NSW **Annual Conference**

22nd to 26th October **2005**

Country Comfort Parklands Resort Conference Centre

Cassilis Road, Mudgee

Your Hosts – **Mid-Western Regional Council**

Conference **Elite Sponsor**



**“Meeting Expectations....Can We?”**



## **Welcome** to Mudgee

*I look forward to seeing all our delegates and their partners at this year's Local Government Association conference in Mudgee. The theme "Meeting Expectations....Can We?" certainly communicates the problems we all face in local government.*

*We will be launching our Public Inquiry into the cost of local government at the Saturday forum at the start of the conference and I'd urge you all to attend and give your views on this issue most fundamental to our survival.*

*Mudgee is a beautiful place and the social program will give you a taste of many different things, from wineries to antiques, to great local produce to world standard concerts that this wonderful NSW region has to offer. I am sure that Mudgee will exceed your expectations and again I look forward to meeting you there.*



*Genia McCaffery*

Cr Genia McCaffery  
President

## **Welcome to Mudgee** from our major sponsor Country Energy

Country Energy is a leading Australian energy services corporation owned by the New South Wales Government, with 3,300 employees serving more than 780,000 customers.

The company manages Australia's largest power supply network across 95 per cent of New South Wales' land mass and offers retail electricity in five states and territories.

Country Energy's product range includes natural and bottled gas, internet services and energy efficiency advice. They now also provide water services to 10,000 customers in far west New South Wales.

Created in July 2001, Country Energy supports more than 1,500 country and coastal towns and communities - from Bega to Tweed Heads, west to Broken Hill and south to the River Murray.

With annual revenue of around \$1.5 billion, Country Energy ranks in the top 150 companies in Australia.



### **Local Government Forum**

Saturday 22 October, 1.00 – 4.30 pm,  
Country Comfort Parklands Resort

The Saturday forum is considered essential for all councillors. It will be the launch of a proposed public inquiry to be commissioned by the LGSA into the financial sustainability of Local Government in NSW. It is anticipated that the eminent person/s appointed to conduct the inquiry will attend the forum and provide members with the opportunity to have input into this inquiry from the outset. Attendance at the forum is inclusive in your delegate registration fee.

## Delegates' program at a glance

### Saturday 22 October

- 1.00pm – 4.30pm Launch and Preliminary Sitting of Commission of Inquiry: The Cost of Local Government, Main Auditorium, Country Comfort Mudgee
- 7.00pm Wine and Food Dinner at Deeb's Kitchen (optional)

### Sunday 23 October

- 2.00pm- 3.00pm Church Service St Mary's Catholic Church Mudgee
- 3.00pm – 4.00pm Registration desk opens and afternoon tea in trade display area
- 4.00pm – 5.30pm Official Opening Ceremony, Main Auditorium  
Mayoral procession  
Indigenous welcome  
Welcome from the Mayor of Mid-Western Regional Council  
Welcome address by Cr Genia McCaffery, President LGA  
Official opening by Hon. Tony Kelly MLC, Minister for Local Government
- 5.30pm – 7.00pm President's welcome reception, Garden Court yard, Country Comfort. Sponsored by



### Monday 24 October

- 9.00am Ministerial Question Time: Hon Tony Kelly MLC, Minister for Local Government
- 9.30am Ministerial address by Hon. Craig Knowles MP (invited)
- 10.00am Address by Cr Paul Bell, ALGA President, on cost shifting
- 10.20am Adoption of Standing Orders  
Presentation and adoption of Treasurer's Report  
Consideration of motions
- 12.30pm Lunch
- 1.45pm Consideration of motions
- 4.30pm Conference adjourns for Happy Hour in trade display area. Sponsored by

**Microsoft**  
Your potential. Our passion.™

- 5.30pm Happy Hour concludes.
- 7.00pm **A Night on the Green**, Social Dinner with Wendy Matthews, Poet's Corner Winery  
Sponsored by

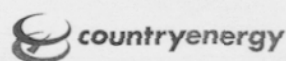


### Tuesday 25 October

- 9.00am Address by NSW Liberal Leader, Mr John Brogden  
Consideration of motions
- 12.00 noon Ballot for election of 2007 host council opens
- 12.30pm Lunch
- 2.00pm Ballot for election of 2007 host council closes  
Consideration of motions
- 4.30pm Conference adjourns for Happy Hour in trade display area. Sponsored by



- 7.00pm Gala Dinner **A Night to Remember**, Barrel Hall, Simon Gilbert Winery. Sponsored by



### Wednesday 26 October

- 9.00am Consideration of motions
- 12noon Drawing of prizes.  
Submission of conference evaluation form closes
- 12.15pm Closing ceremony
- 12.30pm Close

## Partners' Program at a glance

### Saturday 22 October

- 12.30pm – 6pm Mudgee Race Meeting Cox Plate Day
- 7.00pm Wine and Food Dinner at Deeb's Kitchen (optional)

### Sunday 23 October

- 9.30pm – 1.30pm The Antiques Trail Tour  
Gourmet Delights Tour  
Winery Tour
- 2.00- 3.00pm Church Service at St Mary's Catholic Church Mudgee
- 3.00pm – 4.00pm Registration opens and afternoon tea in trade display area, Country Comfort

### Monday 24 October

- 9.30am-4.00pm Historic Gulgong Tour
- 9.30am – 4.00pm Cobb & Co Coach & Vineyard Picnic
- 7.00pm Social dinner: **A Night on the Green** with Wendy Matthews, Poet's Corner Winery

### Tuesday 25 October

- 9.30am – 4.00pm Antiques and Wine Tour  
Cobb & Co Coach & Vineyard Picnic
- 7.00pm Gala dinner: **A Night to Remember**, Barrel Hall, Simon Gilbert Winery

Note: Program is draft only and correct at time of printing – July 2005



## Optional Activities for delegates and partners

### Saturday - Wine & Food Dinner

Wine & Food dinner at 'Deebs Kitchen' – informal dinner with short presentations by local wine & food producers. Dinner includes 5 courses and accompanying wines (limited to 100 people).  
7.00 pm start Cost - \$100 per person

### Sunday - The Antiques Trail

Here's your chance to explore the local antique shops with a local as your guide. Helen Evans from The Settlers Store Antiques & Furniture will guide you through her store as well as a variety of others in the region. Tour runs from 9.30am to 1.30pm on Sunday and includes morning tea. Cost - \$40 per person

### Sunday - Gourmet Delights Tour

This tour includes visits to Melrose Park venison farm, Ofa olive farm, Oakfield Country Store, High Valley Wine and Cheese Company and Mudgee Gourmet shop and Hazelnut Farm. A true gourmet's tour with plenty of opportunity to sample product and buy. Tour runs from 9.30am to 1.30pm on Sunday and includes morning tea.  
Cost - \$40 per person

### Sunday - Winery Tour

An opportunity for you to visit just a few of the cellar door outlets (of which there are now over 40) that operate in the Mudgee region. Wineries include Peiter Van Gent, Willow Lane, Oakfield, High Valley & Farmer's Daughter. Includes tastings at each winery. Tour runs from 9.30am to 1.30pm on Sunday and includes morning tea. Cost - \$40 per person

### Sunday - Rylstone & Lue Tour

Visit the arts and crafts shops located in the historic main-street of Rylstone and enjoy morning tea at the famous Bridge Bakery. Rylstone railway station will also be worth a visit before departing for a visit to Lue Pottery, which includes a fascinating tour through the pottery. Tour runs from 9.30 to 1.30 on Sunday and includes morning tea. Cost is \$65 per person.

## Optional Activities for partners

### Saturday - Mudgee Cox Plate Race Meeting

Mudgee's biggest race meeting for the year (Cox Plate Day) – includes race course entry and race day booklet as well as buffet lunch in corporate marquee (drinks available for purchase from bar). 12.30 start through to 6.00 pm. Cost \$40 per person

### Monday - Historic Gulgong

When you come to this region, a visit to Gulgong is a must! The tour includes a walking/talking tour of the town, visits to the fascinating Gulgong Museum & Henry Lawson Centre as well as a gourmet lunch at Larsons. Tour departs 9.30 am and returns at approximately 4.00 pm and includes lunch and all entry fees.  
Cost - \$80 per person

**Monday - Cobb & Co Coach & Vineyard Picnic**  
Experience the transport mode of yesteryear, but in far more style! A leisurely drive in an historic horse-drawn Cobb & Co coach, with a delightful gourmet picnic at the lovely Farmer's Daughter vineyard. Tour also includes a visit to the High Valley Wine and Cheese Company. Tour departs 9.30 am and returns at approximately 4.00 pm and includes lunch. Cost - \$80 per person (limited to 16 people).

### Tuesday - Antiques & Wine Tour

Your chance to explore the local antique shops with a local as your guide as well as visits to some of our famous wineries. Helen Evan from The Settlers Store Antiques & Furniture will guide you through her store as well as a variety of others in the region. You will also be treated to a walking winery tour giving you a Mudgee winemaker's insight into the process of winemaking in this region. Tour departs 9.30 am and returns at approximately 4.00 pm and includes lunch. Cost - \$80 per person.

### Tuesday - Cobb & Co Coach & Vineyard Picnic

Experience the transport mode of yesteryear, but in far more style! A leisurely drive in an historic horse-drawn Cobb & Co coach, with a delightful gourmet picnic at the lovely Farmers Daughter vineyard. Tour also includes a visit to the High Valley Wine and Cheese Company. Tour departs 9.30 am and returns at approximately 4.00 pm and includes lunch. Cost - \$80 per person (limited to 16 people).

## Registration fees

### Delegate Registration

Includes Saturday Forum, President's welcome reception, social dinner, formal dinner, M/Tea, lunch, A/Tea each day & all conference sessions Cost \$770 per person  
Note – A 'delegate' is considered as anyone registering to attend the conference

### Partner Registration

Includes Presidents welcome reception, social dinner, formal dinner and lunch on Monday and Tuesday.  
Cost \$340 per person  
Note – A 'Partner' is considered as the spouse of a registering delegate

### Sponsor Registration

Includes Presidents welcome reception, social dinner, formal dinner, M/Tea, lunch A/Tea each day & all conference sessions Cost \$275 per person  
Note – A 'Sponsor' is considered as an employee of an organisation who is sponsoring or exhibiting at the conference

## Due Date for registrations

You are requested to submit registrations by Friday 16 September. Registrations should be sent to:

**LGA Conference**  
**PO Box 5013**  
**ALBURY NSW 2640**  
**Phone – 02 6023 6300**  
**Fax - 02 6023 6355**  
**Email – lga@ccem.com.au**



## Functions included in registration fees

### Saturday – Local Government Forum.

Launch and Preliminary Sitting of Commission of Inquiry: The Cost of Local Government, Main Auditorium, Country Comfort Mudgee. Forum is included in registration fee. If purchased separately - \$40 per person

### Sunday -

#### Presidents Welcome Reception



5.30pm to 7.00pm in the Garden Courtyard at The Country Comfort Parklands Resort (conference venue). Function features the regions finest food and wine delights, served by it's creators. Proudly sponsored by Coffs Harbour City Council Function is included in registration fee. If purchased separately - \$40 per person

### Monday -

#### Social Dinner



This promises to be a fantastic night of entertainment and fine food with the evening taking on the format of the popular winery events – 'A Day on the Green'. Renowned Australian performer Wendy Matthews has been secured for the evening, which will be held on the grounds of one of Mudgee's premier vineyards, Poet's Corner. The evening will be relaxed and informal enabling delegates, partners and sponsors to mingle and get to know each other. Function is included in registration fee. If purchased separately - \$170 per person.

### Tuesday -

#### Conference Gala Dinner countryenergy

A night to remember in the majestic barrel hall at Simon Gilbert Wines. Prepare for a medieval banquet with all the fine wine, food and entertainment you would expect. Function is included in registration fee. If purchased separately - \$170 per person.

## How

### to register

Complete one registration form per person, indicating the functions and tours you wish to attend (both inclusive and optional). Calculate the total cost for your council or organisation on the Payment Summary Form and include with the appropriate registration forms.

## Payment details

Payment of registration fees must accompany registration forms. Payment may be made by cheque, credit card (Amex & Diners not accepted) or EFT (details available on the payment summary form). Please note – registrations will not be processed, and thus bookings not confirmed, without required payment.

## Cancellations

All cancellations must be advised in writing. Cancellations made by 5.00 pm on Friday 30 September will be eligible for a full refund of all payments made, less a \$100 administration fee per registration. Cancellations made after 5.00 pm on Friday 30 September will not be entitled to any refund, however substitute delegates may be sent.

## Special requirements

Should you have any special dietary, access or other requirements please ensure you detail them in the appropriate section of the registration form.

## Childcare

Childcare is available on the Monday, Tuesday and Wednesday of the conference through Mudgee Family Day Care centre. Should you require childcare please indicate on the appropriate section of the registration form. Please note that to ensure a placement childcare must be booked by Monday 10th October. Once your request has been received by the conference secretariat, you will be contacted by the childcare provider. All bookings (including payment arrangements) will be made directly between the parent and the childcare centre.

## Accommodation

As is normally the case with large conferences in regional areas, accommodation is at a premium, with all Mudgee regional motels, hotels and B&Bs already heavily booked. If you have not yet booked accommodation and would like assistance please contact Mid-Western Regional Council on 02 6372 5820 or [council@mudgee.nsw.gov.au](mailto:council@mudgee.nsw.gov.au) as soon as possible. A list of vacancies can be provided to assist in narrowing the number of accommodation providers you will need to contact.

## Getting to Mudgee

**Road** - Mudgee is approximately 3.5 hours drive from Sydney by driving west through the Blue Mountains. Mudgee is quite centrally located and within a 5–6 hour drive of the majority of LGA member Councils. Upon registering for the conference you will receive regional maps which will help you if you are driving to Mudgee.

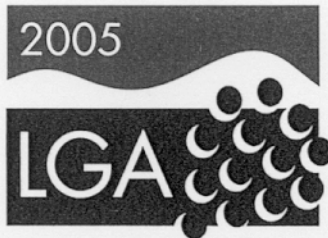
**Air** – Air Link is the regional airline that provides daily services from Mudgee – Sydney - Mudgee. Air Link has introduced an increased number of flights to allow for the influx of LGA delegates for the conference. Reservations may be made on-line at [www.airlinkairlines.com.au](http://www.airlinkairlines.com.au), through Air Link reservations 1300 66 28 23 or Qantas telephone sales 131313, Qantas Business Travel or your local travel agent.

**Rail/Coach** – Countrylink offer a combined rail and coach service from Sydney to Mudgee. Schedules and prices can be obtained by calling Countrylink on 13 22 32.

## Registration inquiries

The appointed conference managers for the 2005 LGA conference are Countrywide Conference & Event Management (who were also managers for the 2003 conference in Albury). Inquiries should be directed to:

**Countrywide Conference & Event Management**  
PO Box 5013  
ALBURY NSW 2640  
Phone – 02 6023 6300  
Fax – 02 6023 6355  
Email – [lga@ccem.com.au](mailto:lga@ccem.com.au)

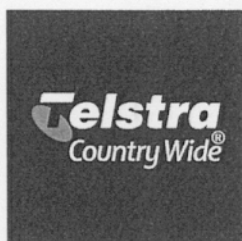


We **thank** and **acknowledge**  
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Please complete one form for each person attending

Surname: \_\_\_\_\_ Given name: \_\_\_\_\_

☐ Cr ☐ Mr ☐ Mrs ☐ Ms ☐ Dr Position: \_\_\_\_\_

Council/Organisation: \_\_\_\_\_

Postal Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Registration packages

Delegate Registration (see registration brochure for inclusions)	\$770	\$ _____
Partner Registration (see registration brochure for inclusions)	\$340	\$ _____
Sponsor Registration (see registration brochure for inclusions)	\$275	\$ _____

Please confirm your attendance for the items included in your registration package (tick boxes)

Saturday – Local Government Forum	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sunday – LGA Church Service	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sunday – Opening Ceremony	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sunday – President's Reception	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Monday – Poet's Corner Social Dinner	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Tuesday – Gala Dinner	<input type="checkbox"/> Yes	<input type="checkbox"/> No

### Optional/Additional function & tour requirements

Saturday – LGA Forum (included in registration fee)	\$40	\$ _____
Saturday – Mudgee Race Day	\$40	\$ _____
Saturday – Wine & Food Dinner	\$100	\$ _____
Sunday – Antiques Trail Tour	\$40	\$ _____
Sunday – Gourmet Delights Tour	\$40	\$ _____
Sunday – Winery Tour	\$40	\$ _____
Sunday – Rylstone and Lue Tour	\$65	\$ _____
Sunday – President's Welcome Reception (included in registration fee)	\$50	\$ _____
Monday – Partner's Tour to Historic Gulgong	\$80	\$ _____
Monday – Partner's Tour to Winery on Cobb & Co Coach	\$80	\$ _____
Monday – Poet's Corner Dinner (included in registration fee)	\$170	\$ _____
Tuesday – Partner's Antiques & Wine Tour	\$80	\$ _____
Tuesday – Partner's Tour to Winery on Cobb & Co Coach	\$80	\$ _____
Tuesday – Gala Dinner (included in registration fee)	\$170	\$ _____

### Total Amount Paid

\$ \_\_\_\_\_

All amounts include GST – please transfer the total amount to the payment summary sheet with other delegates from your organisation or council

### Transfers

Do you require transfers from your accommodation? ☐ Yes ☐ No

If yes please confirm the name of your accommodation venue: \_\_\_\_\_

Please confirm transfers required:

☐ Conference sessions ☐ Monday night Social Dinner ☐ Tuesday night Gala Dinner

### Special requirements

Please indicate any special needs including: ☐ child care ☐ dietary ☐ access provisions etc ☐ other

Please specify requirements: \_\_\_\_\_

I acknowledge the privacy policy and give permission for my contact details to be used in the manner described ☐ Yes ☐ No

# 2005 LGA Conference

## Registration Form page 2

### How

#### to register

Complete one registration form per person, indicating the functions and tours you wish to be booked for (both inclusive and optional). Calculate the total cost for your council or organisation on the Payment Summary Form and include with the appropriate registration forms.

### Payment details

Payment of registration fees must accompany registration forms. Payment made by cheque, credit card (Amex & Diners not accepted) or EFT (details available on the payment summary form). Please note – registrations will not be processed, and thus bookings not confirmed, without required payment.

### Due Date

#### for registrations

You are requested to submit registrations by Friday 16 September. Registrations should be sent to:

**LGA Conference**  
**PO Box 5013**  
**ALBURY NSW 2640**  
**Phone – 02 6023 6300**  
**Fax – 02 6023 6355**  
**Email – lga@ccem.com.au**

### Cancellations

All cancellations must be advised in writing. Cancellations made by 5.00 pm on Friday 30 September will be eligible for a full refund of all payments made, less a \$100 administration fee per delegate. Cancellations made after 5.00 pm on Friday 30 September will not be entitled to any refund, however substitute delegates may be sent.

### Privacy Policy

Mid-Western Regional Council is hosting the 2005 LGA of NSW conference on behalf of the LGSA and is bound by, and committed to supporting the principles set out in the Privacy & Personal Information Protection Act 1998. Mid-Western Regional Council will collect and store information you provide in this registration form for the purposes of enabling us to register your attendance at the conference. Mid-Western Regional Council to offer, provide and continue to improve its conferences and other services. Mid-Western Regional Council may disclose some of the information that is collected in the registration form such as your name, organisation and its location and your email address to conference sponsors and exhibitors for marketing purposes (with your permission). Mid-Western Regional Council will not otherwise, without your consent, use or disclose your personal information for any purpose unless it would reasonably be expected that such purpose be related to the offer, provision and improvement of conferences & services or where such purpose is permitted or required by law.

*By completing and submitting this registration form you are deemed to have read  
and accepted the cancellation and privacy policies.*

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## WEST PYMBLE SWIMMING POOL - 2005/06 ADMISSION FEES BY LESSEE

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### EXECUTIVE SUMMARY

<b>PURPOSE OF REPORT:</b>	For Council to approve the lessee's proposed admission fees to the West Pymble Swimming Pool for the 2005/06 swimming season.
<b>BACKGROUND:</b>	<p>The current Lessee (Mr &amp; Mrs Martin) have been managing the operations of the West Pymble Swimming Pool since 1987.</p> <p>On 1 August 2005, the Lessee submitted a proposal to Council for its consideration and approval to increase the 2005/06 pool admission fees which is required when the proposed increases are above the Consumer Price Index (CPI).</p>
<b>COMMENTS:</b>	<p>The Lessee has advised that the proposed increase in the 2005/06 admission fees above the CPI, is required due to specific increases in the general running costs for the facility. This has resulted, at least in part, as a consequence of the installation of the new filtration and heating system. These works were installed as part of Stage 1 of Council's Capital Works Program for the facility which separated the smaller pools from the main 50m pool in compliance with the NSW Public Swimming Facilities and Health guidelines.</p>
<b>RECOMMENDATION:</b>	That Council approve the proposed 2005/06 pool admission fees for West Pymble Swimming Pool as outlined in this report.

## PURPOSE OF REPORT

For Council to approve the lessee's proposed admission fees to the West Pymble Swimming Pool for the 2005/06 swimming season.

## BACKGROUND

The current Lessee (Mr & Mrs Martin) have been managing the operations of the West Pymble Swimming Pool since 1987.

On 1 August 2005, the Lessee submitted a proposal to Council for its consideration and approval to increase the 2005/06 pool admission fees which is required when the proposed increases are above the Consumer Price Index (CPI).

## COMMENTS

In accordance with Clause 3(f) of the lease, the Lessee sets the admission fees and may increase them each year, up to or equal to the CPI rise. The Lessee can request Council to consider and approve an increase in the admission fee above the Consumer Price Index (CPI). On 1 August 2005, the Lessee wrote to Council seeking consideration and approval of proposed 2005/06 admission fees, as they are greater than CPI for the year 2004.

The Lessee has demonstrated these increases are justified on the basis that their general running costs have considerably increased due to the new filtration and heating system installed for the smaller pools that was undertaken by Council over the last 12 months and other requirements of Council in respect of the lease. Council is currently completing the replacement of the heater in the main pool. This heater may modestly increase energy consumption.

In their submission (refer attachment 1) the Lessee has benchmarked the proposed rates against the Hornsby Swimming Centre (a comparable facility) and in each category, the proposed fee is the same amount or less. Staff have also undertaken a comparison of fees against Dence Park Pool in West Epping, which is also a comparable facility.

In 2002 the Lessees had requested a rise greater than the CPI rate. Staff at that time undertook a widespread comparison and found that the fees for West Pymble Pool were generally lower than for comparable facilities. Staff are also currently meeting with the Lessee to review their performance in respect of the first twelve months of the lease.

Table 1 details the Lessee's proposed admission fees for the upcoming 2005/06 Swimming Season.

**Table 1**

<b>Admission Type</b>	<b>2004/05 Fees &amp; Charges</b>	<b>2005/06 Fees with CPI increase</b>	<b>Proposed 2005/06 Fees &amp; Charges</b>
Adults	\$3.20	\$3.30	\$3.50
Children	\$2.20	\$2.25	\$2.50
Seniors	\$2.20	\$2.25	\$2.50
Spectators	\$2.00	\$2.05	\$2.00
Schools	\$2.00	\$2.05	\$2.20
Adult tickets (20)	\$50.00	\$51.25	\$55.00
Child tickets (20)	\$35.00	\$35.90	\$37.00

**Table 2 – 2005/2006 Comparative Admission Fees for  
Hornsby Swimming Centre & Dence Park Swimming Pool**

<b>Admission Type</b>	<b>Proposed WPP 2005/06 Fees &amp; Charges</b>	<b>Hornsby 2005/06 Fees &amp; Charges</b>	<b>Dence Park Pool, West Epping</b>
Adults	\$3.50	\$3.50	\$3.50
Children	\$2.50	\$2.80	\$2.80
Seniors	\$2.50	\$2.50	\$2.50
Spectators	\$2.00	\$2.00	\$2.00
Schools	\$2.20	\$2.80	\$2.50
Adult tickets (20)	\$55.00	N/A	N/A
Child tickets (20)	\$37.00	N/A	N/A

## CONSULTATION

Staff have undertaken discussion with the Lessee, Mr & Mrs Martin, following their correspondence and in the preparation of this report.

## FINANCIAL CONSIDERATIONS

In compliance with NSW Health Regulation, Council was required to separate the smaller pools from the larger pool, by installing a new filtration and heating system. This work was undertaken as part of Stage 1 Capital Works Program at the facility.

Stage 1 and 2 works were undertaken between May and August 2004. The cost of stage 1 was \$489,032 which involved segregation and renovations of learners, toddlers and babies pool. Stage 2 involved structural works to the 50m swimming pool including balance tank upgrade, new backwash tank and joint repairs at a costs of \$144,668.

## Item 16

S02348  
11 August 2005

As a result, this has increased the Lessee's energy consumption to run the facility and associated costs for the Lessee. Based on attendance figures for the 2004/05 swimming season, the additional fees will yield the Lessee approximately \$25,000 per annum. Should Council accept the Lessee's proposal for increase of fees for the 2005/06 swimming season, they would then be equivalent to other comparable facilities within the region. Staff would be unlikely to recommend further increases above the CPI during the remainder of the lease.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Council's Open Space Sport & Recreation Unit has liaised with Business and Finance development in the preparation of this report.

## SUMMARY

The Lessee, wrote to Council on 1 August 2005, requesting consideration for an increase above CPI for the 2005/06 pool admission fees. Table 3 details the proposed admission fees for 2005/06 at West Pymble Pool.

**Table 3**

<b>Admission Type</b>	<b>2004/05 Fees &amp; Charges</b>	<b>Proposed 2005/06 Fees &amp; Charges</b>
Adults	\$3.20	\$3.50
Children	\$2.20	\$2.50
Seniors	\$2.20	\$2.50
Spectators	\$2.00	\$2.00
Schools	\$2.00	\$2.20
Adult tickets (20)	\$50.00	\$55.00
Child tickets (20)	\$35.00	\$37.00

In accordance with Clause 3(f) of the lease, the Lessee has requested that Council consider and approve the above proposed 2005/06 admission fees. A comparison of fees against other facilities suggests that the fees proposed for West Pymble are equivalent to those charged elsewhere.

## RECOMMENDATION

That Council approve the proposed 2005/06 admission fees for West Pymble Swimming Pool as requested by the Lessee and as outlined in this report.

Amanda Colbey  
**Manager Parks, Sport & Recreation**

Steven Head  
**Director Open Space**

**Attachment: Letter from Mr & Mrs Martin dated 1 August 2005.**



# WEST PYMBLE POOL

Prince of Wales Dr. WEST PYMBLE  
Postal: PO BOX 442 TURRAMURRA 2074  
Phone: 9498 8171  
Fax: 9499 8914  
michelemrtn@aol.com

\*\*\*\*\*

8/17/2005

Ms. Amanda Colbey  
Open Space  
Ku-ring-gai Council

Dear Amanda

I am writing in regard to admission charges for West Pymble Pool for the 2005/2006 season. As you are aware the terms of the lease state that charges may be increased according to the CPI each year. As published on 27 July the CPI for the year June 2004 - June 2005 is 2.5%.

However, due to the new filtration and heating system for the smaller pools our general running costs have increased considerably. We were aware that there would be an increase, but on setting last seasons fees had not allowed for an extra \$20,870.00.

	<b>2003/2004</b>	<b>2004/2005</b>
BOC Gas	\$2334.00	\$7289.00
Chlorine	\$11365.00	\$16407.00
Heating	\$24862.00	\$30077.00
Electricity	\$11294.00	\$16952.00
<b>TOTAL</b>	<b>\$49855.00</b>	<b>\$70725.00</b>

We are proposing the following admission charges for the 2005/2006 season:

	2004/05	CPI Incr.	<b>2005/2006</b>	Hornsby
Adults	\$3.20	\$3.30	<b>\$3.50</b>	\$3.50
Children	\$2.20	\$2.25	<b>\$2.50</b>	\$2.80
Seniors	\$2.20	\$2.25	<b>\$2.50</b>	\$2.50
Spectators	\$2.00	\$2.05	<b>\$2.00</b>	\$2.00
Schools	\$2.00	\$2.05	<b>\$2.20</b>	\$2.80
Adult tickets (20)	\$50.00	\$51.25	<b>\$55.00</b>	?
Child tickets (20)	\$35.00	\$35.90	<b>\$37.00</b>	?

Please contact me at home on 9403 0553 if you need to discuss this further.

Regards  
Michele Martin

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## **ANALYSIS OF LAND & ENVIRONMENT COURT COSTS 2004/2005**

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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 year ended 30 June 2005.

**BACKGROUND:**

An applicant 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 financial year 2004/2005, Council's legal costs and associated expenses in relation to Land & Environment Court matters were \$1,867,200. This compares to the year to date revised budget of \$1,535,000.

**RECOMMENDATION:**

That the analysis of Land & Environment Court Costs for the financial year 2004/2005 be received and noted.

## PURPOSE OF REPORT

To provide information in relation to proceedings to which Council is a party in the Land and Environment Court for the financial year 2004/2005, including appeals commenced, costs incurred by Council and outcomes.

## BACKGROUND

Pursuant to the *Environmental Planning and Assessment Act 1979*, an applicant 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

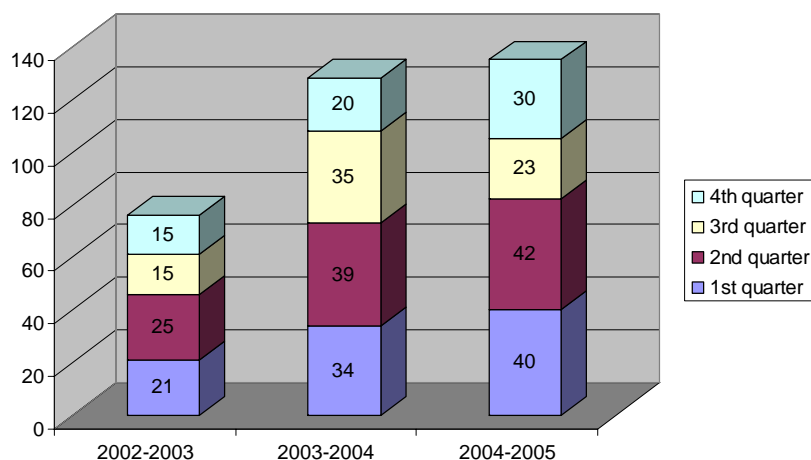
For the financial year 2004/2005, there have been 135 new appeals lodged in respect of development applications with the Land and Environment Court, in respect of which costs were incurred by Council. This represents an increase in the number of appeals compared to previous years. The number of appeals received in prior years is as follows:

Financial year	Number of appeals received (whole year)
2001/2002	75
2002/2003	76
2003/2004	128
2004/2005	135

Item 17

S02466  
25 July 2005

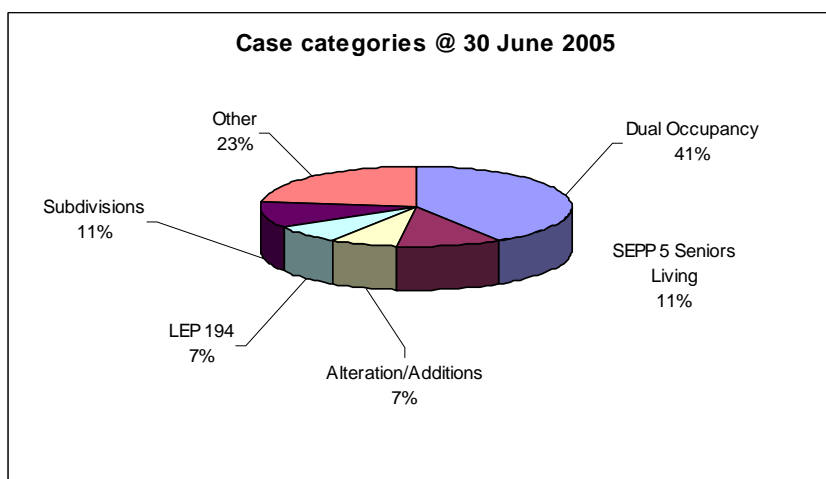
Number of Appeals Commenced



The revised procedures in the Land and Environment Court, which commenced in February 2004 have significantly streamlined appeal procedures and reduced timeframes, and have encouraged more applicants to lodge appeals with the Court.

Eighty Eight (88) of the 135 new appeals lodged during this financial year were in relation to deemed (as opposed to actual) refusal of an application. Despite an overall increase in the number of appeals, this proportion (65%) represents a reduction in percentage of deemed refusal appeals compared to earlier periods. The percentage of deemed refusal appeals in the year 2003-2004 was 77%.

Appeals commenced in the last quarter ended June 2005 are made up of the following development categories:



## Item 17

S02466  
25 July 2005

The larger categories are appeals in respect of dual occupancy development (42%), SEPP5 and subdivisions (11%).

The “Other” category in the previous chart comprises single dwellings, fences, demolition, telecommunications structures section 96 and appeals against conditions of consent.

**COSTS**

During the financial year 2004/2005, Council expended \$1,867,200 on legal costs and associated expenses in relation to Land & Environment Court matters. This is \$332,200 more than the revised annual budget of \$1,535,000, but \$338,100 less than the same period in 2003/2004 and \$384,700 less than the same period in 2002/2003

These costs are made up of legal fees, fees charged by consultants retained as expert witnesses (largely court-appointed experts) and other costs incurred as a result of Council’s role in the proceedings. In addition to expenditure on appeals, a further amount of \$15,000 was spent on expert legal advice regarding development assessment matters.

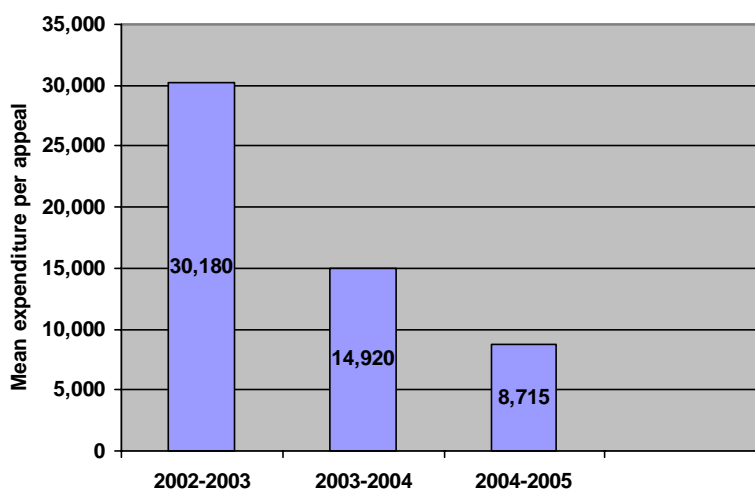
<b>Legal Costs and Associated Expenses 2001/2002 - 2004/2005</b>					
<i>Financial Year</i>	<i>Total Costs</i>	<i>1st quarter September</i>	<i>2nd quarter December</i>	<i>3rd quarter March</i>	<i>4th quarter June</i>
<b>2001/2002</b> (75 appeals lodged)	\$2,104,000	\$420,000	\$423,000	\$500,000	\$761,000
<b>2002/2003</b> (76 appeals lodged)	\$2,252,000	\$302,000	\$452,000	\$665,000	\$833,000
<b>2003/2004</b> (128 appeals lodged)	\$2,205,000	\$468,000	\$378,000	\$605,000	\$754,000
<b>2004/2005</b> (135 appeals lodged)	\$1,867,000	\$274,000	\$562,000	\$314,000	\$717,000

The above table indicates that, despite an increasing number of appeals, there has been a significant reduction in costs incurred compared to the same period in the previous year. Costs for the financial year 2004/2005 were \$338,100 less than in the financial year 2003/2004.

## Item 17

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25 July 2005

A comparison of the average total costs incurred in relation to matters commenced in the past three years indicates that the cost per appeal incurred by Council has reduced substantially:



Factors which may be regarded as contributing to this reduction in costs are:

- More efficient processing of development applications that are subject to deemed refusal appeals so that they are determined at an earlier stage of Court proceedings;
- More efficient management of the process of instructing Council's external legal representatives;
- Faster progress and determination of appeals by the Court as a result of the revised practice directions;
- The practice of the Court of frequently appointing Court-appointed experts to provide expert opinion/evidence rather than allowing the parties to call their own witnesses, which results in the parties sharing the cost of the witness.

A total of \$1,176,500, or 63% of the total costs, was incurred in relation to 88 matters that commenced in the current financial year. The balance relates to appeals that were commenced prior to 1 July 2004.

### SUMMARY BY WARD

A summary of Land & Environment Court costs by ward is shown in the following table:

Land & Environment Court costs by Ward for the financial year 2004/2005		
Comenarra	\$221,497	11.8%
Gordon	\$403,206	21.6%
Roseville	\$239,829	12.8%
St Ives	\$331,406	17.7%
Wahroonga	\$671,250	36.1%
<b>Total Costs</b>	<b>\$1,867,188</b>	<b>100.0%</b>

## OUTCOMES

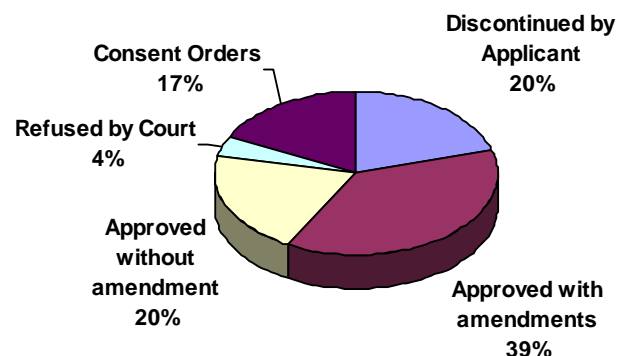
At an early stage of each appeal, Council, as respondent, is required to file with the Court a Statement of Issues outlining the grounds which Council asserts as warranting refusal of a development, or alternatively, that may be addressed by way of conditions of consent.

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.

Of the 135 appeals commenced in the financial year 2004/2005, 85 appeals, or 63%, were resolved by year end. The following diagram illustrates the outcomes of those proceedings:



Item 17

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25 July 2005

As indicated, almost one quarter (24%) of the appeals concluded were either discontinued by the applicant or refused by the Court outright. Of the other appeals, a substantial majority were subject to significant amendment to address some or all of the issues raised by Council prior to consent being granted by the Court.

## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

Land & Environment Court legal costs form part of Council's recurrent operating budget.

Notwithstanding the cost reductions achieved through the more efficient management of appeals on the part of Council and the Land and Environment Court, there is still a discrepancy between the budget and actual costs. There are three key reasons for this:

1. The considerable increase in numbers of appeal lodged, due, at least in part, to the Court's new practice directions.
2. Over 37% of the legal costs incurred in this financial year were in relation to appeals commenced before July 2004. This includes a significant proportion of appeals lodged in response to the previous backlog of development applications.
3. Dual Occupancy developments and developments pursuant to LEP 194 are the most significant appeal categories. In relation to LEP 194 development in particular (being large-scale development), an economic incentive operates on developers to commence appeals in relation to deemed refusal, if the opportunity exists, at or shortly after the fortieth day.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

This report has been developed with input from Council's Corporate Lawyer, Finance and Business and Development and Regulation department directors.

## SUMMARY

For the financial year 2004/2005 Council has expended \$1,867,200 on legal costs and associated expenses in relation to Land & Environment Court matters. This compares to the year-to-date budget of \$1,535,000, a negative variation of \$332,200.

Actual expenditure for the financial year 2004/2005 is \$338,100 less than for the 2003/2004 financial year. Despite cost reductions achieved through the more efficient management of appeals on the part of Council and the Land and Environment Court, there is still a discrepancy between the budget and actual costs for the year ended 30 June 2005. There are three key reasons for this:



Item 17

**S02466**  
**25 July 2005**

1. The considerable increase in numbers of appeal lodged.
2. Costs incurred from appeals commenced prior to July 2004. (37%)
3. Costs associated with Dual Occupancy and developments pursuant to LEP 194.

**RECOMMENDATION**

That the analysis of Land & Environment Court costs for the 2004/2005 financial year be received and noted.

Jamie Taylor  
**Corporate Lawyer**

John McKee  
**Director Finance & Business**

Michael Miocic  
**Director Development & Regulation**

**Attachments: Individual Case Recommendations June 2005 - Confidential**

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## NOTICE OF RESCISSION

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### 8 TO 12 NOLA ROAD, ROSEVILLE

**Notice of Rescission from Councillors L Bennett, E Malicki and M Shelley dated 9 August 2005.**

We move -

"That the decision to approve 8 to 12 Nola Road, Roseville is hereby rescinded".

### RECOMMENDATION

That the above Notice of Rescission as printed be adopted.

L Bennett  
Councillor for St Ives Ward

E Malicki  
Councillor for Comenarra Ward

M Shelley  
Councillor for Roseville Ward

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## NOTICE OF MOTION

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### LAND & ENVIRONMENT COURT CLASS 1 APPEAL OUTCOMES

**Notice of Motion from Councillor T Hall dated 28 July 2005.**

I move:

"That where judgments of class 1 appeals handed down in the Land & Environment Court include a criticism, requirement or suggestion by the Court's Commissioner for the Council to review its policies/development control plans that he/she consider faulty as a result of the outcome of individual Class 1 appeals, these matters be reported with an appropriate staff recommendation to Council for review as to implementation, as soon as possible after the handing down of the relevant judgment.

I refer particularly to the Court's criticisms of Council's bonding conditions of landscaping/preservation of trees (see Appeals No.11333 of 2004 and No.10238/2005), the DCP condition for the rejection of Childcare Centres sited within 100m of sub-arterial roads (see Appeal no.10072 of 2005) and restrictions as to user on title, (Appeal No.11333 of 2005)".

Note. This list is not complete.

### RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Cr Tony Hall  
Councillor for St Ives Ward

**Attachments:      Background notes: Memo dated 26 July 2005 by Council's Corporate Lawyer (under separate cover - 517668).**

26 July 2005

**MEMORANDUM**

TO: THE MAYOR AND ALL COUNCILLORS

COPY TO: BRIAN BELL, GENERAL MANAGER  
MICHAEL MIOCIC, DIRECTOR DEVELOPMENT AND REGULATION  
STEPHEN HEAD, DIRECTOR OPEN SPACE  
GREG PICONI, DIRECTOR TECHNICAL SERVICES  
MATTHEW PRENDERGAST, MANAGER DEVELOPMENT ASSESSMENT SERVICES

FROM: JAMIE TAYLOR, CORPORATE LAWYER

SUBJECT: **LAND AND ENVIRONMENT COURT**

Attached are details of all current Class 1 appeals in the Land and Environment Court to which Council is a party. In relation to those matters which have been listed for hearing, the dates are indicated.

You will note that the following new appeals have been received:

1. Ku-ring-gai Council ats Andrew Wydner (LEC No 10434 of 2005) DA0234/05 for 2 Fitzroy Street, Killara.
2. Ku-ring-gai Council ats Alice Eve Kaplun (LEC No 10451 of 2005) DA1304/04 for 25 Highfield Road, Lindfield.
3. Ku-ring-gai Council ats Robert & Sue Clare (LEC No 10465 of 2005) DA0990/03 for 7-9 Stuart Street, Wahroonga.
4. Ku-ring-gai Council ats David Arthur & Dora Maria Byron (LEC No 10473 of 2005) DA0261/05 for 38B Holmes Street, Turramurra.
5. Ku-ring-gai Council ats John and Margaret Grattan (LEC No 10504 of 2005) DA0162/05 for 93 Lucinda Avenue, Wahroonga.
6. Ku-ring-gai Council ats Lyn Cawthorne (LEC No 10505 of 2005) DA0319/05 for 122 Junction Road, Wahroonga.
7. Ku-ring-gai Council ats Xiang Rong Australia (Investments) Pty Ltd (LEC No 10507 and 10506 of 2004) DA1696/03 and DA1697/03 for Lots 2 and 1, 82 Pymble Avenue, Pymble.
8. Ku-ring-gai Council ats Keith Kwok Kei Tai (LEC No 10567 of 2005) DA668/03 for 21 Merlin Street, Roseville.
9. Ku-ring-gai Council ats Alister and Judy Cox (LEC No 10603 of 2005) DA0251/05 for 27 Ayres Road, St Ives.
10. Ku-ring-gai Council ats Arkibuilt Pty Ltd (LEC No 10611 of 2005) DA0282/05 for 2-8 Milray Street and 10 Havilah Lane, Lindfield.

11. Ku-ring-gai Council ats Lyndon Fields Pty Ltd (LEC No 10600 and 10601 of 2005) DA0379/05 and DA0380/05 for Lots 1 and 2 of 51 Benaroon Street, St Ives.
12. Ku-ring-gai Council ats Rim & Rhonda Keris (LEC No 10602 of 2005) DA0318/05 for 45 Warrangi Street, Turramurra.
13. Ku-ring-gai Council ats Specialist Properties Pty Ltd (LEC No 10637 of 2005) DA0766/04 for 52 Cowan Road, St Ives.
14. Ku-ring-gai Council ats Kathryn Kirwan (LEC No 10682 of 2005) DA1624/03 for 15 Belgium Avenue, Roseville.
15. Ku-ring-gai Council ats Andrew & Joy Steiner (LEC No 10788, 10789, 10790, 10791, 10792 and 10793 of 2005) DAs0437/05, DA0438/05, DA0439/05, DA0440/05, DA0441/05 and DA0442/05 for 79-81 Killeaton Street, St Ives.
16. Ku-ring-gai Council ats Nancy Cummins (LEC No 10782 of 2005) DA0240/05 for 29 Cowan Road, St Ives.
17. Ku-ring-gai Council ats Project Venture Development No 11 Pty Ltd (LEC No 10780 of 2005) DA1415/04 for 589 Pacific Highway and 32 Marian Street, Killara.
18. Ku-ring-gai Council ats Northeast Homes (LEC No 10771 of 2005) DA0113/05 for 1203-1209 Pacific Highway, Turramurra.
19. Ku-ring-gai Council ats Ken Yardley (LEC No 10743 of 2005) DA0489/05 for 11 Abingdon Road, Roseville.
20. Ku-ring-gai Council ats BCE Investments (Aust) Pty Ltd (LEC Nos 10721 to 10728 of 2005) DAs0532/02A, DA0395/05, DA0396/05, DA0397/05, DA0398/05, DA0399/05, DA0401/05 and DA0402/05 for 4 Munderah Avenue, Wahroonga.
21. Ku-ring-gai Council ats Ilan & Lynda Ben-Menashe (LEC No 10748 of 2005) DA0405/05 for 41 Kissing Point Road, Turramurra.

I also attach for Councillors' information, an appeal outcome report for the following appeals:

1. Ku-ring-gai Council ats Alex Lysenko (LEC No 11552 of 2004) DA 1650/03 for property at 303 Bobbin Head Road (43 –45 Kedumba Crescent), Turramurra.
2. Ku-ring-gai Council ats Ghaderi-Araghi (LEC Nos 11612, 11383 and 10955 of 2004) DA 1647/03 for property at 7 Camden Gardens, North Turramurra.
3. Ku-ring-gai Council ats Rafat George Wassef (LEC No 10870 of 2004) DA 1717/04 for property at 21 Rothwell Road, Turramurra.
4. Ku-ring-gai Council ats Quinn Homes Pty Ltd (LEC No 10675 of 2005) DA 462/03 for property at 34 Addison Avenue, Roseville.
5. Ku-ring-gai Council ats Shaynd (LEC No 11366 of 2004) DA 0688/04 for property at 86 Kitchener Street, St Ives.

6. Ku-ring-gai Council ats Allen and Hawkes (LEC No 11333 of 2004) DA 0314/04 for property at 32 Waratah Street, Turramurra.
7. Ku-ring-gai Council ats Brian Leonard & Carnegie Credit Management Service Ltd (LEC No 11389 of 2004) DA 997/04 for property at 20 Warwick Street, Killara.
8. Ku-ring-gai Council ats Katter (LEC No 10293 of 2005) DA 0076/05 for property at 544 Pacific Highway, Killara.
9. Ku-ring-gai Council ats Owen Haviland Pty Ltd (LEC No 11589 of 2004) DA 0420/03 for property at 143 Mona Vale Road, St Ives.
10. Ku-ring-gai Council ats Lee (LEC No 10313 of 2005) DA 0687/04 for property at 10 Saiala Road, East Killara.
11. Ku-ring-gai Council ats Shuttleworth (LEC No 11304 of 2004) DA 1369/03 for property at 37 Horace Street, St Ives.
12. Ku-ring-gai Council ats Lisa Cribb (LEC No 10238 of 2005) DA 0303/04 for property at 71 The Chase Road, Turramurra.
13. Ku-ring-gai Council ats King (LEC No 11567 and 11568 of 2004) DAs 1124, 1125 and 1126/2003 for property at 2 Normurra Avenue, North Turramurra.
14. Ku-ring-gai Council ats Rolf Bloch-Jorgensen (LEC No 10202 of 2005) DA 0792/04 for property at 24 Cornwall Avenue, Turramurra.
15. Ku-ring-gai Council ats Acre Woods Childcare (LEC No 10072 of 2005) DA 1266/04 for property at 81 Clanville Road, Roseville.

There is currently one Class 4 appeal as follows:

1. Ku-ring-gai Council ats David & Roslyn McGovern (LEC No 40607 of 2005) DA1417/04 - validity of consent for 49 Telegraph Road, Pymble.

There is currently one 56A appeal as follows:

1. Ku-ring-gai Council ats Loombah Investments – decision of Senior Commissioner Roseth re 2 Loombah Avenue, Lindfield.

I would be happy to respond to any Councillor in relation to any queries regarding these matters.



Jamie Taylor  
Attach:

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## NOTICE OF MOTION

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### TURRAMURRA TOWN CENTRE CONSULTATION

**Notice of Motion from Councillor E Malicki dated 15 August 2005.**

I move:

"That there be further meetings of residents to discuss options for the Turramurra Town Centre. This is in order to accommodate additional people who have asked or wish to be part of the consultation process."

### RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Elaine Malicki  
Councillor for Comenarra Ward

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## NOTICE OF MOTION

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### DEVELOPER CONTRIBUTIONS AND IMPROVEMENTS TO TRAFFIC INFRASTRUCTURE

**Notice of Motion from Councillor L Bennett dated 12 August 2005.**

I move that:

- "A. As a matter of urgency Council seek advice from s94 planners as to what traffic infrastructure improvements for St Ives can be funded through an amendment to the current s94 plan and these include those outlined in the Traffic Study for St. Ives
- B. The advice includes an estimate of the extent to which they could be financed by developer contributions
- C. The General Manager advises as to when the Council resolution on "Undergrounding of Car Parks and Section 94 Contributions" will be fully actioned."

### RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Laura Bennett  
Councillor for St Ives Ward